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If you have a baccalaureate degree or higher, you have served as an Associate of the APA for 24 months, you have completed a minimum of 200 polygraph examinations, you have attended at least one APA Annual Seminar, and have completed 60 hours of CEH in polygraph, request that your membership classification be upgraded from ASSOCIATE to MEMBER.

In order for the Board of Directors to act upon your request, it will be necessary for you to:

Provide a copy of your transcripts, a notarized statement from your supervisor or knowledgeable colleague, who must be a Member of the American Polygraph Association (APA), attesting that you have completed a minimum of 200 polygraph examinations, and proof of your 60 hours of continuing education in the field of polygraph within the last 36 months.

Please forward the certification directly to:

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Chattanooga, TN 37414

If you have any problems or questions regarding your membership, please call the National Office Manager at 800/272-8037 or 423/892-3992.
Objectives
Our mission is to provide governments (federal, state and local) and private individuals with the highest quality credibility assessment training and consulting services available. We will help our students utilize best practices and leading edge scientific procedures.

Our Vision
Benefit the credibility assessment profession and enhance security and safety worldwide.

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Basic Polygraph Examiner’s Course
- May 7 - July 13, 2018  (in Cape Coral, FL)
- September 4 - November 9, 2018  (in Cape Coral, FL)
- January 9 - March 15, 2019  Basic Course  (in Cape Coral, FL)

Advanced Examiner’s Course
- July 23-27, 2018  (in Cape Coral FL)
- March 25-29, 2019  (in Cape Coral FL)

Post Conviction Sex Offender Testing (PCSOT) Course
- July 16-20, 2018  (in Cape Coral FL)
- December 3-7, 2018  (in Lafayette, IN)
- March 18-22, 2019  (in Cape Coral FL)

Use of Directed Lie Comparisons & DLST Course
- June 12-13, 2018  (in Cape Coral FL)

Interview and Interrogation Course
- June 20-22, 2018  (in Cape Coral FL)

Use of an Interpreter Course
- June 29, 2018  (in Cape Coral FL)

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NEW CONTACT EMAIL FOR THE APA NATIONAL OFFICE

If you need to contact the APA National Office, please use manager@apapolygraph.org

Old email addresses will not forward beginning in May
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Brian Morris
Raymond Nelson
Patrick O’Burke
Roy Ortiz
Darryl Starks
Gordon L. Vaughan
Daniel Violette

Deadlines

This issue closed on
May 18, 2018
Deadline for July/August issue:
July 31, 2018

Submission of Articles

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Take the wheel and contribute to our future...
2018 APA Election Cycle Dates

President Elect, one year

Directors 2,4,6 & 8, two years

- April 1 - 30 - submit nominations to National Office
- May 1 - 4 - validation of candidate’s eligibility
- May 7 - last day to submit candidate statement up to 500 words for Magazine and website
- June 4 - candidacy letter published on website and in Magazine in the order they are received
- June 11 - email notification of elections
- June 17 - 23 - electronic election
- June 27 - posting results on website
- July 8 - 14 - runoff if necessary
- July 16 - notify winner
- August 30 - officers sworn in at APA Annual Banquet
Join Me in Making the APA Honest, Ethical and Accountable

After completing my initial polygraph training under the great Cleve Backster in 2004 and joining the American Polygraph Association, I was proud to be part of an organization that was dedicated to truth. My enthusiasm waned, however, as the years clicked by and I bore witness to a troubling transformation fueled by exuberant APA claims ballyhooing polygraph's indisputable scientific legitimacy.

It's not true, of course – (the scientific legitimacy part) – but the compelling narrative crafted by the APA's politicos who proclaimed to be in the know set the stage for a science fiction kind of plot that gave alluring cause to what can be seen as an ambitious and self-serving cultural revolution.

Poor polygraph. The mutant offspring of Marston, Larson and Keeler has suffered for nearly a century as a pseu-
doscientific also-ran in the forensic big leagues. Sure, there have been many impressive wins that stemmed from polygraph “testing,” but even a broken clock is right twice a day. Of the tortured trio that fathered the lame liebox, history tells us that it was John Larson who acknowledged polygraph’s pernicious foibles.

By then, it was too late for Professor Larson to make things right -- but it isn’t too late for the APA.

As current events continue to show, polygraph is notoriously unreliable, plagued with structural frailties, and easily defeated by following simple instructions freely available on the Internet. That’s the reality.

Effective polygraph has virtually nothing to do with science; it relies solely on examiner expertise. All of the wishful thinking, model policies, and statistical alchemy in the world can’t change that immutable fact.

Beyond tempering its flattering claims of “evidence based” high accuracy, the APA should address these two key issues: the victimization of innocent parties via false results, and a lack of demonstrable research on (randomly chosen) examiner vulnerability to countermeasures.

Consequently, I am running for APA president elect on this remedial two-pronged platform:

1. A bill of rights – similar to that found in the medical and mental health fields -- for polygraph test subjects, designed to elevate informed consent and avoid potential harms.

2. An ongoing countermeasure challenge series, integral to APA seminars, designed to reveal polygraph’s real-world accuracy and expose the wide variations in examiner competence.

Clearly, polygraph is mainly about money. While there will always be opportunists in our field, the principled professional will lead by example. That means living up to the abandoned APA goal to “Serve the cause of truth...
with integrity, objectivity and fairness to all persons.”

It is time to eradicate the APA's delusions of polygraph's unquestionable scientific legitimacy, and be forthright about the risks, realities and limitations of the “test.” As president elect, I will bring truth, honesty and accountability to the APA, and to the entire polygraph profession. To achieve that end, I humbly ask for your vote.

I invite your questions, comments and concerns. Send email to polygraphexam@gmail.com for a prompt response.
To: The General Membership of the American Polygraph Association

My name is Darryl Starks and I humbly ask your support and vote for the position of President-Elect, of the American Polygraph Association (APA). Please accept my statement of interest and qualifications for the 2018 election cycle.

I am a firm believer that the APA is moving in the right direction. The growth of our annual training seminal alone, demonstrates the commitment of our membership to education, training and professionalism. If I am elected to the office of President-Elect, I hope to continue this progress by advancing the cause for:

1. Research based standardization of the polygraph profession/techniques
2. Leveraging current technology to offer more continuing education courses.
3. Advancing the strategic plan of the APA.
4. Ethics and a commitment to Standards of Practice
5. Increasing the APA membership.

I have been a member in good standing of this great organization for 20 years, serving for the past 4 years on the APA Board of Directors, first as Vice-President Government and currently as Director. Additionally, I have served as general chair for the Communications and Public Relations Committee and currently co-chair the Ethics and Grievance Committee. My 35-year portfolio of professional experience which includes federal law enforcement, military, polygraph consultant and instructor have given me a well-rounded knowledge base to intelligently serve the APA as President-Elect.

I proudly served in the United States Army as a Military Policeman and later as a Special Agent with Army CID from 1983 to 1990. I began my career as a Special Agent with The Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in 1990 and graduated from The Department of Defense Polygraph Institute (now the National Center for Credibility Assessment; NCCA) in 1998. From 2004 until my retirement in 2014, I served as a Supervisory Special Agent-Quality Control Team Leader with ATF’s Polygraph Branch. Since retiring from ATF, I have continued my involvement in the polygraph profession as an independent polygraph consultant for local and federal law enforcement agencies and serve on the instruction staff at NCCA.

Academically, I hold a Bachelor of Science Degree in Criminal Justice Administration from Park University, Parkville, Missouri; and a Master of Arts Degree in Forensic Psychology from Argosy University, Washington, DC.

I believe that together as dedicated polygraph professionals and members of the APA, we can make this great organization more efficient, effective and be a positive influence on the profession worldwide. I hope you will agree that my comprehensive background offers knowledge, skills and aptitude, which can support our
overall mission and elevate membership. I value highly your review of my qualifications and hope to secure your trust, support and vote.

Thank you for providing me the past opportunity to serve you on the Board of Directors and I humbly request your continued support for the position of President-Elect.

Sincerely,

Darryl Starks
Raymond Nelson

Director 2 Platform Candidate

My name is Raymond Nelson, and I am seeking your vote for the role of APA Director. I am a polygraph examiner and polygraph researcher. Over the past 18 years, I have conducted several thousand polygraph exams, authored or co-authored over 150 scientific and instructional publications on every aspect of the polygraph, helped to make advancements in polygraph scoring (ESS, OSS-3, ESS-M), polygraph interviewing, polygraph techniques, and polygraph instrumentation/technology. Parts of my activities include the documentation and advancement of our knowledge of the details of the science of polygraph testing. Other activities involve the documentation of practical aspects of day-to-day polygraph work, and the publication of practical training materials that are informed by the current state of the art and science. I’ve testified on the polygraph in court cases throughout the U.S. and helped to create and promote effective policies for polygraph
practice. I’ve also provided basic and advanced instruction at numerous polygraph training programs and conferences throughout the U.S., Latin-America, Asia and Europe.

I am a past-president of the APA, presently serving as an elected Director. My past work on the APA Board has include participation in Research and PCSOT committees, conference presentations, completion of the 2011 Meta-Analysis, publication of normative reference data for validated polygraph techniques, and several aspects of polygraph policy and standards development (PCSOT, Quality Assurance, Examinee Suitability and others). My current projects include a literature survey and report on the validation of automated polygraph scoring algorithms. Prior to entering the polygraph profession I was a psychotherapist and forensic evaluator with perpetrators and victims of sexual assault, family violence and severe neglect – in addition to other work in research, behavioral psychology, and education with vulnerable and at-risk children and adults.

Above all, I am a problem solver – dedicated to learning and to the development of practical and achievable solutions to complex problems. I believe that standardization, training and professionalism are among the most important things the APA can provide to polygraph examiners, the public, and to courts and legislators who make decisions about polygraph testing. My goal is to support the future success of the polygraph profession by strengthening the foundation of knowledge, skill and expertise among APA members involved in the arduous and ongoing task of seeking and documenting the truth.

In addition to the APA, I am a member of the American Society for Testing and Measurement (ASTM), National Board for Certified Counselors (NBCC), American Statistical Association (ASA), the American Academy of Forensic Science (AAFS) and the Association for the Treatment of Sexual Abusers (ATSA). The polygraph profession has made important advancements in recent years, yet there is still more to do. With your vote, I will continue working
diligently to help advance the interests of the APA and its members by using my unique and diverse knowledge, skills and experience at every opportunity that will lead to legislative, public, scientific, and judicial understanding of and confidence in the value and meaning of polygraph testing. Your support is greatly appreciated.
2018 APA Elections

J. Patrick OBurke

Director 2 Platform Candidate

I am asking for your vote to be Director #2 for the American Polygraph Association. As well, I want to provide a guide for what I plan to accomplish with your vote. Occasionally, membership may know little about the candidates. Since you are reading this statement, you are a special person who is interested in where polygraph is headed. As well, elections are important, and my opponent is a worthy individual to run against. In recognizing this, I would ask for you as a voter consider the many projects I have placed considerable effort on as a board member. This is the best way to show my dedication to you and this association. These projects include; a better APA website with online payments, an immensely improved school accreditation process, the publishing of a Quality Assurance Policy, online member application, and professional membership requirements. Still, there is one additional project that I think is important to the future of our profession that I hope you will give me the
time to work on.

This project involves working on standardizing forensic interview principles. My thirty-five-year career as a police officer and polygraph examiner has been marked by understanding standardization for polygraph testing, yet all the while recognizing the intrinsic value of information and confessions that come from testing. Equally compelling is the lack of consensus standards for forensic interview. My time on the Board has allowed me to augment work done by Frank Horvath and Barry Cushman in getting polygraph a place at the American Academy of Forensic Sciences. The AAFS has a critical role in working with NIST and the OSACs to establish guidelines for all forensic sciences. Yet, it is crucial to grasp that the AAFS does not yet have scientific principles in place for credibility assessment, including forensic interview. Our recent efforts have been fruitful in gaining acceptance that will facilitate a consensus body being established for us at AAFS under credibility assessment. However, things move slowly, and more work is still needed over the next eighteen months.

