

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

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JOSEPH MORRISON,

Charging Party,

-v-

CROSSROADS CORRECTIONAL  
CENTER,

Respondent.

Case # 0105014210

ORDER

Joseph Morrison Jr. (Morrison) filed a complaint with the Human Rights Bureau, Department of Labor and Industry (Department) alleging Crossroads Correctional Center discriminated against him on the basis of race. The Human Rights Bureau dismissed the complaint for lack of jurisdiction.

The Department issued a Notice of Dismissal. Morrison filed an objection with the Montana Human Rights Commission (Commission). The Commission considered the matter on May 18, 2010.

The Commission reviews a decision of the Department to dismiss a complaint using an abuse of discretion standard. *Section 49-2-511(2), MCA*. After careful consideration, the Commission concludes the determination of the Department to dismiss the complaint in this case is not an abuse of discretion.

If a charging party chooses to commence a civil action in district court, the charging party has 90 days after the date this order is issued to file a complaint in district court, in the district where the alleged violation occurred, and seek appropriate relief. *Section 49-2-511(3)(a), MCA*. If a charging party fails to commence a civil action within 90 days, their claims are time barred. *Id.*

Alternatively, a party may ask a district court to review the decision of the Commission to affirm the dismissal of a complaint. *Sections 2-4-702 and 49-2-511(3)(b)*. This review must be requested within 30 days of the date of this order .

IT IS HEREBY ORDERED, that Joseph Morrison's objection is **overruled**. The Commission affirms the determination of the Human Rights Bureau to dismiss the complaint against Crossroads Correctional Center.

DATED this \_\_\_\_ day of May 2010.

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Chair Ryan C. Rusche  
Human Rights Commission

## CERTIFICATE OF SERVICE

The undersigned secretary for the Human Rights Commission certifies that a true and correct copy of the foregoing ORDER was mailed to the following by U.S. Mail, postage prepaid, on this \_\_\_\_\_ day of May 2010.

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Montana Human Rights Bureau