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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

BILLY JAMES WHITEPLUME,            )  
an individual,                            )  
  )  
Plaintiff,                                 )  
  )  
v.    )  
  )  
RIVERTON POLICE DEPARTMENT,       )  
CITY OF RIVERTON, WYOMING,         )  
a municipal corporation,               )  
  )  
Defendant.                                )

Civil Action No. 1:24-cv-83

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**COMPLAINT AND REQUEST FOR JURY TRIAL**

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COMES NOW Plaintiff Billy James Whiteplume, through his attorney, Katherine A. Strike of Stanbury & Strike, PC, asserts these allegations and claims against the Defendant, Riverton Police Department, City of Riverton, Wyoming.

**I. INTRODUCTION**

1. Plaintiff Billy James Whiteplume was an exemplary employee of the Riverton Police Department, City of Riverton, Wyoming [Defendant or Department], for 5 ½ years.
2. Mr. Whiteplume served as a Detective in the Department.
3. Mr. Whiteplume is a Native American male.
4. The Department subjected Mr. Whiteplume to acts of racial discrimination.

5. Defendant did not address the discrimination and created a hostile working environment, which the Department forced Mr. Whiteplume to confront.

6. Mr. Whiteplume confronted intolerable working conditions in the Department.

7. Mr. Whiteplume resigned from the Department on December 5, 2022, and his last day of employment was December 8, 2022.

8. Mr. Whiteplume was subjected to racial slurs from his supervisors and fellow subordinates and harassed about his race and race-related cultural beliefs and practices. Instinctively, Mr. Whiteplume objected to the racial treatment and derogatory slurs targeting his race.

9. Defendant treated Mr. Whiteplume more adversely than employees who were not Native American, and he did not receive awards and acknowledgments usually bestowed upon officers at the Department.

10. This case is an employment discrimination and retaliation action under Title VII of the Civil Rights Act of 1964 42 USC § 2000e, as amended; and (2) the Civil Rights Act of 1991, 42 USC.

11. Defendant discriminated against Mr. Whiteplume in the terms and conditions of his employment, his termination of his employment, and discrimination in the form of a hostile work environment created after he reported discrimination because of the Defendant's treatment of him based on his race.

12. Mr. Whiteplume seeks legal and equitable relief against the Department for intentional and unlawful acts of racial and religious discrimination and retaliation.

13. Defendant retaliated against Mr. Whiteplume by taking material adverse actions against him, culminating in the resignation of his employment through a constructive discharge,

because he lawfully engaged in protected equal employment opportunity activities, meaning, his repeated complaints to Defendant about its' discriminatory treatment and actions against him.

## **II. PARTIES**

14. Mr. Whiteplume is a United States citizen and resident of Riverton, Wyoming.

15. Mr. Whiteplume is an enrolled member of the Northern Arapahoe Indian Tribe and a practicing member of his race-related faith and culture.

16. The Department is an entity of the City of Riverton, Wyoming, a municipal corporation.

17. Mr. Whiteplume worked for the Department in Riverton, Wyoming.

## **III. JURISDICTION AND VENUE**

18. Jurisdiction is proper under (1) Title VII of the Civil Rights Act of 1964, 42 USC §§ 2000e, 2000e-5, and 2000e-5(f)(1)(3), as amended [Title VII], and (2) the Civil Rights Act of 1991, 42 USC Section § 1981a.

19. At all times in issue, Mr. Whiteplume was an employee under Title VII, and the Department was an employer under Title VII.

20. Venue is proper in this Court under 28 U.S.C. § 1391(a)(1), (b)(1)(2), (c)(2), and 42 U.S.C § 2000e-5(f).

21. Venue is proper because the events or omissions giving rise to the asserted claims occurred in this Judicial District, including the Department's unlawful employment practices against Mr. Whiteplume.

22. Venue is proper because Mr. Whiteplume would have worked in this Judicial District for Defendant but for unlawful employment practices.

