SIMPLIFYING POLYGRAPH

For Law Enforcement, Government and Private Examiners

The Academy of Polygraph Science’s 2015 Training Schedule

BASIC POLYGRAPH COURSE
• January 5-March 13, 2015, Fort Myers, FL
• April 27-July 3, 2015, Fort Myers, FL
• Aug. 31-Nov. 6, 2015, Fort Myers, FL

BASIC EXAMINER’S SATELLITE COURSE
• May 4-July 10, 2015, Gainesville, FL
• October 2015, Boise, ID

POST CONVICTION SEXUAL OFFENDER TRAINING COURSE
• March 16-20, 2015, Fort Myers, FL
• November 9-13, 2015, Fort Myers, FL

ADVANCED EXAMINER COURSE
• March 23-27, 2015, Fort Myers, FL

POLYGRAPH PRINCIPLES MADE SIMPLE

Staying up-to-date with the ever-changing science of polygraph can sometimes seem cumbersome. Yet it is imperative that our agencies and polygraph examiners are using the best standards of practice. Examinees’ lives can be forever altered based upon the results of the polygraph examinations administered to them. Don’t we owe it to each of them to conduct polygraph examinations utilizing the best practices and most recent research supported techniques?

The Chief Instructor is Ben Blalock, who is a federally-trained polygraph examiner. He has taught at a number of state and national polygraph seminars. Mr. Blalock also was a former polygraph school director, and is a published author related to polygraph topics in various publications. Your examiners will be ready to implement these techniques immediately after training.

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No matter what instrument you use, we’ll train you. Be assured that our goal is to provide unmatched polygraph training.”
Contributors to this issue

Tuvya Amsel
William L. Fleisher
Walt Goodson
Lisa Jacocks
Don Krapohl
Michael Lynch
Jamie McCloughan
Raymond Nelson
Pat O’Burke
Krista Ranacher
Stanley M. Slowick

Deadlines

This issue closed on January 9, 2015.
Deadline for March/April 2015 issue is March 6, 2015.

Submission of Articles

The APA Magazine is published by the American Polygraph Association. All views, opinions and conclusions expressed in this magazine are those of the authors, and do not necessarily reflect the opinion and/or policy of the APA or its leadership. References in this magazine to any specific commercial products, process, or service by trade name, trademark, manufacturer or otherwise, does not necessarily constitute or imply endorsement, recommendation, or favoring by the APA or its leadership.
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E-Mail: truthdoctor@polygraph-training.com

MIDDLE EAST: Essam Ali Gamal-El-Din
Voice: 2027607178 Cell: 2010-164-0503
E-Mail: academvtruthseeker@yahoo.com

LATIN & SOUTH AMERICA: Tuvia Shurany
Cell: 972-54-884-4000
E-Mail: tuvia@ltech.com

SOUTH AFRICA: Ben Lombard
E-Mail: ben@lietech.co.za

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**POLYGRAPH EXAMINER COURSE $4495!**

**2015 Schedule**

**Basic Examiner**
- Feb 23 - May 01
- Sept 7 - Nov 13

**Validated Interview**
- Feb 9 -13
  (5 day enhanced)
- TBA

**JPCOT/PCSOT**
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- Nov 16 - 20

**TDLR CE Course**
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directorcushman@polygraph.org

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gvaughan@vaughandemuro.com

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Mark Handler
editor@polygraph.org

Seminar Chair
Michael Gougler
seminarchair@polygraph.org
Greetings APA members,

I would like to take a moment to introduce your new editorial staff for the peer-reviewed journal Polygraph and the APA bi-monthly magazine. Before doing so I want to take a moment to thank the outgoing staff. At the helm was Don Krapohl as Editor-in-Chief and Lisa Krapohl as the Managing Editor. Words could not adequately express the gratitude I feel towards them for their years of selfless service to our association and profession. They have both been wonderful and patient in training me and our new Managing Editor, Nayeli Hernandez. I also want to thank the associate editors who gave their time, knowledge and expertise in reviewing submissions over the Krapohl tenure. Without them this journal would not have grown into what it is today. When considering the new staff I sought to create a balance of research experts, educators, and field examiners from within and outside of the profession. I wanted a team of associate editors whose knowledge expands beyond the realm of polygraph, as I hope to expand the content of the journal into their areas of expertise. Don Krapohl or I have personally collaborated with most of these women and men. I hope you will appreciate the depth of knowledge and experience these volunteers bring. I asked each associate editor to share a little about themselves.

