

SUBPOENAS SUMMONSES TO COMPEL THE ATTENDANCE AND TESTIMONY OF WITNESSES, AND THE PRODUCTION OF BOOKS, PAPERS, RECORDS, AND DOCUMENTS AS MAY BE RELEVANT OR NECESSARY. THESE SUBPOENAS SUMMONSES MAY BE SERVED IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE PERTAINING TO SERVICE OF PROCESS ISSUED BY A COURT, WITHOUT COST. ANY PARTY MAY REQUEST THE CHIEF OR HEARING BOARD TO ISSUE A SUBPOENA SUMMONS OR ORDER UNDER THE PROVISIONS OF THIS SUBTITLE.

(2) IN CASE OF DISOBEDIENCE OR REFUSAL TO OBEY ANY OF THESE SUBPOENAS SUMMONSES, THE CHIEF, OR HEARING BOARD, MAY APPLY TO THE BALTIMORE CITY COURT OF THE CIRCUIT COURT OF ANY COUNTY, AS THE CASE MAY BE, WHERE THE SUBPOENAED SUMMONSED PARTY RESIDES OR CONDUCTS BUSINESS, FOR AN ORDER REQUIRING THE ATTENDANCE AND TESTIMONY OF THE WITNESS AND THE PRODUCTION OF BOOKS, PAPERS, RECORDS, AND DOCUMENTS, WITHOUT COST. UPON A FINDING THAT THE ATTENDANCE AND TESTIMONY OF THE WITNESS, OR THE PRODUCTION OF THE BOOKS, PAPERS, RECORDS, AND DOCUMENTS SOUGHT IS RELEVANT OR NECESSARY, THE COURT MAY ISSUE AN ORDER REQUIRING THE ATTENDANCE, TESTIMONY, OR PRODUCTION OF BOOKS, PAPERS, RECORDS AND DOCUMENTS WITHOUT COST, AND ANY FAILURE TO OBEY AN ORDER OF THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT THEREOF.

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(A) Any decision, order, or action taken as a result of the hearing shall be in writing and shall be accompanied by findings of fact. The findings shall consist of a concise statement upon each issue in the case. A FINDING OF NOT GUILTY TERMINATES THE ACTION. IF A FINDING OF GUILT IS MADE, THE HEARING BOARD SHALL RECONVENE THE HEARING, RECEIVE EVIDENCE, AND CONSIDER THE LAW-ENFORCEMENT OFFICER'S PAST JOB PERFORMANCE AND OTHER RELEVANT INFORMATION AS FACTORS BEFORE MAKING ITS RECOMMENDATIONS TO THE CHIEF. A copy of the decision or order and accompanying findings and conclusions, along with written recommendations for action, shall be delivered or mailed promptly to the law-enforcement officer or to his attorney or representative of record AND TO THE CHIEF. THE PERSON WHO MAY TAKE ANY DISCIPLINARY ACTION FOLLOWING ANY HEARING IN WHICH THERE IS A FINDING OF GUILT SHALL CONSIDER THE LAW-ENFORCEMENT OFFICER'S PAST JOB PERFORMANCE AS A FACTOR BEFORE HE IMPOSES ANY PENALTY.

(B) AFTER THE DISCIPLINARY HEARING AND A FINDING OF GUILT, THE HEARING BOARD MAY RECOMMEND PUNISHMENT AS IT DEEMS APPROPRIATE UNDER THE CIRCUMSTANCES, INCLUDING BUT NOT LIMITED TO DEMOTION, DISMISSAL, TRANSFER, LOSS OF PAY, REASSIGNMENT, OR OTHER SIMILAR ACTION WHICH WOULD BE CONSIDERED A PUNITIVE MEASURE.

(C) THE WRITTEN RECOMMENDATIONS AS TO PUNISHMENT ARE NOT BINDING UPON THE CHIEF. WITHIN 30 DAYS OF RECEIPT OF THE HEARING BOARD'S RECOMMENDATIONS, THE CHIEF