23. Mr. Whiteplume lived and worked for Defendant in Wyoming at all times in issue.

24. Defendant has been headquartered and conducting business in Wyoming at all times issue.

#### **IV. ADMINISTRATIVE PROCEDURES**

25. Before filing this action, Mr. Whiteplume timely, properly, and lawfully exhausted all required administrative prerequisites, procedures, and remedies.

26. Mr. Whiteplume filed a timely charge of retaliation and race discrimination against the Department, asserting violations of Title VII, with the Wyoming Department of Labor Standards, and the charge was dually filed with the United States Equal Employment Opportunity Commission "EEOC" [EEOC Charge No. 32K202300026].

27. On January 24, 2024, the EEOC mailed Mr. Whiteplume a Notice of Right to Sue letter. This action is timely filed because it is filed within 90 days of Mr. Whiteplume's receipt of the Notice of Right to Sue letter.

#### **V. GENERAL ALLEGATIONS**

28. The Riverton Police Department employed Mr. Whiteplume from February 2016 through December 8, 2022.

29. The Department's discriminatory actions and harassment caused Mr. Whiteplume to resign from his employment.

30. Mr. Whiteplume served as a Detective in the Department.

31. Mr. Whiteplume is 43 years of age. He is married and a father five children.

32. At the time of Mr. Whiteplume's discharge from the Department, he was (1) the only Native American Detective and (2) one of only three Native American employees of the Department.

33. At the time of Mr. Whiteplume's discharge, Sergeant Eric Smits [SGT], a White male, served as his immediate supervisor.

34. Kristen Watson, a White female, was the Department's Human Resource [HR] Director.

35. A White male, Eric Murphy, served as the Department's Chief of Police.

36. Wesley Romero served as the Department's Captain [Capt.] and Interim Chief.

37. Scott Christoffersen, a White male, served as one of the Department's School Resource Officers [SRO].

38. Charles Marshall served as the School Resource Officer Sergeant [SRO SGT] with the Department.

39. On or about January 4, 2022, Mr. Whiteplume engaged in Title VII protected activity when he complained to the Department about the Department's racially discriminatory practices he witnessed.

40. Mr. Whiteplume witnessed the Department discriminating against a Native American male.

41. The incident involved the Department releasing a Native American male, wearing only his underwear, into snowing/sleeting, freezing weather.

42. Following the incident Mr. Whiteplume observed, he complained to SGT Smits about the discrimination against the Native American.

43. SGT Smits told Mr. Whiteplume that the Department would address the incident; however, the Department never advised him that it had taken any action to address the incident and the practice.

44. Mr. Whiteplume started a clothing program with his money to address similar incidents.

45. In or about February - April 2022, Chief Murphy approached Mr. Whiteplume and suggested Mr. Whiteplume reach out to the Northern Arapahoe Business Council [Council] to initiate a meeting among Riverton's Mayor, the City Administrator, and Chief Murphy.

46. Mr. Whiteplume contacted the Council pursuant to Chief Murphy's suggestion.

47. Mr. Whiteplume's efforts succeeded because the meeting occurred, and a dialogue began between the Council and the City of Riverton.

48. Later, SGT Smits verbally reprimanded Mr. Whiteplume for his actions in coordinating the meeting and related actions in bringing the Council and City officials together.

49. Mr. Whiteplume engaged in protected activity by objecting to the issuance of a reprimand against him.

50. Chief Murphy was unaware of SGT Smits and the Department's reprimand of Mr. Whiteplume for the relevant period.

51. In the summer of 2022, Mr. Whiteplume contacted the Department to inform them that a dangerous individual had escaped from the Wyoming Correctional Facility, and the United States Bureau of Indian Affairs had informed him that the person was fleeing.

52. SGT Smits verbally reprimanded Mr. Whiteplume for this conduct, alleging he was inciting panic.

53. Mr. Whiteplume engaged in protected activity by objecting to the issuance of a reprimand against him.

54. Mr. Whiteplume asked for the verbal reprimand to be documented.

55. SGT Smits documented the matter in a write-up on May 6, 2022.

56. From October 2022 through November 2022, Mr. Whiteplume observed a large group of homeless/transient Native American individuals outside in the snow and freezing weather.

