

(12) NO LAW ENFORCEMENT AGENCY SHALL INSERT ANY ADVERSE MATERIAL INTO ANY FILE OF THE OFFICER, EXCEPT THE FILE OF THE INTERNAL INVESTIGATION OR THE INTELLIGENCE DIVISION, UNLESS THE OFFICER HAS AN OPPORTUNITY TO REVIEW, SIGN, RECEIVE A COPY OF AND COMMENT IN WRITING UPON THE ADVERSE MATERIAL, UNLESS THE OFFICER WAIVES THESE RIGHTS.

729.

NO LAW ENFORCEMENT OFFICER SHALL BE REQUIRED OR REQUESTED TO DISCLOSE ANY ITEM OF HIS PROPERTY, INCOME, ASSETS, SOURCE OF INCOME, DEBTS, OR PERSONAL OR DOMESTIC EXPENDITURES (INCLUDING THOSE OF ANY MEMBER OF HIS FAMILY OR HOUSEHOLD), UNLESS SUCH INFORMATION IS NECESSARY IN INVESTIGATING A POSSIBLE CONFLICT OF INTEREST WITH RESPECT TO THE PERFORMANCE OF HIS OFFICIAL DUTIES, OR UNLESS SUCH DISCLOSURE IS REQUIRED BY LAW.

730.

(A) IF THE INVESTIGATION OR INTERROGATION OF A LAW ENFORCEMENT OFFICER RESULTS IN THE RECOMMENDATION OF SOME ACTION, SUCH AS DEMOTION, DISMISSAL, TRANSFER, LOSS OF PAY, REASSIGNMENT, OR SIMILAR ACTION WHICH WOULD BE CONSIDERED A PUNITIVE MEASURE, THEN, BEFORE TAKING SUCH ACTION, THE LAW ENFORCEMENT AGENCY SHALL GIVE NOTICE TO THE LAW ENFORCEMENT OFFICER THAT HE IS ENTITLED TO A HEARING ON THE ISSUES BY AN INVESTIGATING COMMITTEE. THE NOTICE SHALL STATE THE TIME AND PLACE OF THE HEARING AND THE ISSUES INVOLVED. AN OFFICIAL RECORD, INCLUDING TESTIMONY AND EXHIBITS, SHALL BE KEPT OF THE HEARING.

(B) THE HEARING SHALL BE CONDUCTED BY THE INVESTIGATING COMMITTEE OF THE LAW ENFORCEMENT AGENCY BY WHICH THE LAW ENFORCEMENT OFFICER IS EMPLOYED. BOTH THE LAW ENFORCEMENT AGENCY AND THE LAW ENFORCEMENT OFFICER SHALL BE GIVEN AMPLE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT WITH RESPECT TO THE ISSUES INVOLVED. BOTH MAY BE REPRESENTED BY COUNSEL.

(C) EVIDENCE WHICH POSSESSES PROBATIVE VALUE COMMONLY ACCEPTED BY REASONABLE AND PRUDENT MEN IN THE CONDUCT OF THEIR AFFAIRS SHALL BE ADMISSIBLE AND SHALL BE GIVEN PROBATIVE EFFECT. THE INVESTIGATING COMMITTEE CONDUCTING THE HEARING SHALL GIVE EFFECT TO THE RULES OF PRIVILEGE RECOGNIZED BY LAW, AND MAY EXCLUDE INCOMPETENT, IRRELEVANT, IMMATERIAL AND UNDULY REPETITIOUS EVIDENCE. ALL RECORDS AND DOCUMENTS WHICH ANY PARTY DESIRES TO USE SHALL BE OFFERED AND MADE A PART OF THE RECORD. DOCUMENTARY EVIDENCE MAY BE RECEIVED IN THE FORM OF COPIES OR EXCERPTS, OR BY INCORPORATION BY REFERENCE.

(D) EVERY PARTY HAS THE RIGHT OF CROSS-EXAMINATION