

(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND § 11-1012 OF THIS SUBTITLE, IF THE INVESTIGATION OR INTERROGATION OF A CORRECTIONAL OFFICER RESULTS IN A RECOMMENDATION OF DEMOTION, DISMISSAL, TRANSFER, LOSS OF PAY, REASSIGNMENT, OR SIMILAR ACTION THAT IS CONSIDERED PUNITIVE, THE CORRECTIONAL OFFICER IS ENTITLED TO A HEARING ON THE ISSUES BY A HEARING BOARD BEFORE THE MANAGING OFFICIAL TAKES THAT ACTION.

(2) A CORRECTIONAL OFFICER WHO HAS BEEN CONVICTED OF A FELONY IS NOT ENTITLED TO A HEARING UNDER THIS SECTION.

(B) (1) THE INTERNAL INVESTIGATION UNIT SHALL GIVE NOTICE TO THE CORRECTIONAL OFFICER OF THE RIGHT TO A HEARING BY A HEARING BOARD UNDER THIS SECTION.

(2) THE NOTICE REQUIRED UNDER THIS SUBSECTION SHALL STATE THE TIME AND PLACE OF THE HEARING AND THE ISSUES INVOLVED.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION AND IN § 11-1012 OF THIS SUBTITLE, THE HEARING BOARD AUTHORIZED UNDER THIS SECTION SHALL CONSIST OF AT LEAST THREE MEMBERS WHO:

(i) ARE APPOINTED BY THE MANAGING OFFICIAL AND CHOSEN FROM CORRECTIONAL OFFICERS WITHIN THAT CORRECTIONAL FACILITY, OR FROM CORRECTIONAL OFFICERS OF ANOTHER CORRECTIONAL FACILITY WITH THE APPROVAL OF THE MANAGING OFFICIAL OF THE OTHER FACILITY; AND

(ii) HAVE HAD NO PART IN THE INVESTIGATION OR INTERROGATION OF THE CORRECTIONAL OFFICER.

(2) AT LEAST ONE MEMBER OF THE HEARING BOARD SHALL BE OF THE SAME RANK AS THE CORRECTIONAL OFFICER AGAINST WHOM THE COMPLAINT IS FILED.

(3) (1) IF THE MANAGING OFFICIAL IS THE CORRECTIONAL OFFICER UNDER INVESTIGATION, THE MANAGING OFFICIAL OF ANOTHER CORRECTIONAL FACILITY IN THE STATE SHALL FUNCTION AS THE CORRECTIONAL OFFICER OF THE SAME RANK ON THE HEARING BOARD.