57. Mr. Whiteplume began volunteering to address the problem, including working to transition the homeless into living facilities to avoid freezing to death because he was aware of people who were subjected to harsh conditions and died.

58. On or about November 7, 2022, Mr. Whiteplume, while performing his duties, was required by the Department to investigate a Native American male who had frozen to death.

59. Then, Mr. Whiteplume worked with several reservation programs to develop a plan to provide protection, such as transportation and housing for the Native American homeless/transient population.

60. Mr. Whiteplume viewed his work with the Native American homeless/transient population as part of his public outreach role as a member of the Department.

61. On or about November 18, 2022, SGT Smits verbally reprimanded Mr. Whiteplume for taking all day to help the homeless/transient Native American population and neglecting all his duties.

62. SGT Smits alleged there were complaints about Mr. Whiteplume's time on the homeless issue; however, he never informed Mr. Whiteplume of the specific complaints.

63. SGT Smits directed Mr. Whiteplume to stop working with the homeless/transient community.

64. Mr. Whiteplume engaged in protected activity by objecting to the issuance of a reprimand against him.

65. As before, Mr. Whiteplume asked for the verbal reprimand to be documented.

66. SGT Smits documented the matter in a write-up.

67. On or about November 21, 2022, Capt. Romero alleged Mr. Whiteplume was helping the homeless/transient Native American population at the time of the Department rather than on his own time. The meeting became hostile and demeaning to Mr. Whiteplume.

68. Capt. Romero documented the November 21, 2022, reprimand/incident in Mr. Whiteplume's file.

69. Mr. Whiteplume engaged in protected activity by objecting to Capt. Romero's issuance of reprimand against him.

70. Following the reprimand of November 18, 2022, Capt. Romero began serving as Interim Chief of the Department.

71. Capt. Romero and SGT Smits continued to verbally reprimand and criticize Mr. Whiteplume without legitimate reasons, creating a hostile work environment for Mr. Whiteplume. Mr. Whiteplume feared being fired at any moment, and his fear was justified.

72. Mr. Whiteplume viewed the Department as ignoring his complaints and objections to the discipline he received.

73. Mr. Whiteplume viewed the Department as ignoring concerns about the homeless/transient Native American population.

74. Mr. Whiteplume viewed the Department's discipline against him for his work with the homeless/transient Native American population as discriminatory and retaliatory.



75. On or about December 15, 2022, SRO Christofferson picked up a pen on Mr. Whiteplume's desk and began banging the pen on a peanut can in a drumming motion.

76. SRO Christofferson's drumming motion was virtually the same motion used by the Native American people in a tradition in which Mr. Whiteplume participates as a Native American.

77. SRO Christofferson asked Mr. Whiteplume: "Is this why you have this?"

78. Mr. Whiteplume and his family are involved in traditional Native American ceremonies. The drum is part of Mr. Whiteplume's treasured Native American ceremonies, and he deeply respects the drum and its role in his culture.

79. Mr. Whiteplume viewed SRO Christofferson's conduct and language as offensive based on his race, insulting to his culture and faith.

80. SRO Christofferson's conduct and language upset Mr. Whiteplume.

81. Mr. Whiteplume told SRO Christofferson to leave his office, stating: "Are you for real?"

82. When SRO Christofferson did not leave Mr. Whiteplume's office, he again asked for him to leave.

83. Mr. Whiteplume immediately reported his interaction with SRO Christofferson to SGT Smits. He explained the discriminatory and offensive nature of SRO Christofferson's comments and actions.

84. Mr. Whiteplume engaged in protected activity by objecting to SGT Smits about SRO Christofferson's racially offensive conduct and comments, including his later complaints to SGT Smits and other Department officials about their not addressing his complaints.

