

CONFIDENTIALITY AND RECUSAL AGREEMENT
FOR MEMBERS OF THE POLICE ACCOUNTABILITY BOARD

- UC Berkeley -

Confidentiality Issues

1. Information about specific individuals and matters brought to the attention of the Police Accountability Board (PAB) is generally considered *highly sensitive and confidential*. PAB members (including alternates) must maintain the confidentiality of all deliberations of the PAB and of any information or documents received in connection with their work on the PAB.
2. In general, individuals have a legal right to access records pertaining to themselves, under the California Information Practices Act, although there are some exceptions to this rule. PAB members who receive requests for information related to their PAB duties from an individual involved in a matter, or anyone else, should refer that request to the Chair of the PAB, who will refer it to the appropriate campus office for handling.
3. Information regarding PAB deliberations and recommendation may be disclosed to those University officials to whom the PAB is providing its advice and recommendations regarding the case. Those disclosures should be provided only pursuant to established PAB procedures.
4. PAB members should destroy, delete, or return all case-specific documents and information at the conclusion of the PAB's deliberations. Furthermore, to maintain confidentiality, use of email to exchange sensitive information should be minimized. Specific procedures for communication and transmission of information and documents will be established by the PAB.

Conflict of Interest Issues

1. PAB members (including alternates) should be alert to situations in which their participation in the PAB's deliberations might involve a conflict of interest or an appearance of a conflict of interest. Such conflicts, or their appearance, can arise when a PAB member has a personal and/or professional relationship with one or more parties in a matter that has come before the PAB.
2. PAB members *must* recuse themselves from PAB deliberations and decisions in the following circumstances:
 - a. The PAB member has, or has had, a family relationship with one of the parties involved in the complaint.
 - b. The PAB member is a member of a **campus office or academic unit** with which

one or more parties in the complaint have **recently** had or currently have an association.

- c. The PAB member has, or has had, a sexual and/or romantic relationship with one or more parties in the complaint.
 - d. The PAB member has a financial relationship with any of the individual parties involved in the complaint.
 - e. The PAB member is aware of any prejudice, pro or con, that seems likely to impair their judgment in the case.
 - f. The PAB member has participated in any aspect of the complaint (e.g., been a member of the unit that is involved in the case; is a potential witness; has deliberated or participated in aspects of the case at another level of review).
 - g. The PAB member believes their recusal is necessary to preserve the real or perceived integrity of the PAB process.
3. Should any other situation arise in which a PAB member identifies a potential conflict of interest, the PAB member should discuss the matter with the PAB chair to jointly decide whether recusal from the case may be appropriate.
4. If the implementation of this policy results in a committee number that is less than desired to consider a matter, a specially designated alternate member or members may be appointed.

I have read and agree to abide by the Police Accountability Board confidentiality and recusal agreement for UC Berkeley:

Signature

Date

Name