Rejean Belley’s professional path is dual: he has been involved in clinical work as a psychologist for over 30 years, and as a polygraph examiner with Canadian Federal Agencies for 25 years.
In this latter capacity, he has conducted in excess of 6000 polygraph assessments in support of operations, internal investigations and pre-employment, and has had the opportunity to review and develop polygraph testing models and programs mainly at the national level in Canada, but also with allied agencies.

**BEN BLALOCK** is a United States Army veteran, former government employee and contractor in the intelligence field. He has extensive experience and specialized training in polygraph, interviewing, interrogation, and vulnerability assessment. Ben holds both Bachelor of Arts and Master of Arts degrees, and has extensive investigative training. He has conducted and reviewed many polygraph examinations, interviews, interrogations and investigations for federal government, private and law enforcement agencies throughout the world, including the Middle East. He is a Post-Conviction Sex Offender Testing (PCSOT) Certified Instructor, and has administered numerous PCSOT polygraph examinations. Ben has authored and co-authored several polygraph-related articles, including in this publication, and has traveled throughout the world as a presenter on various polygraph topics. He a graduate of the National Center for Credibility Assessment (NCCA), and a past Director of the International Academy of Polygraph, and is the current Director of the Academy of Polygraph Science based in Fort Myers, Florida. Ben has been honored with lifetime memberships in numerous polygraph associations and societies for his contributions to the field of polygraph. He has also served in over a dozen positions in various boards, committees, and subcommittees directly related to polygraph, including current appointments with the Florida Polygraph Association Board, the American Polygraph Association.

“I wanted a team of associate editors whose knowledge expands beyond the realm of polygraph, as I hope to expand the content of the journal into their areas of expertise.”

**TYLER BLONDI** is in his 9th year with the Beverly Hills Police Department and is currently assigned to the Personnel and Training Bureau as a Background Investigator and Polygraph Examiner. Tyler is also responsible for recruitment with BHPD and has previously held the following positions within the department: Patrol Officer, Defensive Tactics Instructor, SWAT Team member/Sniper Cadre, Field Training Officer and Bicycle Officer. Prior to his time with BHPD, Tyler spent
several years as a high school teacher and coach. Tyler holds a Bachelor’s degree from the University of California at Davis and a Master’s degree from the University of La Verne. He is a recent graduate (2013) from the Texas Department of Public Safety Polygraph School.

**JOHN GALIANOS** began law enforcement career with the Sûreté du Québec (Québec Provincial Police) in 1968. He served as: Detective Supervisor, Crimes Against Persons Unit (Homicide Division), Montréal Headquarters; Assistant Commander, Special Weapons and Tactics Unit, Montréal Headquarters. John graduated from the Keeler Polygraph Institute, in Chicago, Illinois, in 1976 and he led the Polygraph Division of the Sûreté du Québec from 1976 to 1983, serving as polygraph examiner on many high-profile cases. Following his police service, John entered the private sector after 25 years of service with the Sûreté du Québec, founding Galianos Polygraphe Expert, Inc. John is the Chairman of the Committee on Education and Training for the Canadian Association of Police Polygraphists. The American Polygraph Association appointed him: Associate Editor of Polygraph, Polygraph School Inspector, and Member of the 2014 - 2015 Professional Development Committee. John is fluent in English and French.

**DR. DON GRUBIN** is Professor of Forensic Psychiatry at Newcastle University in England and a practicing forensic psychiatrist. He received his medical degree in 1985, became a member of the Royal College of Psychiatrists in 1989, and a Fellow of the College in 2004. He advises government bodies on a range of matters relating to sex offenders. Although not a polygraph examiner, he led the UK trials that have resulted in mandatory testing of high risk sex offenders in England and Wales.

**DR. MARIA HARTWIG** completed her graduate training in her native Sweden, where she conducted empirical research on social perception and judgment in legal settings. In 2006, she joined the faculty of John Jay College of Criminal Justice, where she is currently a Professor of Psychology. She has published surveys on beliefs about behavioral indicators of deception held by a variety of groups (e.g., Migration board officers handling asylum cases; prison guards and inmates), and she has conducted and published quasi-experimental and experimental research on interview and interrogation techniques and veracity assessments using a broad sample of lay people, legal professionals and prison inmates. She has also carried out extensive training of a variety of professionals, including prosecutors, judges, detectives, and military and intelligence officers. She is an editorial board member of Law and Human Behavior, the leading scientific journal in the field of psychology and law, and of Legal and Criminological
Psychology. In 2008, she received an Early Career Award by the European Association for Psychology and Law for her contributions to psychological research, and she is the 2012 recipient of the Saleem Shah Award for Early Career Excellence from the American Psychology-Law Society and the American Academy of Forensic Psychology.