85. SGT Smits made no statement and took no action, showing that he would investigate or address Mr. Whiteplume's complaint.

86. Soon after the meeting, Mr. Whiteplume sent SGT Smits a text message asking for him to document the incident with SRO Christofferson and his complaints about the discriminatory and offensive nature of SRO Christofferson's comments and actions.

87. On November 30, 2022, Mr. Whiteplume again met with SGT Smits and repeated his above complaints about SGT Christofferson's discriminatory conduct and comments. Mr. Whiteplume told SGT Smits he wanted no contact with SRO Christofferson.

88. A few days later, Mr. Whiteplume met with SGT Smits and SRO SGT Marshall and repeated his above complaints about SRO Christofferson's discriminatory conduct and comments.

89. Mr. Whiteplume engaged in protected activity by objecting to SRO SGT Marshall about SRO Christofferson's racially offensive conduct and comments, including his subsequent complaints to SGT Smits.

90. Mr. Whiteplume asked SRO SGT Marshall to document the incident and his complaints and keep SRO Christofferson away from him.

91. Later, SGT Smits asked Mr. Whiteplume to talk to SRO Christofferson to "smooth things over," despite SRO Christofferson, not Mr. Whiteplume, engaging in offensive, discriminatory content and making related comments.

92. On or about December 5, 2022, Mr. Whiteplume met with HR Director Ms. Watson because the Department had not informed him it had taken no action concerning his request to

protect him from SRO Christofferson or act on his complaints about SRO Christofferson's discriminatory and offensive conduct and comments.

93. Mr. Whiteplume engaged in protected activity by his repeated objections to Ms. Watson about SRO Christofferson's racially offensive conduct and comments and the Department's failure to address his complaints and requests to keep SRO Christofferson away from him.

94. When Mr. Whiteplume met with HR Director Ms. Watson, he requested Ms. Watson and the Department protect him from SRO Christofferson and act on his complaints about SRO Christofferson's discriminatory and offensive conduct and comments, as well as the Department's failure to address his complaints.

95. About a week later, the Department again took no action to protect him from SRO Christofferson and did not act on his complaints about SRO Christofferson's discriminatory and offensive conduct and comments.

96. Because Mr. Whiteplume viewed the totality of the Department's conduct as creating an intolerable working environment for him by subjecting him to a discriminatory and hostile work environment, he gave his two weeks' notice.

97. On December 6, 2022, Ms. Watson, in a discussion with Mr. Whiteplume, informed him she did not document Mr. Whiteplume's complaints about the Department not protecting him from SRO Christoffersen and the Department not acting on his complaints about SRO Christofferson's discriminatory and offensive conduct and comments.

98. Also, on December 6, 2022, Ms. Watson told Mr. Whiteplume he needed to speak to SRO Christoffersen and say that his actions were offensive, and that HR would take further action if it occurred again.

99. Mr. Whiteplume's responsibilities and duties did not include disciplining or counseling SRO Christoffersen.

100. The Department's officials and the Department's HR Department were responsible for disciplining and counseling SRO Christoffersen and administering the Department's human resources and discrimination and retaliation policies and practices.

101. In response to Ms. Watson, Mr. Whiteplume told her he did not feel safe with SRO Christoffersen, the Department had not addressed his requests and complaints about SRO Christoffersen and he had given two weeks' notice of his resignation.

102. Ms. Watson told him he could work his final two weeks at home and he could file a grievance.

103. Later, Mr. Whiteplume again asked Ms. Watson to document all parts of the SRO Christoffersen incident.

104. After Mr. Whiteplume met with Mr. Watson, he saw SRO Christoffersen in the squad room.

105. Capt. Romero told him he could spend his final two weeks working from home, and Mr. Whiteplume agreed.

106. After meeting with Capt. Romero, Mr. Whiteplume met with SGT Smits and offered to complete his cases at night.

107. On December 7, 2022, Mr. Whiteplume found a letter on his desk, addressed to him and marked "Confidential" from Ms. Watson. The letter confirmed he had spoken to her about his complaints.

