

<b>Policy Title: Conflict of Interest Policy</b>  Annual Review and Acknowledgement	<b>Draft Date: November 13, 2014</b>	<b>Policy #102.01</b>
	<b>Effective Date: November 26, 2014</b>	
	<b>Previous/New: NEW</b>	<b>Pages: 3</b>

**Purpose:**

This Conflict of Interest Policy governs the activities of the board and staff of the Arizona Board of Executive Clemency (AZBOEC). Questions about the policy should be directed to the Executive Director. It is the duty of all Board members and staff to be aware of this policy and to identify conflicts of interest and situations that may result in the appearance of a conflict and to disclose those situations/conflicts/or potential conflicts to (i) the Executive Director (ii) the Chair of the Board or (iii) other designated person(s) as appropriate. This policy provides guidelines for identifying conflicts, disclosing conflicts and procedures to be followed to assist AZBOEC manage conflicts of interest and situations that may result in the appearance of a conflict.

The board has adopted several policies that directly or indirectly address any potential conflict of interest concern. These policies are:

**Ethical Standards Policy #102**

*It is the policy of the Arizona Board of Executive Clemency to establish the highest standards of honesty, integrity, conduct and impartiality. These standards are necessary to merit the trust, confidence and respect of officials, employees and the general public. Therefore, board members shall be held accountable for complying with these standards when conducting their official and personal affairs.*

**Board Member Decorum Policy #101**

*The Arizona Board of Executive Clemency is an executive branch of government that promotes professionalism at all times. Therefore the following guidelines were developed to assist Board members in maintaining a high level of personal and professional integrity before, during and after hearings.*

**Hearing Recusal Policy #115**

*It is the policy of the Arizona Board of Executive Clemency to conduct all hearings in a fair and transparent manner without regard to personal or other biases and interests*

Additionally, Board members are trained by our Arizona Attorney General’s representative and the Chairman on how to avoid placing themselves in a conflict of interest situation.

1. **What is a conflict of interest?** A conflict of interest arises when a Board member or staff member has a personal interest that conflicts with the interests of AZBOEC or arise in situations where a board/staff member has divided loyalties (also known as a “duality of interest”).

2. **Who might be affected by this policy?** Typically persons who are affected by a conflict of interest policy are the organization’s Board members, officers, and senior staff. In some cases a major donor could also be in a conflict situation. AZBOEC takes a broad view of conflicts and board/staff are urged to think of how a situation/transaction would appear to outside parties when identifying conflicts or possible conflicts of interest.

3. **Disclosure of Conflicts.** Board members and staff will annually disclose and promptly update any disclosures previously made on an Annual Conflict Disclosure Questionnaire form that requests them to identify their interests that could give rise to conflicts of interest, such as a list of family members, substantial business or investment holdings, and other transactions or affiliations with businesses and other organizations or those of family members as well as other nonprofit organizations.

Board members and staff are also urged to disclose conflicts as they arise as well as to disclose those situations that are evolving that may result in a conflict of interest. Advance disclosure must occur so that a determination may be made as to the appropriate plan of action to manage the conflict. Staff should disclose to the Executive Director and Board members should disclose to the Chairman of the board as soon as the person with the conflict is aware of the conflict/potential conflict or appearance of a conflict exists.

4. **Procedures to manage conflicts.** For each interest disclosed, the full Board or the Executive Director or the Chairman of the board, as appropriate, will determine whether the organization should: (a) take no action or (b) disclose the situation more broadly and invite discussion/resolution by the full Board of what action to take, or (c) refrain from taking action and otherwise avoid the conflict. In most cases the broadest disclosure possible is advisable so that decision-makers can make informed decisions that are in the best interests of the organization.

- a. When the conflict involves a decision-maker, the person with the conflict (“interested party”): (i) must fully disclose the conflict to all other decision-makers; (ii) may not be involved in the decision of what action to take (e.g., may not participate in a vote) but may serve as a resource to provide other decision-makers with the needed information.
- b. In some cases the person with the conflict may be asked to recuse him/herself from sensitive discussions so as not to unduly influence the discussion of the conflict.

- c. In all cases, decisions involving a conflict will be made only by disinterested persons
- d. The fact that a conflict was managed and the outcome will be documented in the minutes of board meetings if the conflict was related to a Board member, and reported by the Executive Director to the Chairman.
- e. The Executive Director will monitor proposed or ongoing transactions of the organization (e.g., contracts with vendors and collaborations with third parties) for conflicts of interest and disclose them to the Board and staff, as appropriate, whether discovered before or after the transaction has occurred.

I hereby acknowledge that I have read in its entirety each described policy:

Ethical Standards Policy #102 \_\_\_\_\_(initials)  
 Board Member Decorum Policy #101 \_\_\_\_\_(initials)  
 Hearing Recusal Policy #115 \_\_\_\_\_(initials)

Board policies are posted on AZBOEC website ([www.boec.az.gov](http://www.boec.az.gov)) for perusal and a hardcopy has been placed in board members' training manuals.

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Print Name