

**STATE OF INDIANA
INDIANA CIVIL RIGHTS COMMISSION**

ALEX SANTANA,

Complainant,

vs.

CITY OF HAMMOND,

Respondent.

) Docket No.: PAha15060450

File Dated:

FEB 16 2018

Indiana Civil Rights Commission

FINAL ORDER

On January 5, 2018, Hon. Doneisha L. Posey, Administrative Law Judge (“ALJ”) for the Indiana Civil Rights Commission (“ICRC”) entered her Proposed Findings of Fact, Conclusions of Law, and Order (“Order”). The parties had opportunity to object to the Order; neither party objected. With no objection or intent to review on record, the Commission shall affirm the Order. IC 4-21.5-3-29(c) After consideration of the record in this matter and the Order,

THE COMMISSION HEREBY ORDERS:

1. The findings of fact and conclusions of law as stated in the Order, a copy of which is attached hereto, are incorporated herein by reference. IC 4-21.5-3-28(f)(2)
2. The Order is AFFIRMED under IC 4-21.5-3-29 and hereby becomes the Final Order disposing of the proceedings. IC 4-21.5-3-27(a)

Either party to a dispute filed under IC 22-9 may, not more than thirty (30) days after the date of receipt of the Commission’s final appealable order, appeal to the court of appeals under the same terms, conditions, and standards that govern appeals in ordinary civil actions, IC 22-9-8-1

ORDERED by the Commission.

this 16TH day of February, 2018.



Alpha Blackburn, Chair

Indiana Civil Rights Commission

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JAN 05 2018

OFFICE OF THE
ADMINISTRATIVE JUDGE

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
ORDER**

On January 24, 2017, Respondent, City of Hammond ("Respondent") filed their Notice of Election ("NOTICE") and on February 9, 2017, Complainant, Alex Santana ("Complainant"), filed his NOTICE.

Having carefully considered the foregoing and being duly advised in the premises, the undersigned Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC") proposes that the ICRC enter the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. Complainants filed the Complaint of Discrimination on June 18, 2015, naming the Respondent, alleging unlawful discrimination because of disability in violation of the Indiana Civil Rights Law, Ind. Code 22-9 ("the ICRL").
2. On January 6, 2017 the ICRC's Deputy Director, Barbara Malone, issued her Notice of Finding and Issuance of Charge, finding probable cause to believe a violation of the ICRL had occurred.
3. Complainants and Respondent filed their respective NOTICE before a hearing on the record had begun.

4. Any Conclusion of Law that should have been deemed a Finding of Fact is hereby adopted as such.

CONCLUSIONS OF LAW

1. Under the ICRL, a complainant, a respondent, or an aggrieved person may elect to have the claims decided in a civil action. IC 22-9-1-16.

2. Such an election must be made in writing by both the complainant and respondent prior to a hearing on the record has begun. IC 22-9-1-16(b).

3. The election in the NOTICE was made in a timely manner.

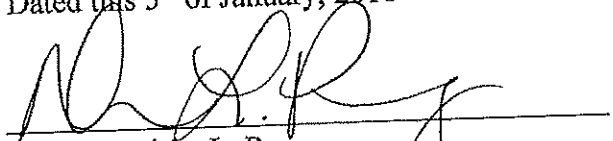
4. Administrative review of this proposed decision may be obtained by the filing of a writing identifying with reasonable particularity each basis of each objection within fifteen (15) days after service of this proposed decision. IC 4-21.5-3-29(d).

5. Any Finding of Fact that should have been deemed a Conclusion of Law is hereby adopted as such.

ORDER

1. The Complaint of Discrimination is **DISMISSED**, with prejudice.

Dated this 5th of January, 2018



Hon. Doneisha L. Posey
Administrative Law Judge
Indiana Civil Rights Commission
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