108. Mr. Whiteplume viewed Ms. Watson's letter as downplaying the incident.

109. Ms. Watson did not discuss the grievance process in her letter.

110. Ms. Watson's letter described SRO Christoffersen's conduct as "tapping the drum" in Mr. Whiteplume's office.

111. Ms. Watson's description of the drum incident was inaccurate. In contrast, Mr. Whiteplume had complained to Ms. Watson that SRO Christoffersen was banging on the can in a drumming motion, and he found the incident offensive to his race and culture.

112. Then, on December 7, 2022, SGT Smits informed Mr. Whiteplume that Capt. Romero did not want Mr. Whiteplume to work on his cases at night, but he wanted him to close his cases in the office.

113. This directive made Mr. Whiteplume uncomfortable because he would have to be around people who made him uncomfortable, including SGT Smits, SRO Christoffersen, Ms. Watson, and Capt. Romero.

114. On December 8, 2022, Capt. Romero called Mr. Whiteplume and left a message that he needed to return to work or would not be paid.

115. Mr. Whiteplume did not return to work because he did not feel safe because the hostile work environment was increasing in severity.

116. As a direct, foreseeable, and proximate result of Defendant's unlawful, intentional discrimination and retaliation, Mr. Whiteplume suffered compensatory damages and injuries,

including but not limited to emotional pain, suffering, inconvenience, mental anguish, and loss of enjoyment of life.

117. As a direct, foreseeable, and proximate result of Defendant's unlawful, intentional discrimination and retaliation, Mr. Whiteplume suffered economic damages and losses, including but not limited to lost earnings and potential earnings, including an actual loss of wages, income, benefits, diminution of earning capacity, loss of actual retirement benefits, and future monetary losses.

## **VI. CLAIMS FOR RELIEF**

### **FIRST CLAIM**

#### **[Retaliation – Title VII]**

118. Mr. Whiteplume incorporates and restates all allegations previously asserted as though incorporated.

119. Mr. Whiteplume asserts this claim against the Department for unlawful retaliation in violation of Title VII, 42 USC § 2000e-3(a).

120. Title VII prohibits an employer from discriminating against an employee because the individual opposed any unlawful employment practice under the Act, made a charge, or participated in any investigation or proceeding. 42 U.S.C § 2000e-3(a).

121. Mr. Whiteplume had a good faith belief the Department engaged in discriminatory and retaliatory conduct in violation of Title VII.

122. Mr. Whiteplume engaged in protected Title VII activities and opposed discriminatory and retaliatory conduct prohibited by Title VII.

123. Mr. Whiteplume's protected activities are previously set out in the GENERAL ALLEGATIONS above.

124. Mr. Whiteplume's protected activities include his repeated complaints to SGT Smits, as well as his complaints to Capt. Romero, to SRO SGT Marshall, and to Ms. Watson.

125. Mr. Whiteplume's internal, informal, and formal complaints to the Department's supervisors, managers, and officials are protected activities.

126. At all times, the Department was aware of Mr. Whiteplume's protected Title VII activities.

127. The Department intentionally retaliated against Mr. Whiteplume by subjecting him to continual, intentional, cumulative, increasingly severe, and materially adverse employment actions that might deter a reasonable person from engaging in protected activity, including an increasingly severe hostile work environment.

128. Riverton Police Department's adverse material actions are in the GENERAL ALLEGATIONS.

129. Riverton Police Department separated and terminated Mr. Whiteplume from his employment December 8, 2022, through a constructive discharge.

130. Riverton Police Department intentionally took material adverse actions against Mr. Whiteplume because he engaged in lawfully protected conduct under Title VII and opposed race discrimination, an unlawful practice under Title VII.

131. The Department, but-for Mr. Whiteplume's protected conduct and his opposition to race discrimination, would not have taken the material adverse employment actions against

him, including terminating his employment and denying him his right to be free from retaliation and race discrimination under Title VII.