**DR. CHARLES HONTS** received his Ph.D. in Psychology from the University of Utah in 1986, and joined the Boise State University Psychology faculty in 1995 where he currently holds the position of Professor of Psychology. Dr. Honts research interests involve scientific credibility assessment with adults and children, specifically the psychophysiological detection of deception. Other research and practice interests include interviewing, including child witnesses, interrogation and false confession phenomena. He is the author of more than 300 scientific publications, papers and presentations.

**RAYMOND NELSON** is a versatile professional with training in both behavioral and analytical sciences. Raymond has a background in mental health counseling with victims and perpetrators of sexual abuse and family violence and has worked within the
polygraph profession since 2000. His activities have included conducting examinations in private practice, serving as an expert witness in several court jurisdictions, and validation of technology solutions for the polygraph profession. Raymond is one of the developers of the OSS-3 algorithm and ESS method for test data analysis. He has authored numerous publications on nearly every aspect of the polygraph test, including the psychological and physiological basis of the polygraph, test data analysis, signal processing, testing techniques and other topics. He was also the lead author of the 2011 Committee Report on polygraph technique validity and reliability, known by most of us as the Meta-analytic review. Raymond has instructed at several polygraph training programs and he is the director of an accredited polygraph training program. He is a frequent presenter at national and international conferences, and works as a research specialist for a polygraph instrument manufacturer. Raymond is currently serving as our APA President.

NAYELI HERNANDEZ was trained in 2009 in Mexico City to work with a private company that had a contract with the Mexico City Police to test police officer at the Credibility Control Center where she tested over 300 police officers. When that contract was over on April 2010 they moved her to the company facilities where she tested people for bodyguard position, and administrative assistants that will be in contact with sensitive information. In June 2010 she started to work with Raymond Nelson and Rodolfo Prado to edit the handbook for their school, this project required her to translate hundreds of scientific references, create the handbook and keep track of files and modifications. March 2011 she started to translate in simultaneous mode for Raymond Nelson, starting in Panama City and since then she has helped train people in Colombia, Ecuador, Honduras, Peru, Mexico, and El Salvador. In 2012 after 3 years of experience, and continued education, she started to work as an instructor for several government agencies and private companies around Latin America.

MATT HICKS is a Criminal Investigations Division Lieutenant at the Texas Department of Public Safety in Austin, Texas. Matt currently supervises six field agents and serves as the Director of the Texas Department of Public Safety Law Enforcement Polygraph School. In 1997, Matt started his career at the Texas Department of Public Safety and worked as a Texas Highway Patrol Trooper until 2003 when he promoted into the Criminal Intelligence Service. In 2006, Matt graduated from the Texas Department of Public Safety Law Enforcement Polygraph School and worked as an examiner until 2012. During his time as a polygraph examiner he successfully resolved
hundreds of criminal investigations through the use of polygraph and has had the opportunity to educate hundreds of polygraph professionals.

**SCOTT HOFFMAN** is a federally certified polygraph examiner with the United States Department of Defense. He is a past recipient of the American Polygraph Association’s William J. Yankee Memorial Scholarship. His experience also includes psychometric theory, clinical application of standardized psychological testing, and social psychology research in the areas of cognition, personality, and emotion.

**DON KRAPOHL** is Past President of the APA, and served twice as Editor. He sits on the editorial board of European Polygraph, and has authored more than 90 published articles and book chapters on credibility assessment and related areas. He has made presentations to various state and national polygraph professional associations, as well as research organizations such as the National Science Foundation and the National Academies of Science. Mr. Krapohl is a certified federal polygraph examiner assigned to the US government’s polygraph research and education facility at Ft. Jackson, SC.

**DR. THOMAS KUCZEK** received his B.S. and M.S. degrees in Mathematics from Michigan State University and a Ph.D. in Statistics from Purdue University. He returned to Purdue University where he is now Professor of Statistics and Associate Director of the Statistics Department’s Statistical Consulting Service. He teaches courses in Experimental Design and Statistical Quality Control. His publications include many applications of Statistics to Biology and Engineering. His current research interests include Meditation and Biofeedback, Measurement Systems Analysis and Digital Signal Processing, as well as Polygraph.

