

CITY OF FREMONT
NOTICE OF CHARGES AND DUE PROCESS / NAME-CLEARING HEARING

Derek Wensinger
Name

January 6, 2023
Date

This notice is provided to you to advise that a due-process/name-clearing hearing will be held on January 12, 2023, at 4:00 p.m. at the City of Fremont Administrative Office Conference Room, 323 S. Front Street, Fremont, Ohio 43420 to provide you with an opportunity to respond to the following allegations of misconduct:

Charge 1: Unsatisfactory Service as a Probationary Appointee

On or about June 3, 2022, you were appointed to the position of Chief of Police, subject to a one (1) year probationary period. You have engaged in unsatisfactory service as a probationary appointee to the position of Police Chief for miscellaneous performance issues.

Charge 2: Failure of good behavior, violation of City policy (City Personnel Policy and Procedure Manual, Section 8.04 |Group III, #10, “Engaging in conduct giving insult or offense on the basis of race, color, sex, pregnancy, age, religion, ancestry, national origin, veteran or military status, genetic information, or disability” (failure of good behavior));

As a result of an investigation, it was determined that between March 14 and April 7, 2022, and also on or about November 22, 2022, you made statements to a Fremont Police Officer indicating that the officer would have additional challenges in their role as a police officer based upon their race and gender. These statements are offensive and a failure of good behavior.

Charge 3: Insubordination, violation of City policy (City Personnel Policy and Procedure Manual, Section 8.04 |Group III, #12, “Insubordination by refusing to perform assigned work or to comply with the written or verbal instructions of a supervisor” (insubordination));

On or about April 18, 2022, you were verbally instructed to refrain from making comments to a Fremont Police Officer regarding their race and gender. On or about November 22, 2022, in a conversation with the same officer and a member of the Police Department command staff you again made the same statement to the same officer regarding the same challenges in their career based upon their race and gender. The November 22, 2022, statements were in violation of a directive constituting insubordination.

Charge 4: Dishonesty, violation of City policy (City Personnel Policy and Procedure Manual, Section 8.04 |Group III, #13, “Providing false testimony, statements, or information in any official Employer, court, or administrative investigation, hearing, or proceeding” (dishonesty));

During an investigatory interview on December 6, 2022, you stated that you had never been instructed to refrain from making the same comments outlined in Charge 3. This statement made in the investigatory interview was false and dishonest.

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As Chief of Police, these actions are considered unsatisfactory service and a direct conflict with your mission as the leader of the Department.

Proof of allegations at this due-process/name-clearing hearing may lead to termination of your employment. The discipline, if any, to be imposed will be determined by the Appointing Authority. A probationary employee duly removed or reduced in position for unsatisfactory service does not have the right to appeal the removal or reduction under section [124.34](#) of the Revised Code.

You have the right to: (1) appear at the hearing to present an oral or written statement in your defense; or (2) elect in writing to waive your opportunity to have a due-process/name-clearing hearing. You have the right to have legal counsel or a representative present with you at the hearing.

The hearing will be conducted by Safety Service Director Kenneth Frost. Any questions should be directed to Safety Service Director Frost.



Safety Service Director Kenneth Frost

01-06-23

Date

Acknowledgement

I acknowledge receipt of this notice on: 01-06-2023, 2023.

Signature 

Derek Wensinger

Witness Signature 
Witness Printed Name Amanda Sears
