



# BARBALUNGA FOR SHERIFF

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**“Time For Change – Justice That Works”**

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## **BARBALUNGA PLANS TO ENSURE BETTER HANDLING OF EMPLOYMENT DISCRIMINATION COMPLAINTS, TO ENSURE EQUALITY FOR WOMEN, AS SHERIFF DEFENDS TWO LAWSUITS FROM FORMER FEMALE EMPLOYEES**

Berkshire County—Alf Barbalunga, a Democratic candidate for Berkshire County Sheriff, says two recent lawsuits against the sheriff and male employees for gender-based employment discrimination and retaliation, reveal a refusal by the sheriff to listen to women who are harassed or discriminated against, and a pattern by male leadership that must be changed. He pledges to make those changes if elected.

“Two women faced very similar hardships within a short period of time, and both the complaints and the Sheriff’s own deposition suggests the sheriff was unwilling to listen to these women’s versions of events, and instead chose to believe the males they accused, and he subsequently fired the women based on the men’s advice. That, in itself, is the very definition of discrimination.” says Barbalunga.

“If elected, I plan to have a diversity and inclusion officer, and assign a dedicated human resources person who will ensure each and every complaint of sexual harassment, discrimination, and workplace retaliation is taken seriously, and then brought to my attention, so I can speak to both the victim and the accused before any action is taken.”

A review of the sheriff’s deposition, now available on our website as promised during the August 15<sup>th</sup> PCTV debate, indicates that he took male employees’ versions of events as fact, based on *their* statements and *their* own “investigative report” *they* filed, after she complained of sexual harassment and discrimination. Additionally, the two discrimination complaints are available at: [www.masscourts.org](http://www.masscourts.org) by searching for *Thomas Bowler* in *Berkshire Superior Court*.

For the record, under oath, Tom Bowler states things like:

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**Attorney:** Okay. Is the sheriff’s office or yourself currently the defendant in any lawsuit that you’re aware of other than this one?

**Bowler:** Yes

**Attorney:** Okay. What other lawsuits?

**Bowler:** I believe it’s with another employee that we have. Another employee.

**Attorney:** All right. And do you know the name of that employee?

Bowler: I know the last name, [name redacted]

Attorney: Okay. And is it male or female?

Bowler: Female.

Attorney: And what is Ms. [name redacted] suing for?

Bowler: That I don't know exactly.

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Attorney: Well, what do you understand this case to be about?

Bowler: Discrimination.

Attorney: Anything else.

Bowler: No.

Attorney: What is it that you believe that [female name redacted] is complaining where she was discriminated?

Bowler: With her job.

Attorney: Okay. How?

Bowler: To be perfectly honest with you, I don't know.

Attorney: How long did you take – how long was your meeting with attorney – Attorney [name redacted]

Bowler: Half an hour, 45 minutes.

Attorney: Okay. And how much time did you spend reviewing the investigative report in preparation for your deposition today?

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Bowler: I read it a couple times

Attorney: Okay. Fair to say that you are familiar with it?

Bowler: Yes.

Attorney: Do you find anything in there to be inaccurate?

Bowler: No.

Attorney: What did you do, did you do any type of additional investigation on your own to ensure that everything that was contained within that investigative report was accurate?

Bowler: No.

Attorney: Prior to – well, who made the decision to terminate [female name redacted]

Bowler: I did.

Attorney: Did anybody else make that decision?

Bowler: No.

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Attorney: Before you made your decision did you –

Bowler: No.

Attorney: -- meet with [female name redacted]

Bowler: No, not at all

Attorney: Did you get any information from [female name redacted]

Bowler: No

Attorney: Did you get her side of the story

Bowler: No

Attorney: Did you know anything that she had said in response to anything that was in the investigative report?

Bowler: Only what was in the report. I did not get anything personally from Officer [female name redacted], no.

Attorney: And you didn't listen – and you didn't listen to the interview?

Bowler: No, I did not.

Attorney: Do you regret that now?

Bowler: No, I do not.

Additionally, further investigation indicates that the Assistant Superintendent I, who earns over \$180,000 per year and gets a take-home car and gas card for commuting to and from his home in South Hadley, MA, is also named in these two lawsuits by the female employees. He was also previously mentioned in two lawsuits against the Franklin County's Sheriff Office for workplace retaliation and wrongful termination, that resulted in over \$300,000 in awarded damages.

See: [Brissette v. Franklin County Sheriff's Office, 235 F. Supp. 2d 63 \(2003\)](#)

"I asked the sheriff about that," says Barbalunga, "in the PCTV debate. I wanted to see if he knew. I thought maybe if he had bothered to conduct his own investigation, maybe if he knew there were prior complaints against one of his employees, for participating in the creation of a hostile work environment before, and that there was a judgment as result against his department's behavior, that maybe, the sheriff might reflect and think he should have conducted his own investigation into the complaints made by these two women."

"I want him to remember he is a law enforcement officer at heart. He is an investigator; he is supposed to be the leader. How can you lead by example and be an investigator and not investigate complaints by female employees against your own male employees and instead simply listen to those male employees and take their version of events as gospel? As an investigator, you always look at all the evidence. You interview all the parties, and then you make a judgment. In this case, the sheriff listened to one side of the story and made his judgment—a judgment against the women who previously complained about discrimination."

"To me," says Barbalunga, "that reflects poor judgment, or lack of judgment, and it shows why we need new leadership."

"I will not tolerate a "boys club" mentality if I am elected Sheriff. That mentality is not sensitive to the needs of the people that I would be elected to serve. We need to change it; but, how can the sheriff change it when he isn't aware he is part of the problem? In business, an *unconscious incompetent* is someone who doesn't know when they are wrong, they don't know they are part of the problem and they aren't able to make changes to rectify the problem, and that isn't going to be how I run that office. Women will be treated equally in my administration; whether detainees, inmates, correctional staff, or executive leadership positions – and, that's the bottom line."

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