

**ARIZONA BOARD OF EXECUTIVE CLEMENCY**

**BOARD POLICY #102**

<b>Policy Title:</b>  <b>ETHICAL STANDARDS</b>	<b>Effective Date: July 06, 2017</b>	<b>Policy #102</b>  <b>Pages: 3</b>
	<b>Supersedes: January 10, 2014</b>	

**PURPOSE:**

The purpose of this policy is to set the highest standards of honesty, integrity, conduct and impartiality for all Board Members. Board members shall be held accountable for complying with these standards as well as the Board’s Policy and Procedures when conducting their official and personal affairs.

**AUTHORITY:**

- ARS § 31-401 Board of Executive Clemency; qualifications; appointments; officers; quorum, meeting
- ARS § 31-203 Persons disqualified as officers or employees; removal for intoxication
- ARS § 31-204 Interest of employee in contracts; gifts to or from prisoner; penalty
- ARS § 38-431 Open Meeting Law
- ARS § 38-501 Conflict of interest of officers and employees; application of article
- ARS § 38-532 Prohibited personnel practice; violation; exceptions
- ARS § 41-770 Cause for discipline or dismissal
- ARS § 41-772 Political activity
- ARS § 41-773 Improper use of official position
- ARS § 41-775 Criminal penalty for violation of statutes prohibiting political activity or improper use of office
- AAA R2-5-501 Standards of Conduct
- 5 U.S.C. Sections 1501 to 1508 (Federal Hatch Act)
- AG Opinion I88-032

**PROCEDURE:**

**102.01 Member Standards**

- 1.1 Board of Executive Clemency members are appointed by the Governor and shall be held accountable for complying with standards that establish the necessary trust, confidence, and respect of officials, employees and the general public. Members shall:

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- a. maintain high standards of honesty, integrity, confidentiality and impartiality;
- b. demonstrate ethical conduct at all times in the performance of their duties;
- c. Cooperate with all officials in a courteous manner;
- d. accept job responsibilities and comply with State and Federal laws, Arizona Administrative Codes and the Board's policies and procedures; and
- e. shall not demean any opinion expressed by another Board member.
- f. shall not publicly denounce a decision made by a previous Board.

### **102.2 Board Member Training**

- 2.1. Board Members will dutifully attend and participate in the statutorily mandated four week orientation training administered by the Board Chairman or designee and conducted by the Attorney General's Office and the Board of Executive Clemency.
- 2.2. Board Members will seek answers to technical questions and/or guidance only from the Board Chairman, Board Counsel and/or Executive Director.
- 2.3 Procedural questions which arise during a hearing shall be referred to the Board Chairman.
  - 2.3.1 While in quorum, a member may vote at any time to enter executive session to seek legal advice from the Board's counsel.

### **102.3 Board Hearing Standards**

- 3.1 Board members shall be knowledgeable, understand and comply with the Open Meeting Law at all times.
- 3.2 Board members will not discuss any material related to any hearing scheduled to be heard before the Board when a quorum of the Board is present.
- 3.3 Board Members shall report to the Board Chairman any attempt to persuade them on how to vote in an individual hearing or set of hearings from any internal or external source.
  - 3.3.1 The Board Chairman upon receiving information from a Board member that someone is attempting to influence the decision making process will gather all information possible and submit their findings in writing to the Attorney General for investigation.

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3.4 Board Members shall review all documentation provided to them by administrative staff and interested parties **prior** to a scheduled hearing.

3.4.1 Information submitted to the Board 48 hours or less prior to a hearing may be reviewed upon acceptance by the Board Chairman.

3.4.1.1 Upon acceptance, the Chairman shall advise the party(s) that any information provided just before or during a hearing may not be weighed similarly as that submitted within requested timeframes prior to the hearing.

### **IMPLEMENTATION**

This policy was adopted by the Arizona Board of Executive Clemency in accordance with law.