

## RETALIATION AND RETALIATION

### Background

The UT-AAUP newsletter of June 14, 2021 reported that UT employee Dre Wynn was arrested for felony theft of a laptop after he had returned his UT laptop to the UT police station. Dre is an African-American and a former HR Director. This arrest was retaliation along with other retaliations by the Postel Administration as discussed below.

A number of UT African-American employees were fired by the Postel Administration during the Fall of 2020 and early 2021. Some were replaced by white employees at higher pay. One was Wendy Davis, an African-American and Associate VP/Chief HR Officer, who filed with the Ohio Civil Rights Commission (OCRC) after her termination. The OCRC ruled in her favor and issued a probable cause letter of determination on June 25, 2021. There are over a dozen pending OCRC complaints filed by UT African-American employees. More OCRC probable cause letters are anticipated.

During the Fall 2020 and in January 2021, Dre Wynn complained to the Postel Administration about the treatment of UT African-American employees. After no response from the Postel Administration, including HR and Legal Affairs, Dre filed an OCRC complaint on January 19, 2021. On January 27, 2021, Dre was terminated with a 90-day letter. This was retaliation against Dre for filing the OCRC complaint. His later arrest was further retaliation.

### Laptop

In April, Postel Administration officials began demanding that Dre return his laptop. He was residing in Bay City, Michigan and recovering from COVID-19. He advised UT officials that he would be bringing the laptop back to UT and would also arrange to pick up his personal property from his office. He was told to drop off the laptop at the UT police station and could also pick up his personal property.

### Arrest

On May 3, 2021, a warrant was issued for the arrest of Dre Wynn. He did not know and was not told of this arrest warrant. In the middle of May, Dre called the UT police station and left voicemail stating he was ready to drop off the laptop and pick up his personal property.

On May 19, 2021, Dre received replay voicemail from UT which said:

*“This is [xxxx]at the University of Toledo Police. I got your message. Umm just seeing if it’s possible that you could stop by actually next week sometime instead of today, I am actually not available at the moment and I will not be here tomorrow and Friday. Umm If you can call me back at your ah convenience, please numbers [xxxx] and again just maybe trying set up a time to exchange on ah maybe Monday next week or sometime early next week will be fine. Again, the number is [xxxx]. Thanks Bye.”*

This voicemail treats the return of the laptop as routine. It gives no hint that the Postel Administration considers the laptop to be stolen or that an arrest warrant has been issued.

Dre subsequently arranged to drop-off the laptop and pick up his property on May 27, 2021 at 11:30 a.m. When he arrived, he handed over the laptop and was immediately arrested and taken into an interrogation room. As previously reported, he was then fingerprinted, his DNA taken, handcuffed, and transported to the Lucas County jail where he was again fingerprinted, put in an orange jumpsuit. and placed in a jail cell.

### **Faculty Reaction**

The UT-AAUP has received numerous email and telephone feedback from outraged UT faculty and other employees over Dre's arrest. Faculty report that it is quite common for laptops not to be returned in a timely fashion by current and former faculty and students. Some retired faculty still have their laptops. Our sources indicate there have been no UT police department arrests for the late or non-return of a laptop other than Dre. President Postel recently said to two local African-American leaders that "white people have also been arrested." If so, for what and who?

A UT police report is filed in some cases (not all) and the campus police may telephone or write for the laptop return and/or go pick it up. There is no arrest even if the laptop is never returned. No UT employee or student has ever been arrested for not returning a laptop. Dre is the first and was arrested after he returned the laptop.

One professor replied:

*Thank you for all you do and for bringing this horrible issue to my attention and to that of the UT community.*

*I wanted to share a similar story with you that did not result in a felony arrest.*

*I had a graduate assistant ..... that left UT with a laptop.....She took a position with another university in Indiana. After multiple attempts to get her to return the laptop with no avail, my supervisor had UT police contact her. The laptop was returned. The person who took it, who had no right to have it, was never arrested.*

*I think what happened to Mr. Wynn was criminal and designed to ruin him and put him "in his place" by weaponizing the police. This could have ended in his death.*

This professor is correct. The UT Police Department was weaponized to retaliate against Dre, an African-American, and put him in his place. The rank-and-file UT police officers played no role in this arrest. Legal affairs attorneys, HR managers, and the UT Chief of Police are to blame for this arrest and retaliation. They are supported by President Postel and high-ranking administrators. Again, none of this is intended to blame the hard working, underpaid campus police officers who are required to follow orders from above.

There have been UT white employee thefts of large sums of money ranging up to \$300,000. Some of these UT white employees were indicted as reported by The Blade. It is understood that none were arrested. The UT-AAUP has submitted three public records requests for UT police warrants issued for the arrest of UT employees. Two requests have been denied. The third request was partially answered and the rest of the request denied. UT is required to keep records of campus crime and submit a report under the Clery Act.

## Court Dismissal

A first court hearing for Dre was held on June 10, 2021 at which UT legal representatives pushed for criminal prosecution. A second hearing was held on July 1, 2021 and the court dismissed the criminal charges. This was reported in our newsletter of July 3, 2021 and also in The Blade on July 3, 2021.

After the dismissal by the court, the Postal Administration unsuccessfully pressured the county prosecutor to take the bogus charges to a Grand Jury for indictment and a criminal trial. More retaliation by the Postal Administration. In the minds of UT administrators, they have to put Dre in his place.

## More Retaliation

Dre has spent substantial money out of his own resources for his legal defense. Dre has little or no income except for a part-time teaching position (one class) at an Ohio community college. For unknown reasons, Janelle Schaller of UT Legal Affairs has telephoned this community college with an **ORAL** public records request for Dre's personnel records. It is not clear why UT Legal Affairs did this, but it can be reasonably interpreted as an attempt to poison Dre's part-time employment and income. More Postal Administration retaliation, this time by a senior UT attorney who should know better.

Note this senior UT attorney used an oral request not a written request. In any case, we have written confirmation from the community college.

## Racial Discrimination Issues

Why has the Postal Administration allowed lower-level incompetent managers and attorneys in HR and Legal Affairs to run amuck and attack an African-American with trumped-up charges of felony theft? President Postel protests that he is no racist, but the actions taken by Postal administrators against Dre and other African-American employees speak for themselves. There are racial issues at UT, but faculty and staff are not to blame. We do not hire and fire. How many minority employees are in the ever-expanding Provost Office? The answer: they **just** hired their first African-American, Dr. LaFleur Small, as Vice Provost.

UT is ripe for national attention and for national activist and educational-based organizations to step forward. President Postel needs to take action to halt the retaliatory action of his Administration against Dre Wynn and others. He needs to hold his managers and directors in HR and Legal Affairs accountable. And, if Postel himself authorized or ignored these retaliatory actions, then the UT Board of Trustees needs to hold Postel accountable. If they do not, the UT community and the larger community outside of UT will hold all accountable including the UT Board of Trustees.

Meetings have been held with African-American leaders in Toledo who are concerned about Dre, Wendy Davis, and the many OCRC complaints. They will be reaching out to the UT Board of Trustees and administrators. Demonstrations are being planned on campus during the Fall Semester. Stay tuned.

Don Wedding  
UT-AAUP Executive Board and Grievance Officer