

(3) THE LAW ENFORCEMENT AGENCY AND LAW ENFORCEMENT OFFICER MAY BE REPRESENTED BY COUNSEL.

(4) EACH PARTY HAS THE RIGHT TO CROSS-EXAMINE WITNESSES WHO TESTIFY AND EACH PARTY MAY SUBMIT REBUTTAL EVIDENCE.

(F) EVIDENCE.

(1) EVIDENCE WITH PROBATIVE VALUE THAT IS COMMONLY ACCEPTED BY REASONABLE AND PRUDENT INDIVIDUALS IN THE CONDUCT OF THEIR AFFAIRS IS ADMISSIBLE AND SHALL BE GIVEN PROBATIVE EFFECT.

(2) THE HEARING BOARD SHALL GIVE EFFECT TO THE RULES OF PRIVILEGE RECOGNIZED BY LAW AND SHALL EXCLUDE INCOMPETENT, IRRELEVANT, IMMATERIAL, AND UNDULY REPETITIOUS EVIDENCE.

(3) EACH RECORD OR DOCUMENT THAT A PARTY DESIRES TO USE SHALL BE OFFERED AND MADE A PART OF THE RECORD.

(4) DOCUMENTARY EVIDENCE MAY BE RECEIVED IN THE FORM OF COPIES OR EXCERPTS, OR BY INCORPORATION BY REFERENCE.

(G) JUDICIAL NOTICE.

(1) THE HEARING BOARD MAY TAKE NOTICE OF:

(I) JUDICIALLY COGNIZABLE FACTS; AND

(II) GENERAL, TECHNICAL, OR SCIENTIFIC FACTS WITHIN ITS SPECIALIZED KNOWLEDGE.

(2) THE HEARING BOARD SHALL:

(I) NOTIFY EACH PARTY OF THE FACTS SO NOTICED EITHER BEFORE OR DURING THE HEARING, OR BY REFERENCE IN PRELIMINARY REPORTS OR OTHERWISE; AND

(II) GIVE EACH PARTY AN OPPORTUNITY AND REASONABLE TIME TO CONTEST THE FACTS SO NOTICED.

(3) THE HEARING BOARD MAY UTILIZE ITS EXPERIENCE, TECHNICAL COMPETENCE, AND SPECIALIZED KNOWLEDGE IN THE EVALUATION OF THE EVIDENCE PRESENTED.

(H) OATHS.

(1) WITH RESPECT TO THE SUBJECT OF A HEARING CONDUCTED UNDER THIS SUBTITLE, THE CHIEF SHALL ADMINISTER OATHS OR AFFIRMATIONS AND EXAMINE INDIVIDUALS UNDER OATH.

(2) IN CONNECTION WITH A DISCIPLINARY HEARING, THE CHIEF OR A HEARING BOARD MAY ADMINISTER OATHS.

(I) WITNESS FEES AND EXPENSES.