**MIKE LYNCH** has been a member of the American Polygraph Association since 1974. He holds a Bachelor of Science Degree in Criminal Justice and a Masters Degree in Public Administration. He is an instructor at an APA accredited polygraph school and has presented papers before the APA membership. He currently writes opinion for the APA Magazine.

**DR. DAVID RASKIN** is Professor Emeritus at the University of Utah and president of Scientific Assessment Technologies (SAT). He received his doctoral degree in human psychophysiology from UCLA in 1963 and has served on the faculties of UCLA, Michigan State University, University of British Columbia, and the University of Utah. His laboratory developed the Utah Comparison Question Technique, and with his colleague Professor John Kircher developed and marketed the first
computerized polygraph system (CPS) and pioneered methods for computer interpretation of test outcomes. He has published more than 150 scientific articles, book chapters, and government reports, including the book Credibility Assessment: Scientific Research and Applications published by Elsevier/Academic Press in 2014. Dr. Raskin was elected a fellow of the American Psychological Association, the American Psychological Society, and the American Psychology-Law Society. He received the John E. Reid and Cleve Backster awards from the American Polygraph Association and the Harry Detweiler award from the Latin American Polygraph Association. Dr. Raskin is a certified polygraph examiner and has testified in more than 250 cases in federal and state courts in the United States, Canada, and Sweden and the United States Senate, British House of Commons, and Israel Knesset. He frequently provides training and consultations for federal, state, and local law enforcement agencies and many foreign governments.

**DR. STUART SENTER** is an Instructor at the National Center for Credibility Assessment. He earned his Ph.D. in Experimental Psychology from the University of South Carolina in 2000. He completed polygraph school in 2001 and received his polygraph examiner certification in 2003. Stu is a former Editor of the American Polygraph Association.

**CHOLAN V.M. SC.** (Criminal Justice with Security Specialization), Michigan State University; BA (Economics), National University of Singapore has researched topics related to credibility assessment, in particular test data analysis and effects of countermeasures on psychophysiological detection deception assessments. His current research is focused on understanding effects of examiner variables on credibility assessment outcomes.

**MARK HANDLER** is the research and information chairperson for the American Association of Police Polygraphists and the web administrator for the American Polygraph Association. He has published articles and studies on various aspects of the polygraph, and can be reached at polygrapheditor@gmail.com.
Polygraph Examiner Training Schedule

**Academy for Scientific Investigative Training**

**Basic Examiner Course**
March 2 - May 8, 2015
September 21 - November 27, 2015
October 5 - December 11, 2015 (Pretoria)

**Advanced Examiner Course**
July 27 - August 1, 2015
October 3 - 4, 2015 (Pretoria)
October 10 - 11, 2015 (Cape Town)

**Basic PCSOT**
May 11 - May 15, 2015
November 30 - December 4, 2015

**Advanced PCSOT**
July 29 - 30, 2015

**Forensic Assessment Interview and Interrogation Seminar**
March 9 - 13, 2015
September 28 - October 2, 2015
October 5 - 9, 2015 (Pretoria)

**Academy of Polygraph Science**

**Basic Examiner Course (Fort Myers)**
April 27 - July 3, 2015
August 31, November 6, 2015

**PCSOT Course (Fort Myers)**
March 16 - 20, 2015
November 9 - 13, 2015

**American International Institute of Polygraph**

**Basic Examiner Course**
April 13 - June 19, 2015 (South Africa)
May 4 - July 10, 2015 (Asia)
May 18 - July 23, 2015 (Atlanta, GA)
August 10 - October 31, 2015 (Atlanta, GA)
September 14 - November 20 (South Africa)

**Marston Polygraph Academy**
*(all listed courses taught in San Bernardino, CA)*

**Basic Polygraph Instruction (400 hours)**
April 6 to June 12, 2015
July 6 to September 11, 2015

**PCSOT Basic Course (40 hours)**
March 16 to March 20, 2015
June 15 to June 19, 2015
September 14 to September 18, 2015

**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.
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Upcoming Seminars

Kentucky Polygraph Association 2015 Polygraph Seminar
• March 17-20, 2015 •

Gatlinburg, Tennessee at the Clarion Inn & Suites
1100 Parkway
Gatlinburg, Tennessee 37738
Reservations: 800-933-0777 ext: 135
For more details write to marvin.hayden@ky.gov
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5:30-8:30 PM

For a

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**THURSDAY NIGHT BANQUET**

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**CUT-OFF DATE** for hotel reservation is 8/13/15 or until APA’s room allotment is filled. Number of rooms is limited. Individual departure dates will be reconfirmed upon check-in.

