

1. EXONERATED THE CORRECTIONAL OFFICER OF ALL CHARGES IN THE COMPLAINT; OR

2. DETERMINED THAT THE CHARGES WERE UNSUSTAINED OR UNFOUNDED; OR

(II) A HEARING BOARD ACQUITTED THE CORRECTIONAL OFFICER, DISMISSED THE ACTION, OR MADE A FINDING OF NOT GUILTY; AND

(2) AT LEAST 3 YEARS HAVE PASSED SINCE THE FINAL DISPOSITION BY THE CORRECTIONAL FACILITY OR HEARING BOARD.

11-1012.

(A) THIS SUBTITLE DOES NOT PROHIBIT SUMMARY PUNISHMENT BY HIGHER-RANKING CORRECTIONAL OFFICERS AS DESIGNATED BY THE MANAGING OFFICIAL.

(B) (1) SUMMARY PUNISHMENT MAY BE IMPOSED FOR MINOR VIOLATIONS OF CORRECTIONAL FACILITY RULES AND REGULATIONS IF:

(I) THE FACTS THAT CONSTITUTE THE MINOR VIOLATION ARE NOT IN DISPUTE;

(II) THE CORRECTIONAL OFFICER WAIVES THE HEARING PROVIDED UNDER THIS SUBTITLE; AND

(III) THE CORRECTIONAL OFFICER ACCEPTS THE PUNISHMENT IMPOSED BY THE HIGHEST-RANKING CORRECTIONAL OFFICER, OR INDIVIDUAL ACTING IN THAT CAPACITY, OF THE UNIT TO WHICH THE CORRECTIONAL OFFICER IS ATTACHED.

(2) SUMMARY PUNISHMENT IMPOSED UNDER THIS SUBSECTION MAY NOT EXCEED SUSPENSION OF 3 DAYS WITHOUT PAY OR A FINE OF \$150.

(C) (1) IF A CORRECTIONAL OFFICER IS OFFERED SUMMARY PUNISHMENT IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION AND REFUSES:

(I) THE MANAGING OFFICIAL MAY CONVENE A HEARING BOARD OF ONE OR MORE MEMBERS; AND