

Sheriff candidate sues department

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FULL TEXT

Heidi Howe said she hopes the lawsuit doesn't distract from her campaign for sheriff. But she expects some pushback, she said.

Washoe sheriff candidate Heidi Howe says she was discriminated against because of her gender and passed over for promotions before she retired at the Washoe County Sheriff's Office last year, according to a federal lawsuit filed Wednesday.

Howe filed the lawsuit against both the department and Washoe County Sheriff Chuck Allen. She claims Allen retained supervisors and other employees who she alleges have a history of misconduct.

In the suit, Howe alleges Allen allowed the discriminations to happen.

Allen wasn't available for comment on Thursday, according to Washoe County Sheriff's spokesman Bob Harmon. Harmon said Allen wasn't aware of the lawsuit.

"He hasn't seen the complaint and isn't aware of what it's about," Harmon said, adding Allen could not comment on it.

Meanwhile, attempts at reaching Howe's attorney, Stephanie Rice of Winter Street Law Group in Reno, were unsuccessful Thursday.

According to the complaint, Howe, who retired as captain after 26 years in the department, took an early retirement to avoid mistreatment.

On Thursday, Howe said she had a limited amount of time to file the complaint.

She said she hopes the lawsuit doesn't distract from her campaign for sheriff. But she expects some pushback, she said.

"I would hope that the public understands," Howe said. "... If I'm not willing to stand up for what's right and bring transparency to the agency, how can I expect others who come behind me to want to do the same thing?"

Howe was previously wrongfully terminated from the sheriff's office on the pretext of being a probationary employee in 2005, the complaint said.

When she was reinstated a year later, several executive staff members retaliated against her, and she was passed over for promotions multiple times, the complaint said.

She later filed another complaint in 2009 after former Sheriff Mike Haley allegedly prohibited her from gaining experience and from being considered for future promotions.

When reached by phone, Haley said he was unaware of the current complaint and emphasized he's been retired for over five years.

"The culture was very open to everybody, everybody had an opportunity," Haley said. "I don't know anything about her complaint or what she filed against Sheriff Allen.

Howe also claims the department breached a settlement agreement that resulted from that complaint, which stated she would have the right to test for any captain job announcement and be promoted if she ranks at the top of the eligibility list.

According to the court documents, the department has a tendency to place women in "support" roles.

"This goes back decades," Howe said "This is a pattern and practice that has been there for decades.

"I'm not painting this broad brush that it's everybody in the agency. But obviously there's a particular culture that exists, and we need to work together to fix it."

Howe had to re-test several times to become captain and was surpassed by Darin Balaam in 2012, despite having more experience, the complaint said. Balaam has since retired as deputy chief and is now running for sheriff.

Balaam's campaign disputed the accuracy of Howe's complaint regarding Balaam's promotion as captain.

"The campaign is aware of the complaint," Greg Ferraro, Balaam's campaign manager, said Thursday. Ferraro declined further comment.

According to the complaint filed Wednesday, one captain "went out of his way to embarrass and humiliate Howe in front of peers, executive staff, subordinates and to the public" —damaging her reputation.

Howe claims that same captain told several others he planned on delaying his retirement to keep her from filling his position.

Still, she was eventually promoted as captain of detention services, but was told she created an "atmosphere of distrust" because she kept notes on instances of discrimination and misconduct within the department, the complaint said.

Howe later met with Allen before he was elected sheriff in 2014. According to the complaint, she told him about the behavioral and discriminatory problems within the department, but nothing was done about it.

Howe said she was up for another promotion after her supervisor retired in 2015. But she claims Allen, who previously worked for the Nevada Highway Patrol, selected an outside hire from NHP to fill that position.

In 2016, Allen again passed her over for the position of detention chief. The complaint said he told her, "In my opinion, my opinion only, you've reached the highest class or rank in your career."

Allen then told her that for him, "it's political and personality based," and that if another sheriff had won the election, things might have turned out differently for her, the complaint said.

He then told Howe she would remain the operations captain of the detention center.

Howe later complained to a human resources representative, who never launched an investigation or took any corrective action, the complaint said.

Howe retired the following year.

According to the complaint, Howe suffered severe emotional distress and received lower pay and benefits and a reduction in long term retirement income.

Howe said the behavior within the department could impact its credibility and affect the public's trust.

"If you're not willing to stand up for what's right, then that's a bigger problem," Howe said. "No one should have to face harassment and retaliation while at work.

"Don't you expect your law enforcement leadership to follow the law? And if they don't, how can the public trust in what we do?"

Heidi Howe said she hopes the lawsuit doesn't distract from her campaign for sheriff. But she expects some pushback, she said.

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