Having been involved in this as a personal challenge, I am dedicated to performing the work that is required to get credibility assessment made a functioning consensus body as a forensic science under AAFS. This will be a huge step forward and give ground breaking support for those who conduct posttest interviews and polygraphs. This will illuminate a path for using evidence based methods for seeking the introduction of oral statements and admission into court. I can promise to put forth my sincere efforts to supporting you as a polygraph examiner, and to polygraph as a profession if you will reward me with your vote and support.

I would ask that you consider our future and look at where you want to be in two years. Please award me your vote and I will work hard with the APA Board to move our profession in a positive direction.

J. Patrick OBurke
Sabino Martinez Jr.

Director 4 Platform Candidate

As a current board member of the American Polygraph Association and a member for over 10 years, I am seeking re-election and would once again ask for your vote. For the past 2 years I have helped members with issues that needed interpretation from Spanish to English and vice versa. I have helped as many of you as possible at the national conference in Las Vegas and was proud to be amongst all of you, whom I consider professionals. I have served with two presidents and have been available to complete any task at hand and I take pride in having a good work ethic.

I have over 20 years of experience as a polygraph examiner, I am a retired Texas Department of Public Safety Polygraph Examiner and had a pleasure of serving as an examiner for 12 of my 20 years of employment with the department. I served under then Commander Mike Gougler and Lieutenant Walt Goodson whom I consider
great supervisors and good friends. I wish to continue to serve as a director because I believe I would continue to be of service to this great organization and its membership. In my interactions with all of the members, including the Spanish speakers, I strive to display that professionalism that exists in this great organization. I will be spearheading our Mexico seminar in April 2019 which will provide an opportunity for those in Latin America who are unable to attend the USA seminar. I ask for your vote so as to continue to represent all of you and help as many of you as possible.

Saludos a todos los miembros de habla hispana. Como director de APA se ha cumplido mi servicio de 2 años y les vuelvo a solicitar su voto de confianza una vez más. En los últimos 2 años me han dado el honor de conocer y servir a muchos de ustedes en el congreso que se llevó a cabo en Las Vegas Nevada. Me gustaría seguir al servicio de ustedes una vez más y les pido su consideración. Cabe señalar que estaré a cargo del seminario en Latino-América, cual se llevará a cabo en la Ciudad de México. El evento de 3 días será para que se reúnan los muy estimados polígrafistas de todos los países de habla hispana. Agradezco los votos de todos ustedes y tomo esta oportunidad para invitarlos a México.
I have been a member of the APA, for over 25 years. I was a previous recipient of the President’s and the Al and Dorothea Clinchard awards. I have had the privilege of being on the APA Board of Directors, working on the following committees: Awards Committee, International Liaison Committee, Public Relations Committee and the Educational Accreditation Committee.

I retired from the Los Angeles County Sheriff’s Department and I was the former Officer in Charge of the Los Angeles Police Department’s Polygraph Unit. The APA has always supported Law Enforcement polygraph Examiners and their mission, with research and individual needs.

PRESENT

I have come full circle, starting in the private sector polygraph examiner
and returning to the private sector. I am the proud grandfather of three and hope for a brighter future for them and all children around the world.

Local, state, national and world-wide issues, not limited to terrorism and the prevention of crime, can be addressed with the help of the polygraph profession. The APA is the leading resource for supporting polygraph examiners, by providing research, annual educational seminars, on-line training and assisting state organizations. My current volunteer position as a member of the Education Accreditation Committee, helps the APA achieve the goal of providing quality training throughout the world.

FUTURE

Given the opportunity, I would like to serve all APA members, around the world and locally. No one can predict the future challenges that the APA and the polygraph profession will face, but I would like to be part of the problem-solving team as a member of the APA Board of Directors.
Donnie Dutton

Director 6 Platform Candidate

To the members of the APA, By way of introduction my name is Donnie Dutton and I ask for your vote for Director 6. In this brief Candidate Statement I hope you will favorably consider me when balloting begins on June 17th.

I’ve been a member of the APA since 1986 and supporter of the Association now for 32 years. My support has been the active kind. On several occasions over the years I have provided informal and behind-the-scenes assistance to the Board on countless assignments. As an elected officer I have worked on several committees and spearheaded a number of initiatives that survive even today. I offer to bring my experience to bear to the challenges and opportunities now at our doorstep, and there are many. The three top-most factors affecting our future are; expanding global membership and influence, recognition of polygraphy as a forensic sciences, and the emergence of other credibility assessment technologies. These are weighty and
complex matters having implications long into the future.

I believe in education and know that as professionals we need to keep current on what the science tells us and integrate its findings into our daily polygraph practices. Our initial polygraph programs are the foundation of what the polygraph profession has to offer but it shouldn’t stop there; I have seen over the course of my own career the many changes that the profession has made and know that more are certain to come.

I think we can agree that we are not always our own best advocates nor do nearly enough to inform the public of the good we do for society, agencies and for individuals. The media are often unfair to the polygraph profession and I think we need a positive voice if we are to change the image we have been given. I am convinced the APA must have a good marketing plan if we are to get the word out. It must be an aggressive campaign if we hope to overcome the distortions the public is reading and hearing.

I am a firm believer that we should have a strategic plan that all of the Association can see and comment on. It is this plan that lets everyone within the Association know where we are headed and can jump on board to move us forward. I have provided the core of these to past presidents and will work once again to ensure that you are made aware of where your leadership is heading.

Finally, APA model policies have proven to be extremely important. They help examiners conduct examinations based on best practices and provide reference documents to use in court and other settings. I know APA model policies have helped many examiners make sound professional decisions, and helped others to defend their practices when challenged by detractors. I will work to develop other model policies that are relevant to examiners.

These issues represent my priorities, and if elected I pledge to tirelessly work for their resolution.

Thank you
Aloha,

My name is William (Bill) Gillespie and I am running for election to the Director 6 position of the American Polygraph Association. I am respectfully asking for your support and vote in this election.

I moved to the United States of America 30 years ago and settled in Honolulu Hawaii. I am a Military Veteran having served as an infantry officer in the Canadian Armed Forces. I worked 22 years in police service working for Federal, State/Provincial and City/County Departments before becoming a private polygraph examiner for the past 13 years.

I have a unique background having worked in two different countries as well.
Walt Goodson

Director 8 Platform Candidate

My name is Walt Goodson, and I ask for your vote to serve as a member of the APA Board.

As APA President, I was a proud part of a dynamic and collaborative board whose efforts strengthened both our association and profession. The Board’s achievements included refining our school accreditation process, developing a strategic plan, increasing revenue, improving training conferences, streamlining National Office processes, reorganizing the APA Board, creating new and enhancing existing model policies, as well as raising educational standards for our new members. Moreover, the APA Board accomplished these goals in a fiscally responsible way while maintaining world-class training, customer service, and professional publications. These achievements are significant, but there’s much more work to do. For the APA to continually improve and grow as the global architect in polygraph
training, best practices, and professional resources, it needs a board comprised of active leaders and subject matter experts who are unafraid of hard work.

My candidacy offers these skills and a commitment to helping President Duncan seek this improvement and growth. The experience, leadership and work ethic I volunteer are as follows: Currently, I hold the rank of major over the Education, Training and Research Division of the Texas DPS, where I oversee multiple programs including the Leadership, Professional Development, and Tactical Training Units as well as the units and Academy responsible for recruiting, screening, hiring, and training Texas State Troopers. I have served for 16 years as a polygraph examiner and previously led the Texas DPS Polygraph Unit as well as directed the Texas DPS Polygraph School. I’m a Past-President of the Texas Association of Law Enforcement Polygraph Investigators and have chaired and served on numerous APA committees. I have attended every APA seminar since 2004 and served on at least one APA committee since this time. Additionally, I’ve had the pleasure of speaking presenting at more than 20 US and international polygraph association seminars in the last decade. Currently, I serve as a member of the Seminar Committee.

Unquestionably, the APA is the flagship polygraph organization, and it’s moving in the right direction with the hiring of experts to carry out its critical functions; however, I believe it needs to move forward with a greater sense of urgency for at least two reasons. First, the rapid emergence of credibility assessment technologies will increasingly challenge our current best practices. Secondly, our US and international truth-seekers continue to pursue APA resources and leadership on a grander scale. A part-time board cannot adequately address these challenges and workload. Instead, the APA needs more full-time staff that can be guided by a board of directors. Thus, it would be my goal to work towards solutions that strengthen the organization’s capacity and expertise to meet these demands.
I again ask for your vote, and I wish to thank you for your dedication to the APA through participation in the election process. I hope to see you at this year’s seminar in Austin.
Daniel Violette
Director 8 Platform Candidate

I, Daniel Violette, submit myself as a candidate for reelection to the Director 8 position on the American Polygraph Association Board of Directors. I am retired from the United States Air Force and currently employed as a police officer in the City of Westbrook in the State of Maine. I have been a police officer for more than fifteen years and I’m currently assigned as a Detective / Polygraph Examiner in the Criminal Investigations Division. I investigate major crimes daily and I routinely use the polygraph as a tool to further the investigative efforts of my agency. I received my basic polygraph training from Elmer Criswell and his staff at the Northeast Counterdrug Training Center on Ft. Indiantown Gap in Annville, PA in 2007. I then completed my internship under the supervision of former APA President Barry Cushman. I was issued my first polygraph license by the Commissioner of the Department of Public Safety in the State of Maine in January of 2008 and I have
been a licensed polygraph examiner continuously since that time. I have also been a member of the American Polygraph Association since 2008. I previously served as the Vice President- Law Enforcement on the APA Board of Directors for two years and now I am currently serving as Director 8.

The time I have spent on the APA Board of Directors has been an educational and rewarding experience. The first year I spent on the APA Board of Directors I served as the Chairman of the Communications & Public Relations Committee under President Raymond Nelson and the following year I served as the Co-Chairman of the Education Accreditation Committee with Director Jamie McCloughan under President Walt Goodson. Now, for the past two years, I have been serving as the Chairman of the Education Accreditation Committee under Presidents Patrick O’Burke and Jamie McCloughan.

As a member of the APA Board of Directors I have never tried to push a personal agenda or implement change, just to make changes. I have always worked hard to try to understand the results of research being done, and to try to keep pace with emerging technology as it pertains to the detection of deception. I hope to continue to provide an active duty law enforcement officer’s perspective to the APA Board of Directors so we, as a group, may determine the best way to use all the information available to shape our model policies and standards of practices for the future of the profession. If reelected, I would consider it an honor to serve another term as Director 8 on the APA Board of Directors and I respectfully ask for your vote in the upcoming election.
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ASTM Standard on Polygraph Post-Test Practices

The American Society for Testing and Materials (ASTM) committee that creates polygraph standards has taken under consideration a draft proposal regarding post-test interrogation/interviews.

ASTM standards are not legally binding, but are regularly used by US courts to determine whether processes were performed according to professional and industry standards. ASTM members all have equal votes on all standards under their committee.

Any ASTM member on the Forensic Psychophysiology (Polygraph) committee can comment and vote on the proposed standard now being circulated. APA members interested in shaping the draft standard on post-test interrogation/interviews should join ASTM immediately to have input on that document. Go to https://www.astm.org/MEMBERSHIP/participatingmem.htm and click on the button Join Now!

ASTM standards have an impact on polygraph professional practices worldwide, and being an ASTM member means you will personally contribute to the beneficial effect these standards have. Membership also includes free copies of all ASTM standards developed by the Forensic Psychophysiology committee. Anyone having questions should contact Don Krapohl at apakrapohl@gmail.com.
ADVANCED TRAINING SEMINAR FOR PRIVATE EXAMINERS

OCTOBER 5 TO 7, 2018 BUFFALO, NY

20 Hours of APA Approved Advanced Training

This is the first-of-its-kind program designed exclusively for PDD examiners in private practice and for those in the public sector looking to transition to private practice. Topics will be addressed that are rarely covered in the usual seminars.

