

**ARIZONA BOARD OF EXECUTIVE CLEMENCY
BOARD POLICY #101**

Policy Title: BOARD MEMBER DECORUM	Draft Date: April 15, 2015	Policy #101
	Effective Date: May 27, 2015	
	Previous/New:	Pages: 4

PURPOSE:

The Arizona Board of Executive Clemency is an executive branch of government that promotes professionalism at all times. Board members shall conduct themselves in a manner to ensure public trust and confidence. The Board members shall never bring embarrassment or disrespect to the Board or themselves.

AUTHORITY:

A.R.S. §31-401; 402; 403

PROCEDURE:

101.01 Member Responsibilities

- 1.1. In order to maintain a level of professional integrity and ensure compliance with related statutes and policies, Board members shall:
 - a. be knowledgeable and comply with Arizona’s “Open Meeting” law,
 - b. review and understand the Board’s policies and procedures,
 - c. turn their cell phone off and not text or “surf the web” when hearings are in progress,
 - d. use the authorized Board’s tablet if seeking offender or web information during a hearing,
 - e. read case information prior to scheduled hearing and be prepared to actively participate with questions and discussion,
 - f. attend training provided by, or at the request of the Board Chairman, and otherwise pursue the enhancement of their professional competence and knowledge,
 - g. dress in a business attire fashion while present at the Board, and
 - h. maintain and update the Board’s Policy & Procedure Manual provided to each Board member.

- 1.2. In order to ensure effective management of the board and disruption of scheduled hearings, members shall:
 - a. notify the Board Chairman at least 48 hours in advance if you plan on being absent for all or part of the day,
 - b. track their work hours and record their time on their record in a timely and accurate fashion, and
 - c. be ready to commence the board's business at the scheduled time.

101.02 General Conduct

- 2.1. Board members shall always:
 - a. be aware of and abide by all legal authority governing confidential information acquired by reason of the Board position,
 - b. contribute to the overall effective and efficient administration of the Board as an agency of state government and an active partner in the administration of criminal justice,
 - c. respect and support the administrative and management authority and responsibilities of the Chairman, and
 - d. allow differing opinions to be discussed openly and not chastise another member's positional statement.

101.03 Hearing Conduct

- 3.1. When conducting hearings with offenders, members shall:
 - a. make their decisions independently, fairly, objectively, impartially and without bias. However, a member's duty goes beyond ensuring there is no actual bias. When dealing with any person with an interest before the Board, members must conduct themselves in a manner that will not give rise to an appearance of unfairness, partiality or bias,
 - b. conduct themselves in a manner that is courteous, fair and respectful to all participants and observers,
 - c. be cognizant of language, customs, rights, opinions, and beliefs, while ensuring that the proceedings are orderly and efficient, and
 - d. listen attentively and if necessary, take notes.
- 3.2. Members shall not call offenders by their first name. Maintain a professional, businesslike environment at all times by referring to offenders as Mr. or Ms.
- 3.3. Members shall wait to be acknowledged by the Panel Chairperson before speaking.

- 3.3.1 If a member wishes to ask a question or add comment, he or she may raise their hand to call attention to the Panel Chair and wait to be acknowledged by the Panel Chair.
- 3.4 No sidebar conversations shall occur during hearings.
 - 3.4.1 All hearings or meetings are recorded so members should refrain from tapping a pen on the table, making audible noises, or rustling papers.
- 3.5 Once a hearing has begun, if a member must step out, they will refrain from further participation until the next hearing unless the Panel Chair has designated a break time during that hearing.
- 3.6 Members should refrain from talking with any person immediately after a hearing other than Board Members or the Board's legal counsel.
- 3.7 A Board member shall recuse themselves from any hearing when they feel they are unable to make an impartial and unbiased decision.
- 3.8 Board members should refrain from offering advice to anyone regarding upcoming hearings or what a person should provide to the board at a hearing. These questions may be referred to the Board's Executive Director.

101.04 Panel Chair Guidelines

- 4.1 A Panel Chair is defined as a board member who is assigned by the Chairman of the Board to preside over Board hearings on a specific day. Any Board member may be designated to be the Panel Chair even if the Chairman of the Board is present for hearings. The Panel Chair position may be rotated among the Board members.
- 4.2. Prior to starting the day's schedule, the Panel Chair's responsibilities shall include:
 - a. making the introduction announcement in accordance with the Open Meeting Law. The Panel Chair will record the date, location of meeting, type of hearings being conducted and facilities visited, members present and absent, the name of the ADC representative and commencement time,
 - b. reminding all individuals to turn cell phones off during hearings,
 - c. asking visitors to remove their children from the board room if they cannot remain quiet, and
 - d. informing visitors that any interruptions or outbursts that impede the proceedings could result in their removal from the room.

- 4.3 A Panel Chair shall not begin the day's schedule earlier than posted and will not go beyond the time that the building closes where the hearings are being held.
- 4.4. A Panel Chair shall remain cognizant of hearing times and fairness to others waiting for upcoming hearings. Prior to a hearing, visitors should be advised:
 - a. they will be allowed to speak within a reasonable amount of time as long as they do not repeat themselves or other visitor testimony, and remain on topic.
 - b. they may also be asked to conclude their testimony if the Panel Chair believes the message is clearly understood and no further testimony is necessary.
- 4.5 The designated Panel Chair may rotate hearings among other board members after he/she has introduced on the record the particulars of that hearing.
- 4.6 During hearings, a Panel Chair will not allow interruption of another board member speaking or visitor testimony.
 - 4.6.1 The Panel Chair will remind offenders that this is a professional environment and that offensive language, personal reference or conversations to a board member and any other derogatory comments are unacceptable.
 - 4.6.1.1 The Panel Chair may determine the offender's removal from the remaining portion of the hearing.
 - 4.6.2 Each visitor shall fully complete their statements before the questioning by members begins.
 - 4.6.3 When the Board enters discussion, members shall direct their discussion only to other members and not speak or address the inmate/offender or visitors.
 - 4.6.3.1 When in discussion, no member may speak twice until all members have been granted an initial opportunity to speak.
- 4.7 The Panel Chair is responsible for fully and accurately completing the voting record.
- 4.8 The Panel Chair will announce on the record any matter that requires a final determination of action by the Board Chairman.

Implementation:

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