132. A causal connection exists between Mr. Whiteplume's protected activities and the Department's unlawful materially adverse employment actions against Mr. Whiteplume.

133. The Department, contemporaneously with and/or right after Mr. Whiteplume's protective activities, engaged in an intentional, calculated, and purposeful campaign of unlawful retaliation, subjecting him to intentional, cumulative, materially adverse actions.

134. The Department's officials, managers, and employees created, perpetrated, and/or tolerated intentional, unlawful retaliation.

135. The Department's treatment of Mr. Whiteplume, considered in its totality and cumulative manner, is direct, intentional, and materially adverse action constitutes unlawful retaliation and discrimination prohibited by Title VII.

136. The Department's treatment of Mr. Whiteplume is unlawful intentional retaliation and discrimination in violation of Title VII, 42 USC § 2000e-3(a), and an intentional, unlawful discriminatory practice in violation of 42 USC § 1981a.

## **SECOND CLAIM**

### **[Race Discrimination – Title VII]**

137. Mr. Whiteplume incorporates and restates all allegations previously asserted as though incorporated.

138. Mr. Whiteplume asserts this claim against the Department for unlawful race discrimination in violation of Title VII, 42 USC § 2000e-2(a)(1)(2).



139. Title VII prohibits employers from discriminating against any employee regarding the terms, conditions, or privileges of employment because of the person's race or taking any action to deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect one's employee status because of race. 42 U.S.C. § 2000e-2(a)(1) (2).

140. Mr. Whiteplume's performance as Detective was excellent.

141. Mr. Whiteplume belongs to a protected Title VII class because of his race.

142. Mr. Whiteplume was qualified for his position and successfully performed his duties.

143. The Department intentionally discriminated against Mr. Whiteplume in the terms of his employment.

144. The Department intentionally discriminated against him by terminating his employment through a constructive discharge.

145. The Department's actions occurred under circumstances giving rise to an inference of discrimination.

146. To the extent the Department has any justifications for terminating Mr. Whiteplume's employment, the justifications are unworthy of credence and belief, and the Department did not act for any asserted non-discriminatory reasons.

147. The Department's treatment of Mr. Whiteplume is unlawful intentional discrimination based on race in violation of Title VII, 42 USC § 2000e-2(a)(1)(2), and an intentional, unlawful discriminatory practice in violation of 42 USC § 1981a.

**THIRD CLAIM**

**[Hostile Work Environment Claim– Title VII]**

148. Mr. Whiteplume incorporates and restates all allegations previously asserted as incorporated herein.

149. Mr. Whiteplume asserts this claim against the Department for race discrimination, as a hostile work environment based on race, in violation of Title VII.

150. Racial discrimination and harassment in employment, as a hostile work environment based on race, is prohibited by Title VII.

151. Mr. Whiteplume is a member of a Title VII's protected group because of his race.

152. The Department subjected Mr. Whiteplume to racial harassment.

153. The harassment was racial, specifically and only directed at Mr. Whiteplume because of his race and Title VII protected class.

154. The Department's racial conduct and comments directed at Mr. Whiteplume were unwelcome and offensive.

**A. Cumulative, Targeted Racial Conduct**

155. The Department's racial conduct and comments were severe or pervasive.

156. As discussed, Mr. Whiteplume was singularly situated within the Department.

157. Each successive episode of the Department's cumulative conduct against Whiteplume, constituting the hostile work environment, had its predecessors, and the impact of the separate incidents accumulated such that the unlawful work environment created exceeded the sum of any individual episode.

**B. Supervisor Harassment & Tangible Employment Action**

158. Riverton Police Department is liable for subjecting Mr. Whiteplume to the racially hostile work environment claim because SGT Smits was Mr. Whiteplume's supervisor, and he initiated, perpetuated, tolerated, and corroborated the harassment.

159. The harassment resulted in an adverse tangible employment action, the constructive discharge of his employment.

160. The Department's treatment of Mr. Whiteplume is an intentional, unlawful, hostile work environment based on race and an intentional unlawful discriminatory practice in violation of Title VII and 42 USC § 1981a.

