

~~(2) ON REVIEW OF THE INTERNAL INVESTIGATION DIVISION'S AND THE BOARD'S INVESTIGATIVE REPORT, IF ANY, OF EACH CASE, THE BOARD SHALL MAKE ANY ONE OF THE FOLLOWING RECOMMENDATIONS:~~

~~(I) SUSTAIN THE COMPLAINT AND RECOMMEND THE APPROPRIATE DISCIPLINARY ACTION AGAINST THE POLICE PERSONNEL;~~

~~(II) NOT SUSTAIN THE COMPLAINT BECAUSE OF LACK OR INSUFFICIENCY OF EVIDENCE;~~

~~(III) EXONERATE THE POLICE PERSONNEL BECAUSE OF THE COMPLAINANT'S FAILURE TO PROVE THE CASE BY A PREPONDERANCE OF EVIDENCE;~~

~~(IV) REMAND THE CASE TO THE INTERNAL INVESTIGATION DIVISION FOR FURTHER INVESTIGATION; OR~~

~~(V) REFER THE CASE TO THE MARYLAND STATE POLICE.~~

~~(D) THE BOARD SHALL SUBMIT A STATEMENT OF ITS RECOMMENDATIONS TO THE POLICE COMMISSIONER WITHIN 30 DAYS OF RECEIPT OF THE INTERNAL INVESTIGATION DIVISION'S REPORT.~~

~~16-47.~~

~~ANY PERSON WHO KNOWINGLY MAKES A FALSE STATEMENT, REPORT, OR COMPLAINT IN THE COURSE OF AN INVESTIGATION BY THE INTERNAL INVESTIGATION DIVISION OR THE BOARD CONDUCTED UNDER THIS SUBHEADING IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.~~

~~16-48.~~

~~THE COMMISSIONER HAS FINAL DECISION-MAKING RESPONSIBILITY FOR THE APPROPRIATE DISCIPLINARY ACTION IN EACH CASE, BUT THE COMMISSIONER MAY NOT TAKE FINAL ACTION UNTIL THE COMMISSIONER HAS REVIEWED THE RECOMMENDATIONS OF THE BOARD UNDER § 16-46(C)(2) OF THIS SUBHEADING.~~

~~16-49.~~

~~NOTHING IN THIS SUBHEADING MAY ABROGATE ANY CONSTITUTIONAL, STATUTORY, OR COMMON LAW RIGHT OF POLICE PERSONNEL AGAINST WHOM A COMPLAINT IS FILED, NOR OF THE COMPLAINANTS, INVESTIGATORS, OR WITNESSES WHO PARTICIPATE IN THE COMPLAINT PROCEDURE.~~

~~16-50.~~

~~THIS PROCEDURE MAY NOT BE CONSTRUED TO AFFECT OR CHANGE THE METHODS AND PROCEDURES FOR SUSPENSION OR DISMISSAL OF MEMBERS OF THE DEPARTMENT.~~

~~16-51.~~

~~POLICE PERSONNEL MAY NOT BE PENALIZED OR AFFECTED ADVERSELY IN ANY WAY AS A RESULT OF THE PROCEDURE SET FORTH IN THIS SUBHEADING WITHOUT~~