

(1) THE COMPLAINANT HAS THE RIGHT TO APPEAR BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS AND TO BE REPRESENTED BY AN ATTORNEY OF THE COMPLAINANT'S CHOICE AT THE COMPLAINANT'S EXPENSE.

(2) (I) THE COMPLAINANT SHALL HAVE THE OPPORTUNITY TO CALL A REASONABLE NUMBER OF WITNESSES DEPENDING ON THE CIRCUMSTANCES AND THE NATURE OF THE COMPLAINT, SUBJECT TO THE DISCRETION OF THE OFFICE OF ADMINISTRATIVE HEARINGS AND THE INMATE GRIEVANCE OFFICE AS TO THE RELEVANCE OF THE TESTIMONY AND QUESTIONS AND THE NUMBER OF WITNESSES SOUGHT TO BE CALLED.

(II) THE COMPLAINANT SHALL HAVE A REASONABLE OPPORTUNITY TO QUESTION ANY WITNESS WHO TESTIFIES BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS.

(3) THE RIGHTS OF THE COMPLAINANT UNDER THIS SUBSECTION MAY NOT BE UNREASONABLY WITHHELD OR RESTRICTED BY THE OFFICE OF ADMINISTRATIVE HEARINGS OR THE INMATE GRIEVANCE OFFICE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-102.1(f), (g), (i), and the second sentence of (e).

In subsection (a) of this section, the former phrase "[f]or the performance of its duties" is deleted as implicit.

Also in subsection (a) of this section, the phrase "under this subtitle" is added for clarity.

In subsection (b)(2) of this section, the reference to "for the purpose of ... copying" is substituted for the former phrase "the right to copy" for clarity.

In subsection (c)(2) of this section, the former word "affirmations" is deleted as unnecessary in light of the word "oaths". See Art. 1, § 9 of the Code.

As to the deletion of the former reference to "rules" in subsection (c)(3) of this section, see General Revisor's Note to this article.

In subsection (d) of this section and throughout this subtitle, the word "complainant" is substituted for the former word "inmate" for consistency with terminology used elsewhere in this subtitle and to avoid confusion with the definition of the term "inmate" in § 1-101 of this article.

In subsection (d)(2) of this section, the former reference to "a witness" is deleted as included in the reference to "a reasonable number of witnesses".

In subsection (d)(3) of this section, the phrase "under this subsection" is added for clarity.