• Criminal Defense Testing
• LEPET and PE testing
• Domestic issue testing
• How to find and bid on government contracts
• Web design and marketing for polygraph examiners
• TDA refresher
• Countermeasures
• How to work with EPPA
• Transitioning to the private sector
• CQ refresher

FOR DETAILS VISIT
WWW.POLYGRAPHJOBS.COM/GPNSEMINAR

SOUTHWEST POLYGRAPH SERVICES, INC.

Well respected polygraph company and examiner looking to expand polygraph services into Washington State preferably in the Pacific Northwest. I am a Post-Conviction Sex Offender Certified polygraph examiner with 18 years full-time polygraph experience. I am a member in good standing with American Polygraph Association, National Polygraph Association and American Association of Police Polygraphists. For more information please see my website at: www.southwestpolygraph.com. Contact number is 520-326-4756.
American Polygraph Association

53rd Annual Seminar
August 26 - 31, 2018
Austin, Texas

APA Asia - Pacific Seminar
July 31 - August 3, 2018

2019 American Polygraph Association
Latin America Polygraph Seminar
April 25-27, 2019
Mexico City, Mexico

PEAK Credibility Assessment Training Center

Basic Examiner’s Course
(Cape Coral, FL)
September 4 - November 9, 2018

Advanced Examiner’s Course
July 23 - 27, 2018 (Cape Coral, FL)

2018 A.S.I.T. Courses

Polygraph 101 Basic
September 24 – November 30
Guatemala: Contact school for dates

Post Conviction (PCSOT)
December 3 - 7

Advanced Polygraph
July 23 – 24

Advanced PCSOT
July 25 - 26

Morgan Interview Theme Technique (MITT) Contact school for dates

National Polygraph Academy

Basic Polygraph Courses
June 4 - August 10, 2018 Amarillo, TX
September 5 - November 9, 2018 Columbus, OH

Basic PCSOT Courses
August 13-17, 2018 Amarillo, TX

Advanced Continuing Education (ACE) Courses
August 10, 2017 (1-day) Amarillo, TX
November 12-16, 2018 Columbus, OH

Backster School of Lie Detection Limestone Technologies

Basic Polygraph Examiners Course
June, 2018 Kingston, Ontario
Fall 2018 Denver, CO

Attention School Directors
If you would like to see your school’s course dates listed here, simply send your upcoming course schedule to editor@polygraph.org
NORTHWEST POLYGRAPH EXAMINERS
ASSOCIATION SEMINAR

June 25th – 29th
Leavenworth, WA

40 Hours PCSOT Training Available

We have two classrooms running at this conference. A regular polygraph training classroom which will offer 32 hours of continuing education hours and a special Post Conviction Sex Offender Training (PCSOT) Basic class offering 40 hours of APA approved training running in a separate classroom.

**Enzian Inn** located in the most gorgeous old little German town in the northwest, Leavenworth, WA. Bring your family for a relaxing week and come early to enjoy the mountains and the views and the swimming pool.

Contact Us for more details along with hotel and discounted room rate.

Bev Reinhold, Vice President NPEA - bevreinhold@comcast.net
Cheryl Stines, Vice President NPEA - c.stines@comcast.net
Terry Ball, Secretary NPEA - tjball@lie2me.net
APA Asia - Pacific Seminar
31 Jul - 3 Aug 2018
The Fullerton Hotel Singapore

Contact Information: American Polygraph Association, PO Box 8037 Chattanooga, TN 37414-0037
Toll Free: 1-800-272-8037, Fax: 423-894-5435

Registration Deadline: 30 Jun 2018

PLEASE SEE REGISTRATION FORM FOR SEMINAR COST AND HOTEL INFORMATION
2019 American Polygraph Association Latin America Polygraph Seminar

Hosted by Sabino Martinez (directormartinez@polygraph.org) and Mike Gougler

Location: Hilton Mexico City Reforma

Dates: April 25, 26 & 27, 2019

Cost:

Members:
- $300.00 USA Dollars before March 28, 2019
- $350.00 after March 28, 2019
- $400.00 at the door on the day of the seminar

Non-Members:
- $400.00 USA Dollars before March 28, 2019
- $450.00 after March 28, 2019
- $500.00 at the door on the day of the seminar

Main subjects:
APA Approved polygraph techniques and their validity studies.

Interview and interrogation on criminal specific cases

Pre-employment screening and interviewing "A Different Approach"

Breakout Subjects for Mexico Law Enforcement examiners: Laws and current procedures.

Registrations begins May 1st 2018
### SUNDAY, AUGUST 26, 2018

#### CLASSROOM A

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tbody>
<tr>
<td>1:00 - 3:00 PM</td>
<td>Rules is Rules: APA Standards of Practice</td>
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<tr>
<td></td>
<td>Steve Duncan</td>
</tr>
<tr>
<td></td>
<td>APA President-elect</td>
</tr>
<tr>
<td>3:00 - 5:00 PM</td>
<td>Countermeasures from the Field and for Real</td>
</tr>
<tr>
<td></td>
<td>Steve Duncan</td>
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<td></td>
<td>APA President-elect</td>
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<td></td>
<td>Nigel Lange</td>
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<td></td>
<td>Chief Polygraph Examiner, Georgia DPS</td>
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</tbody>
</table>

#### SCHOOL DIRECTOR'S MEETING

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tbody>
<tr>
<td>1:00 - 3:00 PM</td>
<td>(ROOM TO BE ANNOUNCED)</td>
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</tbody>
</table>

#### APA WELCOME RECEPTION

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tbody>
<tr>
<td>6:30 - 8:30 PM</td>
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</tbody>
</table>
### MONDAY, AUGUST 27, 2018

**CLASSROOM A (disponible en Espanol)**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:30 - 8:00 AM</td>
<td>Break Sponsored by:</td>
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<tr>
<td></td>
<td><strong>8:00 - 9:30 AM OPENING CEREMONIES</strong></td>
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<tr>
<td></td>
<td>Call to Order - Jamie McCloughan, APA President</td>
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<tr>
<td></td>
<td>Presentation of Colors - Texas DPS Honor Guard and Fife and Drum</td>
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<tr>
<td></td>
<td>The National Anthem -</td>
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<tr>
<td></td>
<td>Pledge of Allegiance - Jamie McCloughan, APA President</td>
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<tr>
<td></td>
<td>Taps - Richard Pascuito, Raymond Nelson</td>
</tr>
<tr>
<td></td>
<td>Invocation - Barry Cushman, APA EAC Program Manager</td>
</tr>
<tr>
<td></td>
<td>Welcome to Austin - Steve McCraw, Texas DPS</td>
</tr>
<tr>
<td></td>
<td>Seminar Program Chair - Michael C. Gougler</td>
</tr>
<tr>
<td>9:30 - 9:45 AM</td>
<td>Break Sponsored by:</td>
</tr>
<tr>
<td></td>
<td><strong>9:45 - 12:00 NOON</strong></td>
</tr>
<tr>
<td></td>
<td>Chart Scoring: Believing is Seeing</td>
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<tr>
<td></td>
<td>Donald J. Krapohl, APA Past President</td>
</tr>
<tr>
<td></td>
<td>Donnie W. Dutton, APA Past President</td>
</tr>
<tr>
<td>12:00 NOON - 1:00 PM</td>
<td>Lunch on your own</td>
</tr>
<tr>
<td>1:00 - 5:00 PM</td>
<td>Update to ESS (ESS-M) - improved cut scores, improved sensors, and improved analytics</td>
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<td></td>
<td>Raymond Nelson</td>
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<tr>
<td></td>
<td>APA Past President</td>
</tr>
<tr>
<td>2:45 - 3:00 PM</td>
<td>Break Sponsored by:</td>
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</table>
TUESDAY, AUGUST 28, 2018

<table>
<thead>
<tr>
<th>CLASSROOM A (disponible en Espanol)</th>
<th>CLASSROOM B</th>
<th>CLASSROOM C</th>
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</thead>
<tbody>
<tr>
<td><strong>8:00 - 10:00 AM</strong></td>
<td><strong>8:00 - 10:00 AM</strong></td>
<td><strong>8:00 - 10:00 AM</strong></td>
</tr>
<tr>
<td>Lessons in Law Enforcement</td>
<td>Legal Update</td>
<td>Testing Juveniles in PCSOT:</td>
</tr>
<tr>
<td>Polygraph Testing</td>
<td></td>
<td>A Review of the Information</td>
</tr>
<tr>
<td>Cpt. Matt Hicks</td>
<td></td>
<td>Discussed at the ATSA</td>
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<tr>
<td>Lt. Matt Mull</td>
<td></td>
<td>Conference 2017</td>
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<tr>
<td>Texas DPS</td>
<td></td>
<td>Erika Thiel</td>
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<tr>
<td>TDLR Approved</td>
<td></td>
<td>APA Director</td>
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9:45 - 10:00 AM Break Sponsored By:

APA ANNUAL BUSINESS MEETING
10:00 AM - 12:00 NOON
CLASSROOM A

12:00 Noon - 1:00 PM  Lunch On Your Own

<table>
<thead>
<tr>
<th>1:00 - 5:00 PM</th>
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<th>1:00 - 3:00 PM</th>
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<tbody>
<tr>
<td>Lessons in Law Enforcement</td>
<td>A Comparison of Test Data</td>
<td>Comments on Decision-Making and Numerical</td>
</tr>
<tr>
<td>Polygraph Testing</td>
<td>Analysis Models: Scoring &amp; Practical Applications</td>
<td>Scoring of Polygraphic Data</td>
</tr>
<tr>
<td>Cpt. Matt Hicks</td>
<td>Pam Shaw</td>
<td>Frank Horvath</td>
</tr>
<tr>
<td>Lt. Matt Mull</td>
<td>APA Past President</td>
<td>APA Past President</td>
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<td>Texas DPS</td>
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<td>TDLR Approved</td>
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2:45 - 3:00 PM Break Sponsored By:

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<tr>
<th>3:00 - 5:00 PM</th>
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<tbody>
<tr>
<td>Lessons in Law Enforcement</td>
<td>Troubleshooting Data</td>
<td>Shaping the Future of</td>
</tr>
<tr>
<td>Polygraph Testing</td>
<td>Collection Problems</td>
<td>Credibility Assessment</td>
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<tr>
<td>Cpt. Matt Hicks</td>
<td>Pam Shaw</td>
<td>Donald J. Krapohl</td>
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<td>Lt. Matt Mull</td>
<td>APA Past President</td>
<td>APA Past President</td>
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<td>TDLR Approved</td>
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<tr>
<td>Time</td>
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<tr>
<td>7:30 AM - 8:00 AM</td>
<td>Break Sponsored By: MARYLAND POLYGRAPH ASSOCIATION</td>
<td>Break Sponsored By:</td>
</tr>
<tr>
<td>8:00 - 12:00 NOON</td>
<td>CLASSROOM A (disponible en Espanol) Gordon Vaughan</td>
<td>CLASSROOM B 8:00 - 12:00 PM The Law Enforcement Package Chad Russell</td>
</tr>
<tr>
<td>9:45 - 10:00 AM</td>
<td>Panel Discussion Gordon Vaughan (CONT'D)</td>
<td>The Law Enforcement Package Chad Russell (CONT'D)</td>
</tr>
<tr>
<td>12:00 Noon - 1:00 PM</td>
<td>Lunch On Your Own</td>
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<tr>
<td>1:00 - 5:00 PM</td>
<td>Investigative Interviewing Using the PEACE Model Mark Handler, APA Editor Michael C. Gougler, APA Past President</td>
<td>Concealed Information Test Jamie McCloughan APA President</td>
</tr>
<tr>
<td>2:45 - 3:00 PM</td>
<td>Break Sponsored By:</td>
<td>Testing the Adult and Juvenile Sex Offender and Their Differences Sabino Martinez APA Director PCSOT</td>
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<tr>
<td>3:00 - 5:00 PM</td>
<td>Investigative Interviewing Using the PEACE Model Mark Handler, APA Editor Michael C. Gougler, APA Past President (CONT'D)</td>
<td>Testing the Adult and Juvenile Sex Offender and Their Differences Sabino Martinez APA Director PCSOT (CONT'D)</td>
</tr>
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<td>Time</td>
<td>Classroom A</td>
<td>Classroom B</td>
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<td>8:00 - 12:00 PM</td>
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<tr>
<td></td>
<td>The Dark Web</td>
<td>Protecting Yourself from Cognitive Bias and Accusations of False Confession</td>
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<tr>
<td></td>
<td>Richard Dusto</td>
<td>Chip Morgan</td>
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<td></td>
<td>NCCA</td>
<td>APA Member</td>
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<td>9:45 - 10:00 AM</td>
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<td>12:00 Noon - 1:00 PM</td>
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<tr>
<td>1:00 - 5:00 PM</td>
<td>Elicitation Techniques Using Verbal and Non-Verbal Indicators</td>
<td>Trauma and Dissociation: What Happens in the Brain and How This Impacts Your Polygraph</td>
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<td></td>
<td>Dan Baxter</td>
<td>Erika Thiel</td>
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<td>Lorry Ginovsky</td>
<td>APA Director</td>
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<td>NSA Retired</td>
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<td>(CONT'D)</td>
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<td>(CON’T'D)</td>
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</tbody>
</table>