**C. Supervisor Harassment & No Tangible Employment Action**

161. In addition to, or in the alternative to the contention in the above paragraphs, the Department is liable for subjecting Mr. Whiteplume to the racially hostile work environment because SGT Smits was Mr. Whiteplume's supervisor and he initiated, perpetuated, tolerated, and corroborated the harassment, even if the harassment did not result in a tangible employment action.

162. Defendant cannot prove every prong and every element of its affirmative defense under this theory of liability.

163. Defendant cannot prove it (a) exercised reasonable care to prevent and correct promptly any racially harassing behavior and (b) that Mr. Whiteplume unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer or to avoid harm otherwise.

**D. Co-Worker Harassment & Employer Negligence**

164. In addition to, or in the alternative to the contentions in the above paragraphs, the Department is liable for subjecting Mr. Whiteplume to the racially hostile work environment claim because SRO Christofferson subjected him to racial harassment and the Department's supervisors and managers knew or should have known of all the materially adverse conduct in issue.

165. Department did not: (1) stop the materially adverse conduct in issue; and (2) implement reasonably prompt and appropriate corrective action.

166. Department's treatment of Mr. Whiteplume is: (1) an intentional, unlawful, hostile work environment, based on race, in violation of 42 USC Sections 2000e-2(a) (1) (2); and (2) intentional, unlawful discriminatory practices in violation of 42 USC Section 1981a (a) (1), (b) (2) (3), (d) (1) (2).

**VII. REQUEST FOR RELIEF**

WHEREFORE, Billy Whiteplume, respectfully requests this Court to enter judgment in his favor and against Defendant Riverton Police Department and the City of Riverton, Wyoming, on the claims asserted in this his Complaint and Request for Jury Trial, and in addition, for the following relief.

1. To enter a judgment for Mr. Whiteplume and against Defendant, finding the acts of the Department are continuing and intentional discrimination, as retaliation, in violation of Title VII.
2. To enter a judgment for Mr. Whiteplume and against the Defendant, finding the acts of the Department are continuing and intentional race discrimination in violation of Title VII.

3. To enter a judgment for Mr. Whiteplume against the Defendant, finding the acts of the Department are continuing and intentional race discrimination in the form of a hostile work environment based on race, in violation of Title VII.
4. To award Mr. Whiteplume the remedies of damages against Defendant for back pay, restored benefits, actual monetary damages, loss of wages, salary, retirement contributions, all loss of income, and all loss of monetary damages to which he is entitled under Title VII.
5. To award Mr. Whiteplume compensatory damages against the Department for emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, future monetary losses, and all loss of compensatory damages to which he is entitled under Title VII.
6. To award Mr. Whiteplume reinstatement, or in the alternative, front pay, against Riverton Police Department under Title VII.
7. To award Mr. Whiteplume attorney fees and costs against Defendant under Title VII, and all laws to which he is entitled to receive attorney fees and costs.
8. To award Mr. Whiteplume, against Defendant, to pay pre-judgment and post-judgment interest at the proper rate given by law.
9. To direct Riverton Police Department to take such affirmative relief steps as are necessary to ensure the effects of the Department's unlawful employment practices are eliminated and do not continue to affect Mr. Whiteplume's employment opportunities.

10. To award Mr. Whiteplume all other legal and equitable relief to which Mr. Whiteplume is entitled under any law that this Court considers just, equitable, and proper.

### **VIII. JURY TRIAL REQUEST**

Under Fed.R.Civ.P. 38(a)(b)(c), 42 USC § 2000e-5, and 42 USC § 1981a(c)(1), and all applicable laws providing for a right to trial by jury, Mr. Whiteplume requests a jury trial of all claims and issues.

Dated this 21<sup>st</sup> day of April 2024.

Respectfully submitted,

Billy J. Whiteplume, Plaintiff

/s/ Katherine Strike

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