

(IV) IF THE LAW ENFORCEMENT OFFICER ELECTS THE ALTERNATIVE METHOD, THAT METHOD SHALL BE USED TO FORM THE HEARING BOARD.

(V) AN AGENCY OR EXCLUSIVE COLLECTIVE BARGAINING REPRESENTATIVE MAY NOT REQUIRE A LAW ENFORCEMENT OFFICER TO ELECT AN ALTERNATIVE METHOD OF FORMING A HEARING BOARD.

(VI) IF THE LAW ENFORCEMENT OFFICER HAS BEEN OFFERED SUMMARY PUNISHMENT, AN ALTERNATIVE METHOD OF FORMING A HEARING BOARD MAY NOT BE USED.

(VII) THIS PARAGRAPH IS NOT SUBJECT TO BINDING ARBITRATION.

(D) SUBPOENAS.

(1) IN CONNECTION WITH A DISCIPLINARY HEARING, THE CHIEF OR HEARING BOARD MAY ISSUE SUBPOENAS TO COMPEL THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF BOOKS, PAPERS, RECORDS, AND DOCUMENTS AS RELEVANT OR NECESSARY.

(2) THE SUBPOENAS MAY BE SERVED WITHOUT COST IN ACCORDANCE WITH THE MARYLAND RULES THAT RELATE TO SERVICE OF PROCESS ISSUED BY A COURT.

(3) EACH PARTY MAY REQUEST THE CHIEF OR HEARING BOARD TO ISSUE A SUBPOENA OR ORDER UNDER THIS SUBTITLE.

(4) IN CASE OF DISOBEDIENCE OR REFUSAL TO OBEY A SUBPOENA SERVED UNDER THIS SUBSECTION, THE CHIEF OR HEARING BOARD MAY APPLY WITHOUT COST TO THE CIRCUIT COURT OF A COUNTY WHERE THE SUBPOENAED PARTY RESIDES OR CONDUCTS BUSINESS, FOR AN ORDER TO COMPEL THE ATTENDANCE AND TESTIMONY OF THE WITNESS OR THE PRODUCTION OF THE BOOKS, PAPERS, RECORDS, AND DOCUMENTS.

(5) ON A FINDING THAT THE ATTENDANCE AND TESTIMONY OF THE WITNESS OR THE PRODUCTION OF THE BOOKS, PAPERS, RECORDS, AND DOCUMENTS IS RELEVANT OR NECESSARY:

(I) THE COURT MAY ISSUE WITHOUT COST AN ORDER THAT REQUIRES THE ATTENDANCE AND TESTIMONY OF WITNESSES OR THE PRODUCTION OF BOOKS, PAPERS, RECORDS, AND DOCUMENTS; AND

(II) FAILURE TO OBEY THE ORDER MAY BE PUNISHED BY THE COURT AS CONTEMPT.

(E) CONDUCT OF HEARING.

(1) THE HEARING SHALL BE CONDUCTED BY A HEARING BOARD.

(2) THE HEARING BOARD SHALL GIVE THE LAW ENFORCEMENT AGENCY AND LAW ENFORCEMENT OFFICER AMPLE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ABOUT THE ISSUES INVOLVED.