APA ANNUAL BANQUET AND AWARDS
6:30 - 7:00 PM COCKTAILS
7:00 PM DINNER
KEYNOTE SPEAKER: MEDAL OF HONOR RECIPIENT JAMES C. MCCLOUGHAN
<table>
<thead>
<tr>
<th>Time</th>
<th>Classroom A</th>
<th>Classroom B</th>
<th>Classroom C</th>
</tr>
</thead>
</table>
| 8:00 - 3:00 NOON  | Behavioral Intervention; the evolution of criminology and forensic interview methods  
J. Patrick O'Burke  
APA Chairman of the Board  
TDLR Approved          | 8:00 - 10:00 AM  
Bayesian Analytics - What, Why and How  
Raymond Nelson  
APA Past President | 8:00 - 10:00 AM  
Starting a Private Practice and Keeping It Going  
George Baranowski  
APA Director         |
| 9:45 - 10:00 AM   | (CONT'D) Behavioral Intervention; the evolution of criminology and forensic interview methods  
J. Patrick O'Burke  
APA Chairman of the Board  
TDLR Approved          | 10:00 AM - 12:00 NOON  
Interdiction for the Protection of Children  
Sgt. Greg Reyero  
Texas DPS                  | 10:00 AM - 12:00 NOON  
Never Say Never: The Behind the Scene Story  
Bill Teigen  
APA Life Member               |
| 12:00 Noon - 1:00 PM | Lunch On Your Own | 1:00 - 3:00 PM  
TBA  
Brian Morris  
APA Director | 1:00 - 3:00 PM  
ICAS CIT Research Study  
Dr. Timothy Weber, ICAS  
Robert "Blake" McConnell, ICAS |
| 3:00 PM           | CLOSING REMARKS  
STEVE DUNCAN  
APA PRESIDENT | 1:00 - 3:00 PM  
TBA  
Brian Morris  
APA Director | 1:00 - 3:00 PM  
ICAS CIT Research Study  
Dr. Timothy Weber, ICAS  
Robert "Blake" McConnell, ICAS |
53RD ANNUAL APA SEMINAR
AUGUST 26 - 31, 2017
HILTON AUSTIN
500 EAST 4TH STREET
AUSTIN, TX 78701
ADVANCED REGISTRATION IS REQUIRED
(All room reservations must be made individually through the hotel’s reservation department, or using the link on our website)
Reservations Toll Free: 1-800-445-8767
https://aws.passkey.com/gt/216141755?gtid=3d0b25a769be5a9dfe219c1c07ae9ac4
APA FED ID #52-1035722

ROOM RATE: $139.00, Single/Double occupancy, plus taxes, all reservations must be guaranteed by a major credit card or advance deposit in the amount of one night’s lodging. Reservations not guaranteed will be automatically cancelled at the cut-off date.

CUT-OFF DATE for hotel reservation is 8/9/18 or until APA’s room allotment is fulfilled. Number of rooms is limited. Individual departure dates will be reconfirmed upon check-in. (72 HOUR CANCELLATION NOTICE)

REGISTRATION HOURS: Sunday, 8/26/18 10:00am - 5:00pm
Monday, 8/27/18 7:00am
Seminar Sessions: Sunday-Friday, 8/26/18 - 8/31/18
APA Cancellations and Refund Policy: Cancellations received in writing prior to 8/17/18 will receive a full refund.

Registration fee includes professional instruction, seminar materials, refreshment breaks, Sunday Reception and Thursday banquet)

THURSDAY NIGHT BANQUET

___ #attending
___ will not attend
___ vegetarian meal(s)

ADDIONAL $50 FOR THOSE WHO PAY AT THE SEMINAR

PAYMENT RECEIVED BY AUGUST 17, 2018
$400 - MEMBER/APPLICANT
$550 - NON-MEMBER
$175 - PER GUEST (Cannot Attend classroom presentations)

(Guest fee includes: Sunday Reception, Guest Brunch Monday and Banquet Thursday)

PAYMENT RECEIVED AFTER AUGUST 17, 2018
$450 - MEMBER/APPLICANT
$600 - NON-MEMBER
$225 PER GUEST (Cannot Attend classroom presentations)

(Guest fee includes: Sunday Reception, Guest Brunch Monday and Banquet Thursday)

PLEASE CHECK ONE: ___ Private _____ Law Enforcement _____ Government

Your nametag is your admission to all events and activities. Please wear it at all times during the conference.

___ $50 - Translation Equipment Fee (must be paid to use the translation equipment)

PLEASE MAKE CHECKS PAYABLE TO: APA

REMIT TO: APA, P O BOX 8037, CHATTANOOGA, TN 37414
CREDIT CARD PAYMENTS (Visa, MasterCard or Discover)

CardNumber: ____________________________________________
Expiration date: _______________ cvv2: ____________________

By signing here, I give my permission for my name and email address to be listed on the APA Mobile App

PLEASE CONTACT THE APA NATIONAL OFFICE IF YOU HAVE QUESTIONS
LISA JACOCKS, MANAGER
1-800-272-8037
manager@polygraph.org
From the Board

Steve Duncan
President Elect

Hello again, APA Members. I hope this report finds my fellow Members well and prosperous. Your Board and National Office have been busy as usual.

The Ethics and Grievance Committee continues to work hard for the Profession, the Association and you, the Members. My Co-chair, Darryl Starks, has been working with the Committee to resolve new Cases and address issues which have come to the Committee.

I again mention the upcoming Annual Seminar in Austin. I know Mike Gougler, Lisa Jacocks and others have been working to make this the best seminar ever. I urge you to make your plans on attending and make your reservations early.

I am still working with other Board Members on several Projects to keep the APA moving forward. Several items from the Winter Board Meeting are being addressed, researched and prepared for future considerations.

As a reminder, Elections for four Board Member Positions and President-elect are upcoming. I strongly urge you to consider the Candidates and vote for your choices knowing this directs the future of our organization.

As President-elect I have continued to assist Members with issues as requested and I am here to help with problems if I can.

As always, feel free to call or email me if I can be of assistance to you.

Patrick O'Burke
Chairman of the Board

Hello fellow members and I hope you are doing well. I have several items of interest to share in this APA magazine article. The first item is regarding school accreditation and how that is accomplished. The APA has made great strides in strengthening our accreditation program, including being accepted by the Association of Specialized and Professional Accreditors (ASPA). ASPA provides guidance and industry standards for accreditors, which include that schools and users have some voice in determining how training and education is accom-
The APA has hired Barry Cushman to manage the administration of tasks and the interaction between schools and the APA Board. Barry also is responsible for the coordination of school inspections which are due every three years for APA accredited polygraph schools. Barry has been doing a great job in this new role.

As the school director at the Polygraph Institute, we just completed our first inspection since the APA was accepted as a member of ASPA. The school inspector the APA sent looked for the normal things we are used to. However, there was also inquiries about how we evaluate our curriculum and how do we measure if we are achieving the objectives we describe in each block of required instruction. For instance, under Mechanics of Instrumentation the student is expected to demonstrate an ability to place the components on a person and start an exam. So, the school collects instructor critiques from observing actual demonstration of the task. This process of identifying objectives and then measuring for accomplishment apply to all the blocks of instruction for a polygraph school.

My question is can some of the blocks of instruction be accomplished by distance learning, or even by attending a college style method of presentation on core courses? I have recently completed my Master’s degree in Criminology, which was something new for an old guy. All of this college program was accomplished by on line distance learning. For those of you who have not attended an on line course it is quite rigorous and involves a lot of work, yet it is still different than physically attending an in residence course. The question is can certain courses in a basic polygraph examiner course be delivered in an online format, either shortening the in residence required time, or allowing more hands-on instruction in the topics that are required in normal classroom instruction?

In assessing the viability of having a basic examiners course with distance learning, we must understand that this does not mean read a book and then take a test. The work for an online course is rigorous and demanding when set up correctly. In fact, our school uses a product called Moodle to facilitate completing weekend reading assignments, posting written responses to fellow students, and interacting with the instructor. Therefore, could topics such as Legal Issues, Physiology or Psychology, or perhaps History be given in an online format prior to attending the in-residence course? The answer would appear to be yes. However, schools would need
to be able to test students for knowledge and retention from distance learning so that the instruction could be correlated to hands on in residence instruction.

I would be very interested in hearing from the general membership on what your opinion and thoughts are on this topic. There could be some very distinct advantages such as reducing the length of time a student must be gone from home or overcoming the ability to get some specialty instructors in difficult locations or allowing more time for hands on instruction when in residence topics are dictated. If this is possible, then it would also seem possible to provide on line training course for things such as PCSOT, or other specialized training. Clearly, there may be challenges to consider. For instance, how does the school demonstrate that learning objectives were accomplished? These things may make us feel uncomfortable yet have been demonstrated in other arenas as possible. Please let me know your thoughts and I hope that the Board will consider a survey on this issue to determine member support.

The next item is quite simple. We have a number of contested positions in the upcoming board election with many qualified and respected candidates. That is something to be happy about. I am asking, even urging, please take the time to read candidate statements and take the time to vote. I assure you the time spent will be minimal and is vitally important as your voice in where our Association is headed. Nothing is more important than each of you and your considered vote for a candidate. Thanks in advance for this effort!

Please share your thoughts with me and I would urge you to contact me with any questions as well as your opinions. Thanks, and I hope to see you at a training conference soon.

Sabino Martinez
Director

Dear members

Once again I wish all of you the very best and ask you to stay vigilant and safe, with latest is school shootings it is imperative that you have a safety plan for you and your loved ones. We are approaching elections and ask that all of you become involved. I ask for your vote once again and even if you don’t vote for me I ask that you get involved and vote. In the past two years enjoyed working with the members and other board members as well as helping this great organization’s advancements. I

From the Board
thank all of you in advance for voting and wish all of you a great summer.

Estimados colegas

Saludos a todos los países de habla hispana. Cordialmente los invito a atender el congreso Internacional de APA, que se llevara a cabo en la Ciudad de México en abril 2019. Actualmente tenemos programados cursos en relación a análisis de gráficas, técnicas validadas, casos específicos, entrevista cognitiva y técnicas de selección de personal. Los exhorto a que realicen sus reservaciones en la pagina web de APA en el siguiente link: http://www.polygraph.org/state-national-and-international-seminars

Por el momento están disponibles 250 habitaciones, se abrirán otras 100 habitaciones cuando se hayan agotado las anteriores. Les suplico hagan sus reservaciones de forma inmediata. Se les avisara con tiempo en caso de que no haya más disponibilidad de cuartos, así como recomendaciones de hoteles adyacentes y precios para aquellas personas que las requieran.

