

access to, for the purposes of examination, and the right to copy, any documentary evidence of any person or institution being investigated or proceeded against and may require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence of any person relating to any matter under investigation. The presiding commissioner at a hearing may administer oaths and affirmations.

(h) The inmate shall have the right to appear before the Commission and shall have the opportunity to call a witness or a reasonable number of witnesses depending upon the circumstances and the nature of the complaint, subject to the discretion of the Commission as to the relevancy of the testimony and questions and the number of witnesses sought to be called. The inmate shall have a reasonable opportunity to question any witnesses who testify before the Commission. Such rights of the inmate shall not be unreasonably withheld or restricted by the Commission. If the inmate requests that he be represented at the hearing by an attorney of his own choosing he shall be permitted such representation at his own expense.

(i) A record shall be kept of all complaints and their disposition which shall be open to public inspection during regular business hours.

(j) For the performance of its duties, the Commission may conduct hearings at the institutions under the supervision and control of the Division of Correction or at the Patuxent Institution.

(k) The Commission, subject to the approval of the Secretary, shall have the power to adopt rules and regulations for the conduct of its proceeding as provided for in this section.

(l) No court shall BE REQUIRED TO entertain an inmate's grievance or complaint within the jurisdiction of the Inmate Grievance Commission unless and until the complainant has exhausted the remedies as provided in this section. Upon the final decision of the Secretary of Public Safety and Correctional Services, the complainant shall be entitled to judicial review thereof. Proceedings for review shall be instituted in the circuit court of the County or in the Baltimore City Court, as the case may be, in which is located the institution where the complainant is confined. Review by the court shall be limited to a review of the record of the proceedings before the commission and the Secretary's order, if any, pursuant to such proceedings. The court's review shall be limited to a determination of whether there was a violation of any right of the inmate protected by Federal or State laws or constitutional requirements.

SEC. 2. And be it further enacted, That this Act shall take effect July 1, 1971.

Approved April 29, 1971

CHAPTER 211
(House Bill 755)

AN ACT to repeal Section 640 of Article 27 of the Annotated Code of Maryland (1971 Replacement Volume), title "Crimes and Punishments," subtitle "Venue, Procedure and Sentence," subheading