

(2) ON REVIEW OF THE INTERNAL INVESTIGATIVE DIVISION REPORT AND THE BOARD'S INVESTIGATIVE REPORT, IF ANY, OF EACH CASE, THE BOARD SHALL RECOMMEND TO THE COMMISSIONER ONE OF THE FOLLOWING ACTIONS:

(I) SUSTAIN THE COMPLAINT AND MAY RECOMMEND THE APPROPRIATE DISCIPLINARY ACTION AGAINST THE POLICE OFFICER;

(II) NOT SUSTAIN THE COMPLAINT;

(III) EXONERATE THE POLICE OFFICER; OR

(IV) FURTHER INVESTIGATION BY THE INTERNAL INVESTIGATIVE DIVISION.

(D) THE BOARD SHALL SUBMIT A STATEMENT OF ITS FINDINGS AND RECOMMENDATIONS TO THE COMMISSIONER WITHIN 30 DAYS OF RECEIPT OF THE INTERNAL INVESTIGATIVE DIVISION REPORT.

16-47.

ANY PERSON WHO KNOWINGLY MAKES A FALSE STATEMENT, REPORT, OR COMPLAINT IN THE COURSE OF AN INVESTIGATION BY THE INTERNAL INVESTIGATIVE DIVISION OR THE BOARD CONDUCTED UNDER THE PROVISIONS OF 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.

(A) 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 RECOMMENDATION OF THE BOARD UNDER § 16-46(C)(2) OF THIS SUBHEADING.

(B) IF A COMPLAINT IS NOT SUSTAINED OR THE POLICE OFFICER IS EXONERATED, ON WRITTEN REQUEST BY THE POLICE OFFICER SENT TO THE BOARD, THE BOARD SHALL EXPUNGE ALL RECORDS OF THE COMPLAINT.

16-49.

THE PROCEDURES ESTABLISHED UNDER THIS SUBHEADING MAY NOT BE CONSTRUED TO ABROGATE ANY CONSTITUTIONAL, STATUTORY, OR COMMON LAW RIGHT OF:

(1) A POLICE OFFICER AGAINST WHOM A COMPLAINT IS FILED; OR

(2) THE COMPLAINANTS, INVESTIGATORS, OR WITNESSES WHO PARTICIPATE IN THE COMPLAINT PROCEDURE UNDER THIS SUBHEADING.

16-50.

THE PROCEDURES ESTABLISHED UNDER THIS SUBHEADING MAY NOT BE CONSTRUED TO AFFECT OR CHANGE THE METHODS AND PROCEDURES FOR SUSPENSION OR DISMISSAL OF POLICE OFFICERS.