Les recuerdo que las elecciones están próximas y nuevamente les pido su voto de confianza para reelegirme por otros dos años. Así mismo, aunque no voten por mí, su participación como
I don’t get a chance to watch television the same way as I used to, and I suppose I could come up with some kind of excuses like the volume of work that has increased in our business over the years, but also it seems that Paula and I have become a bit more hung-up on watching the news the past couple of years on things like “What’s happening in the world today, or what happened last night,” and unfortunately, perhaps being even over-concerned about “What did the White House do today that’s going to upset me.” Yep, I realize this is part of my “Mindset” that I must work on.

Anyway, as I am not as much a TV watcher of the other programs that I used to watch, and I’m usually only half-watching or half-listening what is on at the time while working on something else (like a test report, or maybe even this article). But I have to say that sometimes you learn from unexpected events, and this so happened that a recent Gatorade commercial grabbed my attention.

The ad shows some of the world best athletes, like Michael Jordan and Peyton Manning, talking about their failures. Living in the Chicago area, I’m of course a big fan of Michael Jordan. Anyway, Michael talked about his inability to make his high school varsity
team. Manning talked about his miserable rookie season – and here’s the key – they talked about how those downfalls “Redoubled their drives.” What a powerful message.

With Summer coming upon us, this is the time of the year when many of us think about recharging, renewing and maybe even redefining ourselves. I know we all hear about people start doing anything from joining a gym to embarking on a spiritual retreat, making plans for that summer vacation trip, to landscaping their front yard. Being an American Polygraph Association member would of course include the highly anticipated upcoming Polygraph Seminar this summer in Austin, Texas.

These are worthy endeavors, but there’s a more life-altering change we can make in the same fashion as those superstar athletes we talked about. What each of them had done is adjust their attitudes. They seem to have been able to change their attitude, change it to see life through positive lenses, no matter what it throws their way. Look at that optimism here, it seems to have fueled them, focus them, and allows them to put those setbacks in perspective.

Attitudes can be our best friend, OR worst enemy. In short, I believe that attitude is the biggest determinant of our quality of life. Think about it a moment about fellow APA members, there are members who seem perpetually lively, cheerful, happy, smiling, and whose good nature appears as obvious as the color of their eyes.
But attitude is not a fixed state. As we know, there are also APA members who always seem tense, super serious or never happy, never smile. Whether you are 15 or 50, your outlook toward life is always under construction and it’s never too late to change it. If your attitude is deflating you, here’s some ideas on how to pump it up.

**Evaluate Your Current Attitude:**

I think you might agree, that this is probably the hardest step. Because you might need to detach from yourself a moment, and take a hard look, an honest assessment on how you respond to situations.

- Identify your problem feelings. What attitudes make you feel the most negative about yourself.
- Identify your problem behaviors. What actions create conflict between you and others, between you and fellow examiners, fellow workers, and family members also.
- Identify problem thinking. What thoughts cloud or control your mind.

**Write Up A Plan, Like A Statement Of Purpose:**

Like if your biggest flaw is impatience with others, you might consider taking a deep breath, listen to them more carefully and develop empathy – that’s like the ability to see situations through other people’s eyes. If you think your problem is complaining, trying smiling, speak positive words, and if nothing else works, silence yourself entirely, in other words…“Just shut-up.”

**Find New Words:**

If you’re trying to motivate other people, you’d pump them up, wouldn’t you? You’d offer words of support, encouragement and inspiration.

Do you do the same for yourself? So many people I’ve met – people that I thought had tremendous potential – shortchange themselves with things like an internal self-defeating voice, things like “I can’t. I doubt. I don’t think. I don’t have time. I’m afraid. I don’t believe,” you know, things like that.

This self-doubt stuff often de-rails our attitudes, and limits success.

THE EASY FIX ATTITUDE – CHANGE THE LANGUAGE TO: “I can, I expect the best, I know, I’ll make the time. I’m confident. I believe. Yep, my wife Paula was right…again.”

**Rewire Your Thinking Patterns:**

Our feelings obviously come from our thoughts. We change them by changing our thought patterns.

It’s our thoughts, not our circumstanc-
es, that determine our happiness. Often people are convinced they will be happy when they attain a certain goal. But when they do, they are surprised and disappointed to discover that they don’t feel fulfilled. What’s not realized here is that the act of filling one’s mind with good thoughts every day, regardless of what is going on in their lives, will bring more overall satisfaction than that one-time high of a job well done.

**How About Developing Good Habits:**

- Good habits change attitudes, or put another way, an attitude is more of a habit of thought. I don’t think that habits are like instincts, they are more like acquired actions. They don’t just happen. You can make them happen.

- Here’s some ideas:
  - List your bad habits
  - Figure out what’s causing this
  - Figure out a positive habit to replace a bad one
  - Take action to make that happen
  - Do it daily, all the time

Celebrate those small successes – and don’t expect this change to happen overnight.

Back to that Gatorade commercial, this is where tennis great Serena Williams looks, dead-on at the camera, steely eyed. Her secret to victory was, “On the wrong side in the biggest upset of your sport” she said. This was a reference to her big unexpected fall in the 2015 U.S. Open to an unheard-of player from Italy. Two years later, she became the only tennis player, male or female, to win over 20 big titles, I think they call them Grand Slam titles. I remember her also saying something like “I’ve had to fight all my life- I learned to keep smiling, cause if you smile, things work out.”
Legal Corner
Question: Is the Use of Countermeasures During a Polygraph Examination Admissible as Evidence?

by Gordon L. Vaughan, Esq.
APA General Counsel

While, absent a written stipulation by the parties, the results of a polygraph are typically not admissible as evidence in United States courts an examinee’s use of countermeasures may be admissible.

Virtually all United States courts, so long as a proper evidentiary foundation is made, permit evidence of conduct that indicates the consciousness of guilt by the defendant. The basis of admissibility of such evidence is that certain post-criminal act behavior is probative of a guilty mind. Behavior that may be indicative of a “guilty mind” encompasses a wide range of acts, including but not limited to

Editor’s Note: This legal brief was meant to run as a stand-alone article and we inadvertently placed it under board reports. We feel it the message is important and deserved to be reprinted.
flight, concealment or destruction of evidence, alteration of appearance, attempted suicide, intimidation or bribes of prosecution witnesses or prosecutors, and use of false identification or aliases. Evidence, Criminal Cases - Consciousness of Guilt, 29 Am. Jur. 2d § 318 (2018).

An illustration of potential consciousness of guilt evidence is found in People v. O.J. Simpson and the infamous June 17, 1994, flight and chase of O.J. Simpson while he was in the backseat of a white Ford Bronco driven by his friend Al Cowlings down the Santa Anna Freeway and following the deaths of Simpson's ex-wife and her friend. The prosecution had, initially announced their intent to present in the criminal trial evidence of the flight but, surprisingly rested without presenting the evidence. See, Darnell M. Hunt, O. J. Simpson Facts and Fictions: News Rituals in the Construction of Reality, p. 34, Cambridge Univ. Press 1999, suggesting that the reason for not presenting the evidence was fear that O.J.’s extreme emotional state during the flight might have generated him excessive sympathy.

Precedent for the admissibility of the use of countermeasures during a polygraph examination as evidence of consciousness of guilt is found in the admissibility of attempts by defendants to fabricate evidence. Examples of court’s allowing such evidence includes a defendant’s attempt to secure false alibi or false eye witness testimony or in the attempt to substitute another person’s blood or urine samples. Courts properly infer that such conduct is evidence of a guilty mind. Similarly, an attempt to use countermeasures to create a false-negative test outcome (a.k.a. “beat the test”) during a polygraph examination carries the inference of a guilty mind.

A recent case, People v. Duke, 2017 WL 603558, at *1 (Mich.App.Feb.2017)(unpublished) appeal denied, 901 N.W.2d 99 (Mich. 2017), addressed this issue in the context of a Defendant’s study of countermeasures in anticipation of a polygraph test. There, defendant Anthony Sean Duke was convicted of several felonies including first-degree felony-murder arising out of the home invasion and shooting death of Ron Hauser. Hauser was known to carry a large amount of cash on his person, but no money was found after his home was searched. Duke, who was known to be aware of Hauser’s habit of carrying large amounts of cash, became a suspect after he posted on social media that he had $30,000 to spend, which was uncharacteristic of Duke. Duke’s conviction was based on circumstantial evidence - including evidence linking the type of firearm
and ammunition used to Duke.

As part of the prosecution case the trial court permitted - despite there being no evidence that Duke ever took a polygraph examination - the prosecution to admit evidence of Duke’s possession of a manual on how to “beat the polygraph” and testimony of his girlfriend that Duke had been researching the topic on his computer. In affirming the trial court’s admission of such evidence, the Michigan Court of Appeals observed:

Here, the evidence was relevant to demonstrate a consciousness of guilt. The evidence demonstrated that defendant was considering whether to attempt to avoid prosecution by successfully completing a polygraph through deceitful means; if he could have passed a lie detector test because he was answering questions truthfully, there would have been no need for him to try to discern how to otherwise successfully take a lie detector. The evidence tended to indicate that defendant was contemplating how he could convince police that he was not involved ... . The evidence was relevant to demonstrate that defendant was using a strategy of deception in reaction to accusations against him

Id. at *4. The appellate court also rejected Duke’s argument that the evidence of his research on how to beat the polygraph was, while relevant, unduly prejudicial holding that:

this was one item of evidence among several indicating that defendant acted and considered strategies to possibly conceal his involvement in the crime. The evidence that defendant did research was unlikely to incite the jury to unfairly convict defendant because it did not relate to actually taking a polygraph or the results of a polygraph and was consistent with several similar accounts of defendant’s behavior.

Id.

The following are additional examples of courts permitting evidence of efforts to defeat a polygraph as admissible based on consciousness of guilt: State v. Austin, ____ N.W.2d ___, 2017 WL 4287792 (Ohio. App. 2017) (evidence that defendant asked his half-brother to impersonate him and take a polygraph test for him was admissible to show consciousness of guilt); State v. Barton, 2007 WL 731409, *13 (Ohio 2007)(unpublished)(polygraph examiner permitted, based on evidence of consciousness of guilt, to testify that based on his training and experience the defendant was using deep breathing techniques as a “counter measure” to defeat the poly-
Consciousness of guilt, however, has not been a viable theory for admission of evidence of a defendant’s refusal to take a polygraph test — with almost all cases considering the issue finding such refusal inadmissible. See e.g., **Wolfel v. Holbrook**, 823 F.2d 970, 974-75 (6th Cir. 1987)(“[g]iven the general skepticism that pervades the scientific community concerning the reliability of polygraph examinations, an individual’s refusal to submit to a polygraph test may be more probative of skepticism than lack of credibility” and “the ‘marginal’ probative value was outweighed by the fact that ‘an individual’s refusal to volunteer for polygraph testing is likely to create a highly prejudicial inference that the results of the test would have been unfavorable...’”).

Defendants have, however, occasionally been successful in gaining admissibility of an offer to take a polygraph on a theory that it is probative of the defendants “consciousness of innocence.” While this position is one taken by only a minority of courts that have considered the issue the case of **United States v. Hamilton**, 579 F. Supp.

