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ACLU of Montana Files Claims against Walmart for Racial Discrimination and Libel

MISSOULA – The ACLU of Montana has filed a racial discrimination claim with the Montana Human Rights Bureau, and a libel suit, on behalf of Professor Gilbert Kalonde against Walmart. The lawsuit follows a Human Rights Bureau complaint that was filed by Professor Kalonde against Walmart in August 2016. The lawsuit seeks damages for injury to his good name and reputation.

Professor Kalonde is of African descent. In February of 2016 he went to a Walmart store in Bozeman to renew his Montana resident fishing license. Montana law requires that applicants for hunting and fishing licenses list their occupation. The Walmart employee helping Prof. Kalonde asked what he did for a living and he responded that he worked at “Montana State University.” However, when he reviewed his license the next day with one of his students, the student noticed that it listed his occupation as “clean toilets.” Further investigation revealed that this information was first entered into the Fish, Wildlife and Parks database a year earlier, in 2015, when a different Walmart employee originally issued his license. It is clear that the information was put on his license by the Walmart employee to demean Prof. Kalonde. He requested a written apology from Walmart but never received one.

Prof. Kalonde has also filed a complaint with the Montana Human Rights Bureau about this incident, and to date, Walmart has made no serious effort to resolve the case. The libel case was filed in Gallatin County to make certain his rights were protected against a statute of limitations defense. The Human Rights Bureau complaint is still being processed.

“It’s unfortunate that we have had to sue to protect Prof. Kalonde’s rights, but the failure of Walmart to address these issues is on them,” said Jim Taylor, Legal Director for the ACLU of Montana. “We are still willing to discuss the matter if they come to the negotiating table, but we had to take this action when we did to protect Prof. Kalonde’s rights.”