

Article 41 – Governor – Executive and Administrative Departments

4-102.1.

(a) The Inmate Grievance [Commission] OFFICE is established as a separate agency within the Department of Public Safety and Correctional Services. [It shall consist of seven members appointed by the Governor with the advice of the Secretary of Public Safety and Correctional Services. Of the seven members so appointed, not less than two shall be lawyers qualified to practice law in the State of Maryland and not less than two members shall be persons of knowledge and experience in one or more of the fields under the jurisdiction of the Department of Public Safety and Correctional Services. Of the members initially appointed, two shall be for a term of four years, one shall be for a term of three years, two shall be for a term of two years and two shall be for a term of one year. Thereafter, all reappointments shall be for terms of four years. The Governor, with the advice of the Secretary of Public Safety and Correctional Services shall designate the chairman from time to time. The Governor, with the advice of the Secretary of Public Safety and Correctional Services, shall fill any vacancy which occurs before the expiration of a term for the balance of the term so remaining. Each member of the Commission shall receive per diem compensation as provided in the budget for each day actually engaged in the discharge of his official duties as well as reimbursement for all necessary and proper expenses, in accordance with the Standard Travel Regulations.]

(b) The Secretary of Public Safety and Correctional Services, [with the advice of the Commission, and] with the approval of the Governor, shall appoint an executive director of the [Commission] OFFICE who shall serve at the pleasure of the Secretary and who shall receive such salary as provided in the budget. In addition, the Secretary may provide the [Commission] OFFICE with such [investigative] ADMINISTRATIVE, secretarial and clerical employees as may be necessary for the efficient administration of the powers and duties of the [Commission] OFFICE and as provided in the budget.

[(c) The Governor, upon the recommendation of the majority of the Commission or upon the recommendation of the Secretary, may remove any member of the Commission for one or more of the following:

(1) Conviction of a crime involving moral turpitude or of any criminal offense the effect of which is to prevent or interfere with the performance of Commission duties.

(2) Failure to regularly attend meetings of the Commission.

(3) Failure to carry out duties assigned by the Commission or its chairman.

(4) Acceptance of another office or the conduct of other business conflicting with or tending to conflict with the performance of Commission duties.

(5) Any other ground which, under law, necessitates or justifies the removal of a State employee.]

[(d)] (C) Any person confined to an institution within the Division of Correction, or otherwise in the custody of the Commissioner of Correction, or confined to the Patuxent Institution, who has any grievance or complaint against any officials or