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1 While perhaps counterintuitive, limited research indicates that countermeasures are employed by truthful subjects. As noted by Handler, Honts & Goodson, Polygraph Countermeasure Literature Review, 44 Polygraph 129,134 (2015) “[r]esearch shows that both truthful and deceptive subjects report attempting Spontaneous CMs.” Citing Honts, Raskin & Kircher, *Mental and Physical Countermeasures Reduce the Accuracy of Polygraph Tests*, 79 J. Applied Psych. 252-259 (1994)(finding 18% of truthful subjects attempting spontaneous CMs ) and Honts & Reavy, *The Comparison Question Polygraph Test: A Contrast of Methods and Scoring*, 143 Psych. & Behavior 15-26 (2015)(finding approximately 50% of truthful subjects attempting spontaneous CMs.) It should also be noted that, based on their literature review, Handler, Honts & Goodson concluded that while activity sensors are effective at detecting movement CMs, examiners are poor at intuiting countermeasures from simple pattern recognition and that “[e]xaminers should be extremely cautious about reporting CMs based on their ability to intuit a subject has used CMs.” Supra. at 135.
2d 637, 640 (D.N.J. 2008) reflects the rationale and circumstances of courts that have permitted such evidence. In Hamilton, the Court first noted that defendants who make such offers and knows that polygraph results are generally inadmissible are “inherently [in] a ‘no-lose’ proposition.” The Court explained:

[A] guilty defendant could make such offer knowing (1) the government is unlikely to accept his offer and, if they decline, he can attempt to introduce evidence of his offer as consciousness of innocence, or (2) if the government agrees to his offer and he fails the polygraph test, the results are still inadmissible. ... Thus, the defendant's offer to take a polygraph is inherently self-serving because the defendant knows that no adverse consequences will result from making the offer. In that scenario, the offer itself clearly sheds no light at all upon the defendant's actual state of mind.

Id. at 640. The Court found that at the time Hamilton offered to take a polygraph he “had no way of knowing whether or not his offer would be accepted nor whether it would be admissible in a future court proceeding” and that Hamilton was then not represented by counsel and, as such, the “offer was unencumbered by the usual attorney advice that hinders the admissibility of most such offers.” As such, the court found that Hamilton’s “offer to take a polygraph [was] highly probative of his consciousness of innocence” and admissible in his defense at trial. Id.

(If you have legal question involving polygraph that you would like answered in this publication please send to Gordon I. Vaughan in care of the Editor.)
Equipped with 10 channels and high-performance Fischer® connectors and backed by an exclusive 5-year warranty, the LX6 is the most rugged and expertly engineered polygraph instrument available.

Call, email or visit us online to find out how the LX6 will improve your polygraph testing process.
Virtually all scientific tests are intended to quantify something of interest – referred to as an *unknown parameter* – that cannot be subject to direct physical measurement or perfect deterministic observation. For this reason, scientific tests are fundamentally probabilistic and therefore not expected to be deterministic or infallible. Neither are they expected to achieve the same level of precision as actual physical measurements (still subject to measurement error). Test results achieve the goal of quantifying an unobservable and un-measurable unknown parameter through the use of proxy signals that are observable, recordable and quantifiable, and for which we can describe mathematically the strength of the association or relationship with the unknown parameter of interest. Proxy signals are often subject to numerical coding and mathematical transformation such that some people may not easily recognize that all test scores and all test results are fundamentally probabilistic.

Test development and validation is largely a result of studying clarifying our knowledge of available proxy data.
such that we can develop a statistical or structural reference model that will permit us to make inferences about data from an individual test. Specialized knowledge and training is required to make reasonable and intelligent inferences and interpretations of test results a continuous probability space with regard to convenience, test results are often reduced from probabilistic results to categorical results through the use of established cut points and structured rules. An advantage of this is to standardize the way that different people may interpret the meaning of a numerical or statistical result. A disadvantage of fixed cutpoints is that they can seem arbitrary or incorrect for some individual cases.

In practice, understanding and interpreting numerical and other descriptive measurement data always requires some understanding of the context. For example, 20 minutes is both a short time and a long time to wait: it is a long time to wait if one has a medical emergency, but it may be a short time to wait when the pilot of a transcontinental airliner announces the plane will land in 20 minutes. Interpretation of the meaning or significance of numerical information is always dependent on the context and may also vary for individuals.

Test results, because they are probabilistic, are *statistics*. A statistic is an estimate of an unknown parameter of interest. All statistics have variability and therefore cannot provide a perfect estimate of any parameter of interest (which brings us back to the notion that scientific tests are not expected to be infallible). Understanding the variability of testing information is of high interest to anyone who wishes to develop expertise their understanding and use of scientific test results.

In the frequentist statistical paradigm, the unknown parameter of interest exists in only one way, and any variability in statistical measurements is assumed to be due to measurement error. Frequentist statistical method have limited conceptual applicability in contexts that are unobservable and non-repeatable – such as predicting future events that happen only once. For example: who will win the 2018 World Series? When the event finally occurs, we will not need a statistical test to know the answer. In frequentist theory, the notion of probability refers to counting the proportion of events that are observed among all repeated events.

But what if we wish to make intelligent assumptions in advance? And what if
we wish to make intelligent decisions about the likelihood of non-repeatable events? And what if we wish to study some phenomena that cannot be observed and counted directly?

In the Bayesian statistical paradigm, probability refers to the degree of belief that one holds in some idea or conclusion. This permits us to apply the notion of probability to circumstances that are non-observable and non-repeatable. Bayesian analysis begins with the acknowledgment of what we already know about the parameter of interest – a priori probability, also referred to as the prior – before we begin a scientific test or experiment. A Bayesian approach to analysis acknowledges that is never the case that we know nothing, though it is often the case that our prior knowledge is weak and uncertain to the point where it is not actionable or usable. The purpose of Bayesian analysis is to use the evidence from a scientific test or experiment to update or improve our prior knowledge (prior probability) by calculating the a posteriori probability (also referred to as the posterior). In the Bayesian paradigm variability in analytic results exists as function of the uncertainty and variability of our prior knowledge.

Data, in the Bayesian paradigm is not assumed to be infallible, but it is assumed that the data is all the information available for us to update the prior when we calculate the posterior. We can update our posterior results at any time when additional data becomes available for analysis.

Understanding and quantifying the variability of analytic results is a central aspect of all data analysis. In the frequentist paradigm variability is described using confidence intervals. Frequentist confidence intervals are a range of values within which the unknown parameter of interest is expected to exist if the test or experiment is repeated numerous times – such that a specified percentage of the repeated confidence intervals would contain the actual parameter of interest. Frequentist confidence intervals are conceptual dense and difficult to understand. In the Bayesian paradigm variability is described using credible intervals. Credible intervals are mathematically similar to confidence intervals though their conceptual definition is more straightforward because it more directly describes the expected range of variability around the effect size of interest.

Credible intervals (Bayesian confi-
Confidence intervals) offer meaning and interpretation are more intuitive for many people. Bayesian credible intervals describe the strength of probability (e.g., 95%) for a range of values within which we expect the parameter of interest to exist within.

**Example:**

As an example, consider a polygraph-ic lie detection test for which our prior knowledge about an individual’s truth-telling or deception is sufficiently uncertain to be in-actionable. The prior probability in this case is best set to the equal prior = .5 (odds of deception vs truth = 1 to 1). If we conduct a standardized comparison question polygraph test using a standard array of recording sensors (respiration, electrodermal, cardio, vasomotor, and activity) with 3 relevant stimulus questions within a sequence of test questions repeated three to five times, and if we obtain a test score of 6, we can then use the published multinomial reference tables (Nelson, 2017) as a likelihood function to calculate the Bayesian posterior odds of deception or truth-telling. In other words, we use the test data and Bayesian analysis to update the prior odds to obtain the posterior odds. In this example, the posterior odds of truth-telling are 3.196 to 1. The posterior odds (3.196) are an improvement over the prior odds.

But how sure are we that the apparent improvement over the prior odds is a real improvement? What if the actual prior odds are different from what we assumed? What if we do not have precise knowledge of the prior? Bayesian analysis addresses these concerns in two ways. First, we can often compute the posterior results for a distribution of prior probabilities (or for several different priors). Second, we can calculate the Bayesian credible interval for the posterior result. There are a small number of different ways to calculate the credible interval, and in this example, we rely on the Clopper-Pearson (<>) method – already calculated and provided in published tables (Nelson, 2017). It is the lower-limit of the credible interval that is of greatest interest to us. In fact, in this example the upper-limit is of no interpretable value and the published tables show only the 1-tailed lower-limit.

The lower-limit of the credible interval tells us the worst-case scenario for the observed posterior probability value – assuming that additional data will vary somewhat from the available data. The range of the credible interval
is often set at 95%, though 90% and 99% are common alternatives. In this example the lower limit of the Bayesian credible interval is 2 to 1 (obtained from Appendix J, in Nelson, (2017). This can be interpreted as meaning that there is a 95% likelihood that the posterior odds of deception exceed any prior odds up to the lower limit (2:1). We could just as easily calculate the posterior credible interval for the prior, and this would allow us to estimate the likely range of prior probabilities based on the observed data.
How to Use a Spreadsheet to Calculate the Credible Interval Using the Clopper-Pearson Method

Although it is highly instructive calculate them manually, mathematical and statistical values often are best calculated with the use of calculators or computers. Fortunately, today nearly everyone in every area of professional work has access to desktop computers with powerful software applications that can do this for us. This example requires the use of the Excel spreadsheet application (www.microsoft.com). For those who do not have a licensed version of this application, the LibreOffice Calc application (www.libreoffice.org) and OpenOffice.org Calc application (www.openoffice.org) are equally powerful and effective free and open-source alternative.

Step 1: set up.

1. Open a new spreadsheet and type the words Calculate the Clopper-Pearson interval using the F Distribution into cell A1. This is to describe the worksheet if you ever look at it later and wonder what it does.

2. Then type the letter N into A3. This is the number of scores, equal to the number of recording sensors x stimulus questions x repetitions of the question sequence.

3. Next, type Odds into B3. For this exercise, the odds can be obtained from the multinomial reference table. The reference table describes the odds for multinomial polygraph test scores.

4. Type the word proportion into cell C3. For this worksheet the proportion is calculated from the odds. Although polygraph scores are multinomial, because each score can take one of multiple possible values, these proportions are binomial because they describe the percentage of scores that are equal to or less extreme than the score. The mathematical compliment (1-proportion) describes the percentage of scores that are more extreme.

5. Then type the letter X into cell D3. This will be an integer score that is calculated as the product of the N and propor-
tion. Because binomial distributions are discrete (whole numbers without decimal values in between them) this number is normally an integer. But because multinomial scores of polygraph tests occur more frequently in the middle of the distribution of possible scores, X in this case may take a decimal value.

6. Type Xc into cell E3. This will be calculated as N-X in a later step.

7. Finally, type Alpha (t-tailed) into cell F3. For this example, we are interested only in the lower limit of the credible interval. The upper limit has no interpretive meaning. So, we are saving a step later by using a one-tailed alpha at the start.

**Step 2: input values.**

1. In cell A4 type the number 75. *[Hint: don’t type the period at the end of the number.]* This comes from 5 Repetitions of a question sequence that includes 3 relevant target stimuli using an array of 4 recording sensors (respiration, electrodermal, cardio, and vasomotor). for which the electrodermal scores given double the weight of the other sensors. So stimulus presentation can receive a score from -5 to +5. The max score (5) is multiplied by 5 iterations of the question sequence x 3 questions for this example. So this number comes from 5x5x3=75, and it serves as the N for the calculation of the Clopper-Pearson formula.

2. In cell B4 type the number 3.2. *[Again, type this without the period at the end of the number.]* This value comes from the Odds column of the multinomial reference table. In this example, odds of 3.2 corresponds to a grand total score of +6.

3. In cell C4 calculate the binomial proportion for the odds by typing =B4/(B4+1). *[Remember not to type the period at the end of the formula.]* Be sure to start with the = because this tells the spreadsheet that it is a formula, and
the spreadsheet will do the math for us. [Once again: do not type a period at the end of the formula in the spreadsheet.]

4. In cell D4 calculate the X value for the proportion by typing =A4*C4. [Don’t type the period at the end, but make sure you start typing with = because this is a formula and the computer will do the math if you do this correctly.]

5. In cell E4 calculate the Xc value for the compliment of the binomial proportion by typing =A4-D4. [Once again, be sure to start with =, but do not type the period at the end.]

6. Finally, in cell F4 enter the one-tailed alpha level by typing .05. [Be sure to type the period (.) before 05 so that this indicates 5%, but do not type the period at the end.]

**Step 3: calculate the degrees of freedom for the F-distribution.**

1. Type df1 into cell A6. This is the label for the first degrees of freedom for the F-statistic for the lower-limit. In cell A7 type =2*(E4+1). [No period at the end of the formula.] The F-distribution is mathematically related to the binomial distribution and is useful as a shortcut to calculate the Clopper-Pearson interval. Calculation of the F-statistic require two input parameters, df1 and df2. This is the first of the two input parameters.

2. Type df2 into cell B6. In cell A7 type =2*(E4+1). [No period at the end of the formula.] This is the second of two input parameters for the calculation of the F-statistic for the lower-limit of the Clopper-Pearson interval. Tables of values for the F-distribution are found in many textbooks, but it is easier these days to simply use computer software functions to obtain the F-statistic. So that is what we will do.

3. Type df3 into cell C6. In cell B7 type =2*D4. [No period at the end of the formula.] This is the first of two input parameters for computer to calculate the F-statistic for the upper-limit.
4. Type df4 into cell D6. In cell D7 type =2*(D4+1). [No period at the end of the formula.] This is the second of two input parameters so that the computer can calculate the upper-limit F-statistic for us.

**Step 4: calculate the F-statistic.**

1. In cell A9 type F Dist Lower. Then in cell A10 type =FINV(F4, A7, B7). [No period at the end of the formula.] This will give the F-statistic for the lower limit using the df1 and df2 degrees of freedom that were calculated in step 3.

2. In cell B9 type F Dist Upper. Next type =FINV((1-F4), C7, D7) into cell B10. This will give the F-statistic for the lower limit using the df3 and df4 degrees of freedom that were calculated in step 3.

**Step 5: calculate the lower and upper limits for the binomial proportion.**

1. In cell A12 type p Lower. Then type =1/(1+A10*((1-C4)+(1/A4))/C4) into cell A13. [Hint: A13 is a formula, so it must begin with =.] This will calculate the lower-limit of the Clopper-Pearson interval for the binomial proportion.

2. In cell B12 type p Upper. Then type =1/(1+(1-C4)/((1/A4)+C4)*B10) into cell B13. [This is a formula, so it must begin with =.] This will calculate the upper-limit of the Clopper-Pearson interval for the binomial proportion. Remember that the upper-limit is of no interest to this example. It is calculated here only so that the example is complete.

**Step 6: calculate the lower limit and upper limit of the posterior odds.**

1. In cell A15 type Odds Lower Limit. In cell A16 type =A13/(1-A13). This will transform the lower limit proportion into odds.

2. In cell B15 type Odds Upper limit. Finally, in cell B16 type =B13/(1-B13). This will transform the upper-limit proportion into odds.
Cells A16 and B16 contain the values for the lower-limit and upper-limit of the Bayesian credible interval for the posterior odds. These calculations are shown with a \( \alpha = 0.05 \) for both the upper and lower tails of the distribution, so the range from the lower limit can be interpreted as providing a 90% likelihood that it contains the actual unknown parameter of interest. In this example, in which the upper limit is of no interest, and with the one-tailed \( \alpha = 0.05 \), the lower limit can be interpreted conveniently as the boundary or cutpoint at which the likelihood is 95% or greater that the posterior odds have exceeded the prior odds.

Many people may not be interested in the calculation of these statistics and may be comfortable relying on technology companies and experts to comprehend and manage the details. That is OK. It remains important for all professions to document their methods in sufficient detail that scientific thinkers and intelligent critics can inspect and reproduce the details themselves. It is hoped that this article is of some informational value to those who are interested.

Here is a link to a spreadsheet you may find helpful in Excel:

https://apoa.memberclicks.net/assets/docs/APA-Magazine/Clopper-PearsonFMethod20180515.xlsx
Polygraph Pro Suite

Contact us today for a competitive quote!


youtube.com/limestonetechinc
Ever since Cleve Backster invented control questions and created his control questions techniques there has been a controversy over the validity of those techniques. The major controversies concern those theories that explain the nature of physiological responses during polygraph testing. At the same time, scientists argue over reliability of selecting control questions. Several types of control questions have already been devised. Directed lie questions are the last invention.

Famous scientists T. Ben-Shahar and J. Furedy distinguish the existing theories according to which the very polygraph testing procedure works effectively. They are about ten in total. They fall into theories based on recognition of affec-
tive-motivational processes as primary factors determining the essence of polygraph testing and theories relying on cognitive factors (processes).

Among the most common theories developed by scientists, one can name several popular ones.

“Threatening punishment” theory pointing out that a person involved in an event being established feels before polygraph testing development of significant emotional shifts in the dynamics of monitored and recorded physiological processes. The theory reflects certain processes occurring during testing of the examinee. The validity of polygraph tests under real-life (field) conditions far exceeds the probability of detecting hidden information using a polygraph.

However, “threatening punishment” theory is unable to explain relatively high performance of “lie detection” being the case in specially “simulated” training investigations, as well as in standard laboratory experiments designed to identify concealed information (identification of the assumed name, number, card etc.). It is evident that in this case those emotional and physiological processes that cause changes in the dynamics of monitored and recorded physiological processes can by no means be called fear.

“Conflict” theory is defined asynchronous activation of two diametrically oriented mental attitudes: that of “telling the truth about the circumstances of an event being established” and that of “lying regarding own involvement in it.” The attitudes generate in a person involved pronounced changes in the dynamics of the physiological processes recorded in the course of testing. The essence of “conflict” theory lies in the assumption that a person involved in an event being established on the one hand should be in a state of severe, glaring, acute mental discomfort and strain conditioned by the need to plead innocent and fear of discovery. On the other hand, there is a prospect for admitting guilt when a person involved can thereby eliminate existing acute mental discomfort.

“Stimulus-response” theory uses results of stimulus-response experience included as hidden behavior components. Conditioned reflexes develop in the course of a lifetime. For example, an individual would never be afraid to put his hand in boiling water if he did not get burnt as a child or adults did not managed to convince him that boiling water “gives pain.” Man should not necessarily have personal
first-hand experience related to committing any illegal or antisocial action (murder, theft or rape) in order for an extrinsic stimulus associatively related to a given event to have an effect on the emotional strain value and on intensity of changes in the dynamics of monitored and recorded physiological processes. According to stimulus-response theory, if an individual committed a crime, then on presentation of a relevant (test)stimulus some stimulus-response chains activate in him due to his implication in a crime. For this reason, fast-flowing shifts occur in the monitored and recorded physiological processes. This theory means that presentation of a critical stimulus elicits an appropriate pronounced response, since it is conditioned by a developed stimulus-response relation. In addition, the stronger the stimulus-response relation of the presented stimulus to past experience (the more significant the crime committed) of a more pronounced nature the appropriate responses are.

Consequently, according to the above-mentioned theories, it is clear that the polygraph equipment records measurements of physiological responses of a human body to presented stimuli. Changes in physiological responses occur depending on the importance of an issue and the degree of an individual’s attitude to such an issue. That is to say, one may state that different issues can trigger different emotions in an individual looking like physiological responses on polygraph charts. It turns out that the polygraph equipment records just emotions.

As is argued by Paul Ekman when he criticizes the polygraph, an individual’s attempt to deceive a polygraph or an interviewer triggers various emotions in him. These emotions can include various factors, such as fear of subsequent punishment, shame for lying, internal struggle for desire to tell the truth and even joy of a successful attempt to lie. Therefore he maintains that there are no separate lie emotions. We do not contest this assertion. Moreover, recent studies of electromagnetic activity of the human brain have shown enhancement of signals in the same areas during the said emotions when responding to test stimuli.

In his Ukrainian lectures and other papers concerning techniques for questions as part of the directed lie screening test (DLST), Mark Handler points out exactly this feature of the human body. In these instances, a respondent gives hyper-responses to foregone lie questions, although it is clear to him
that no punishment will ensue for it. For it was agreed with the polygraph examiner before testing that the respondent would be allowed to tell lies answering these questions. We can be sure that hyper-responses on the polygraph sensors trigger in a respondent when answering directed lie questions any emotions but not fear, shame or threatening punishment.

Interviewing Mark Handler on these techniques and discussing the effectiveness of directed lie questions, we came to the conclusion that the key task of these questions is to trigger heightened emotions when answering. Furthermore, we understood that the mere fact of a lie agreement with a respondent decreases the importance of this stimulus question for the latter. When a polygraph examiner demands frankness and then allows himself to be deceived, it can provoke contempt and anxiety in some individuals before testing. In such a case, an individual comes out of the created psychological corridor, calms down and does not give vent to necessary emotions. Such pictures happen quite often to individuals with criminal records, professional swindlers and individuals with a low intelligence level who regard the mere fact of compromise with a polygraph examiner as a weakness or diminishing importance and relevance of the testing results for a respondent.

In other cases, it is somewhat difficult for a polygraph examiner to quickly select control topics and create control questions so that they have an appropriate effect. This is due to the fact that there can be insufficient information on an individual or an individual himself lacks compromising experience. There can be individuals who led a rather honorable life and did not much deceive anyone. And if this has happened, they are not ashamed to admit this or this does not trigger in them strong emotions able to compete with test topics. When an individual is asked essay questions they always are of very great emotional relevance for him, particularly at that time. Therefore when answering these essay questions physiological responses will nearly always be stronger than those given to directed lie questions of low importance despite the fact that an individual is not involved in the test event.

Based on analysis of the said information the task arises of searching such topics that would elicit heightened responses to questions that could be compared with essay (relevant) ones. Is it possible to elicit heightened responses to questions or stimuli other-
wise to compare them with test topics? In our opinion, yes, it is. Moreover, our studies showed that such an approach is fairly effective.

We argue that in order to trigger emotions it is possible to address the human subconscious mind. Addressing important topics of the human subconscious mind will a probable result, which will translate into heightened responses and polygraph charts. It is clear that the subconscious mind will not allow inhibiting responses in any way, for example, through an agreement or otherwise. Let us consider what kind of topics one can talk about.

In his books "The Future of the Mind" and "Physics of the Future," renowned physical scientist Michio Kaku says that the brain works like a large corporation. In his judgment, this analogy contains a gigantic bureaucracy and a strict hierarchy, as well as flows of information among various areas. But all important information ultimately finds itself in a control center. It is just there where final decisions are made. If comparison of the brain to a large corporation has the right to exist, it must explain some interesting properties of the brain. Most of the information is in “the subconscious,” that is the director has it. Fortunately for him, he does not have any sense of all flows of information continuously circulating through bureaucratic channels of the brain. Furthermore, only a tiny piece of information eventually comes to the desk of the top executive manager who can be compared to the prefrontal cortex. The director gets acquainted only with those data which are rather significant to deserve his attention. Otherwise, his activities would be paralyzed by an avalanche of superfluous data.

Apparently, such brain activity organization represents a by-product of evolution, since under critical conditions our ancestors could not afford to overload the brain with superficial subconscious information. Fortunately, we simply do not notice all those trillions of operations that our brain constantly performs. Coming across a tiger in the forest there is no need to think in what condition your stomach, toes, hair and the like currently are. You just need to remember how to run faster.

“Emotions” are prompt decisions that arise on their own at a low level. As rational thoughts take much time while in a critical situation there is no time for reflection, the low-level brain areas must rapidly assess a given situation and make a decision (generate an emotion) without permission from above. Thus, emotions (fear, anger, terror and so on) represent instantaneous
alarm flags to which a command is issued at a low level and whose purpose is to warn the nerve center of a potentially hazardous situation or difficult situation. Consciousness does not virtually control emotions. For example, no matter how we prepare for a public speech our nervous strain cannot be helped. Rita Carter who authored the book “Mapping the Mind” writes that “Emotions are by no means feelings but a set of physiological mechanisms of survival that came about as a result of evolution. Their task is to direct us away from a danger toward what can prove useful.”

Well-known psychologist, author of the book on brain development “The Dragons of Eden” Carl Sagan gave a clue about possible control topics that would be central to all people and trigger heightened emotions and responses on polygraph channels. He argued that rituals, emotions and reflections – all of them are important signs of the human in man. Carl Sagan’s model of a triune brain is based on data of comparative neuroanatomy and behavioral research.

People have a tendency to look into themselves, therefore if the triune brain model is true we can hope to find important control topics in the history of human self-knowledge. The best known of the hypotheses resembling the triune brain idea represents the division of the human psyche into Id, Ego and Super-ego devised by Sigmund Freud. The aspects of the psyche associated with aggressiveness and sexuality quite adequately meet the definitions of Id given by Freud (meaning “it” in Latin, that is, denoting the animal aspect of our nature), but describing Id, Freud referred to the ritual and socio-hierarchical aspects of psychophysiology. He regarded emotions as a function of Ego, in particular, “oceanic experience” – an equivalent of religious insight. However, Super-ego was not first described as a home for abstract thinking but as a warehouse for structures linked to the concepts of “society” and “family,” which in the triune brain model pertains rather to psychophysiology. Consequently, the psychoanalytic idea of the division of human psychophysiology into three parts poorly fits the triune brain model.

The most appropriate metaphor consists in the Freudian division of the psyche into the conscious, subconscious (which is hidden but can come out) and unconscious (which is inhibited or inaccessible). When Freud said that “man’s propensity to neuroses is the reverse side of his propensity
to cultural development,” he meant complexities in relationships existing among three components of human nature. He used the term “primary processes” for the subconscious functions. This being the case, we understand that appropriate effective control topics for polygraph testing should be searched in the subconscious.

The hypothesis of the sleep propensity emergence is the most understandable for immersion into the man’s subconscious and his fears. Carl Sagan described it as well. The man’s immobilization hypothesis seems to be particularly suitable in the light of what is known about its evolution from that era when hissing and roaring reptiles resembling nightmares prevailed on Earth. It is known that almost all reptiles are cold-blooded therefore at night they are involuntarily immobilized everywhere except the tropics. Robert Bakker, a paleontologist from Harvard University, believes that in any case some of the dinosaurs were warm-blooded. But even they were not most likely as insensitive to diurnal temperature variations as mammals. Mammals are warm-blooded and able to function by night. The nontropical nocturnal ecological niche in the Triassic period about two hundred million years ago was probably almost free.

Harry Jerison assumed that the evolution of mammals was accompanied by development of hearing and scent, which enabled to learn about objects and distances at night. In those times, different variations of these sense organs now looking quite ordinary seemed extremely complex and bulky to process large amounts of data furnished by these newly formed sense organs.

It is likely that it was vitally important for the earliest mammals to be able to lie still somewhere in nooks all day long when predatory reptiles dominated on Earth. In my mind’s eye, a picture of the late Mesozoic appears – all mammals sleep uneasily in the daytime, while all reptiles do it at night. Here comes the idea of the first probable control topics that we decided to check.

The picture we took from Mesozoic life is of a clearly pronounced vampirish-bloody: carnivorous reptiles hunt sleeping intelligent mammals in the daytime while carnivorous hunt reasonless motionless reptiles at night. Although reptiles buried their eggs, did they actively defend both them and their little ones hatched out of those eggs. There are very few cases known of such behavior even in contemporary reptiles, and in any case one can
hardly conceive of a tyrannosaur sitting on a clutch. Because of these reasons, mammals could win the primary war of feasts—at least, some paleontologists believe that the extinction of dinosaurs was precipitated by earlier mammals’ eating reptile eggs at night time.

The main conclusion from the above is that the first and major, subconscious fear of mammals and later—of people, concerns remembering any reptiles beside people. We observe confirmations of our theory of subconscious fear and rueful feelings about reptiles in later human folklore monuments. We refer to fairy tales of almost all peoples of the world where a large reptile—dragon—stands in as the arch-villain. People’s subconscious fear of large reptiles imparted the bloodiest significance to and respect for dragons. Even in the Bible, this fear was reflected in the fact that it was just a snake that tempted Eve to eat an apple from the tree of knowledge. We see that subconsciously reptiles are the main enemies for people therefore they must elicit heightened psychophysiological responses when remembering them.

We tried out our theory along with the All-Ukrainian Association of Polygraph Examiners on own-produced polygraphs Rubikon. We used questions about relations of a respondent with reptiles for control questions. For example: have you ever kept a snake close to you? Have you ever been in bed with a crocodile before? It is clear that respondents answered those questions in the negative. Thereby, we sought fulfilling the first requirement when creating control questions, that is, to build them so that a respondent answer those questions negatively. Below, we give two examples of polygraph charts of our trials, which show the effectiveness of selected control questions.

Laboratory trials were carried out in invented and real situations. They showed sufficient fitness of the subconscious control questions for Ukrainian citizens. Therefore, we consider that work should further be continued along these lines. We expect outcomes of the trials run by our American partner and co-author Mark Handler using U.S. nationals.
Observations on the trials showed that better responses were in cases where an individual actually faced a reptile or actually saw it. Moreover, this theory shows that it is possible to experiment with other human fears as subconscious control topics. And subject to sufficiently accurate examination of each individual one can separately set specific subconscious control topics for those individuals.

Anyway, we are confident that this theory has legs and warrants further study.

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Polygraph examinees will maximize their chances of producing a highly accurate and favorable test outcome if they are behaviorally cooperative during testing. Cooperation during testing contributes to the production of normal and interpretable test data. Despite receiving thorough information during the pretest interview, some polygraph examinees may benefit from additional instruction or admonition, during the in-test recording phase of the examination, about the importance of behavioral cooperation during testing.

Circumstances that may require additional in-test instruction can stem from a variety of causes. Some examinees may under-appreciate the seriousness and importance of the information and instruction they receive during the polygraph pretest interview, and may exhibit unexpected in-test behavior that could compromise their chances of producing a favorable test outcome. Other examinees may choose to be uncooperative during testing – with the goal of disrupting or interfering with the effectiveness of their polygraph test results. Other con-
ditions may also manifest in observable problems with an examinee’s in-test behavior. Regardless of the cause, all counterproductive in-test behavior can result in an examiner providing additional in-test instruction, information, or admonition in attempt to help the examinee cooperate more successfully.

Innocent and truthful polygraph examinees can benefit from an examiner’s in-test instruction if the information is provided in a helpful and professional manner that neither compromises the objectivity of the test nor further disrupts the examinee’s ability to cooperate and attend to the testing context. Of course, or some examinees – especially those whose non-cooperation disruptive behavior is strategic or intentional – it is possible that no amount of additional information will improve their in-test behavior and cooperation.

Some deceptive examinees, and some characterologically manipulative individuals, may approach the polygraph test with a conscious plan or strategy to attempt to circumvent the effectiveness of the examination. It is also possible that some intuitively manipulative persons may prefer to approach the testing context without a fixed plan, and may instead adapt their disruptive strategies *in situ* to the persona and style of the examiner. All polygraph examinees who are intentionally disruptive or manipulative may share common goals or employ common strategies.

Disruptive goals may include: 1) remaining unobserved while engaging in a disruptive activity, 2) creating the impression that the disruptive or non-cooperative activity is an unavoidable, and therefore tolerable, aspect of the individual’s normal functioning, 3) habituating an examiner into a state of tolerance for disruptive or non-cooperative behavior that may increase as the testing process proceeds, or 4) adopting a form of *victim-stance* based on the premise that observed problematic behavior and non-cooperation is the result of over-stimulation by an authoritarian, confrontational or accusatory examiner.

In the absence of clairvoyance and mind-reading capabilities, it will be generally impossible for an examiner to know the exact cause of any observed disruptive in-test behavior with absolute certainty. For this reason, skillful polygraph examiners will attempt to address all counterproductiv-
tive in-test behavior in a calm, rational and professional manner that will be helpful to examinees who desire to cooperate successfully. The manner of in which an examiner addresses observable problematic in-test behavior should not contribute to other secondary problems such as an examinee becoming increasingly focused on, or fearful of, the examiner instead of attending to the test stimuli.

Done effectively, in-test instruction and admonition can be an addition source of useful for both structured analysis and unstructured professional intuition about the likely causes of an observed in-test behavior. Possible causes, in simplistic terms, can include systematic or strategic intent to disrupt the test, but may also involve random or involuntary factors. The challenge will be for an examiner to differentiate between examinees’ who cannot cooperate from those who will not cooperate.

What to do.

• Give in-test instructions in a manner that is helpful to the examinee and respectful of the examinee’s human dignity.
  • Refrain from accusing the examinee, during the in-test

phase, of intentional disruption. Instead, confrontation and accusation may be more appropriate during the post-test, after the completion of the recording and analysis of all test data.

• Give in-test instructions in a manner that conveys an interest in the most favorable test outcome for the examinee.
  • Do not confront observed problem behavior in a manner that is likely to result in interpersonal reactivity or fear of the person or persona of the examiner.

• Give in-test instructions in a manner that conveys information that the examinee can use to make effective and cooperative behavioral choices during the test.
  • Refrain from attempts to guess or describe precisely what behavior an examinee may have engaged in.

• Repeat any in-test instruction once if necessary.
  • Do not escalate the intensity of any repeated instruction, and do not give in-test instruction more than twice. Instead, all in-
test instructions and admonitions should be provided with the same neutral and authoritative attitude of respect.

- Annotate all in-test instruction and admonitions.
  - Continue to annotate without additional instruction if an observed problematic or non-cooperative behavior persists after two in-test instructions.

- Consider terminating and re-starting a chart if a problem can be rectified with additional discussion or instruction.
  - Do not arbitrarily render a deceptive conclusion prior to the recording and analysis of all test data. If necessary, stop the exam and review the information and instructions so that an examinees will know how to cooperate successfully if they wish to do so.

- Document in the polygraph report any disruptive or non-cooperative behavior that was observed to persist after repeated admonition or instruction.
  - Do not summarily terminate an examination due to persistent non-cooperation. Premature termination of an examination may be necessary in extreme cases, but may result in a lack of recorded data to support an analytic conclusion or professional judgment about likely causes of the observed problems.

Examples of effective in-test admonition and instruction.

- It’s important that you do not move during the test.
- It’s important that you do not change your answers during the test.
- It’s important that you do not talk during the test.
- It’s important that you do not take deep breaths during the test questions.

This manner of in-test instruction is informative and helpful to those polygraph examinees that desire to cooperate successfully with the testing process. Though there are times and places where direct confrontation (i.e., pointing out a problem) is useful and effective, during the in-test phase of a polygraph exam – prior to the complete recording of all test data - may not be an ideal use of a communication strategy that involves the expression of a professional conclusion.
Conclusions about the meaning of observed in-test behavior and recorded test data cannot be rendered until the test is complete. Effective in-test instructions will be provided in the form of important information that is strategically and intentionally non-confrontational and non-accusatory. This type of instruction can also be used to reinforce an examinee’s awareness of the importance of cooperation during testing, even in the absence of problematic in-test behavior. Virtually any in-test instruction or admonition can be stated in an informative manner.

In-test instructions done in an informative manner – "It's important that you X" – may improve the abilities of truthful persons to produce favorable test outcomes. Compared to direct and accusatory confrontation, this manner of instruction is authoritative without becoming authoritarian. This type of in-test instruction serves to inform the examinee about the solution or corrective action that is needed. Equally important, the provision in-test admonitions in the form of useful information is not likely to result in increased defensiveness and interpersonal reactivity.

For normal functioning examinee’s who are provided in-test instruction and admonition in a helpful, respectful and informative manner – in addition to receiving clear information and instruction during the polygraph pretest interview – the persistence of observed problematic behavior after repeated instruction can be documented in the examination notes or examination report. Of course, there may be some persons examinees who are unable to cooperate normally with polygraph testing processes due to medical, psychiatric or developmental reasons, and examiners should exercise due caution in any decision to attempt to examine these persons. When in-test instructions are provided in a helpful and informational manner that reduces the potential for defensiveness or interpersonal reactivity, the persistence of observed problematic in-test behavior can become a useful basis of information to support professional intuition or analytic conclusions about those examinees whose intent may have been to disrupt the effectiveness of their polygraph examinations.
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