**REGISTRATION HOURS:**
- Sunday, 8/30/15 10:00am - 5:00pm
- Monday, 8/31/15 7:00am - 8:30pm
- Seminar Sessions: Sunday-Friday, 8/30/15 - 9/4/15

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**PAYMENT RECEIVED BY AUGUST 13, 2015**

| $350 - MEMBER/APPLICANT | $400 - MEMBER/APPLICANT |
| $500 - NON-MEMBER | $550 - NON-MEMBER |
| $125 - PER GUEST | $175 PER GUEST |

**PAYMENT RECEIVED AFTER AUGUST 13, 2015**

| $350 - MEMBER/APPLICANT | $400 - MEMBER/APPLICANT |
| $500 - NON-MEMBER | $550 - NON-MEMBER |
| $125 - PER GUEST | $175 PER GUEST |

**(Guest fee includes):**
- Sunday Reception, Guest Brunch Monday and Banquet Thursday
- Classroom presentations

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**ADDITIONAL $50 FOR THOSE WHO PAY AT THE SEMINAR**

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**PLEASE CONTACT THE APA NATIONAL OFFICE IF YOU HAVE QUESTIONS**

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manager@polygraph.org

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[APA Magazine 2015, 48(1)]
President’s Message

Raymond Nelson

I hope everyone had a safe and enjoyable holiday season. 2015 is underway and activities are starting to return to normal – which often means dealing with all manner of chaos, every type of problem imaginable, in any type of weather, and regardless of the convenience or inconvenience of the location. Among the most important events to pay attention to this year will be the 50th annual seminar in Chicago. It will undoubtedly be a fun and interesting time for all who attend. If you have not already heard, the seminar location is the historic Palmer House – the kind of hotel that reflects luxurious and entrepreneurial spirit of the great city of Chicago and the U.S. Seminar Chairman Mike Gougler has been busy, and if past events are an indication, we can anticipate that his efforts will result in a week that will be memorable and worth the trip. In addition to the opportunity to complete continuing education and updated material on the polygraph profession – while visiting the spectacular city of Chicago - the annual seminar is also a great opportunity to meet other professionals and build the kind of personal and professional relationships that will be meaningful and productive for years into the future.

The polygraph profession today is both similar and different than it was 50 years ago. The day to day work of interviewing, testing, writing reports and communicating information is probably very much the same as it always was. Examiners today are less likely to involve ink and paper resources as a function of their pace of work, and are probably less likely to exhibit ink-stained fingertips from field servicing their instruments. Lab-coats are a thing of the past. Examiners today are less likely to be required to field service a computerized polygraph instrument, compared to examiners in the past who used instruments with finely constructed and finely tuned mechanical linkages – including those with electronic amplifiers – to achieve interpretable recordings of physiological responses. What has not changed is that there are people who attempt to deceive others. Some of the interview topics of today may be nearly exactly the same as they were in the past: violent and sexual crimes are not new. Nor are arson, fraud, embezzlement, burglary, drug abuse or corruption new.
Some of the exact details may have changed, but the similarity of today’s crime topics with those of the past is evidence of the consistency and durability of our need for methods and technologies to obtain information and to separate fact from fiction.

Fifty years ago, it would have been very difficult to predict the point to which we have come today. At the time the APA was formed from three previously existing organizations. The formation of the American Polygraph Association was a visionary achievement – it was a recognition of the need for an association of polygraph professionals that could dedicate itself to the very complex task of bringing together the ideas, work, perspectives, and experience from across the United States – a country of great diversity just as much as it is one of shared interests. In coming together to form one association out of three, the leaders at that time recognized that different organizations had common values and common objectives such that redundant administration was both needless and unproductive. It is easy to imagine their recognition of shared goals and common hazards, and we can of course see the wisdom in their initial objectives towards unification – in the form of a stronger and more meaningful association, with greater ability to improved standards of practice and training standards than a more fragmented effort from smaller cooperative associations.

Today the polygraph profession and the APA have grown in importance to the degree that we can expect worldwide attendance at our annual seminar and worldwide interest in the advances in standards of practice that the APA puts forth. Today one of the biggest challenges for the APA is to uphold a clear value surrounding the meaning of APA membership, and to remain clear about the limits of authority that a professional association can have when its members come from diverse legal jurisdictions. Toward that end, the Board of Directors is continuously working to improve our standards of practice in a manner that is both consistent with scientific evidence and offers practical guidance regardless of the existence or non-existence of statutory authority wherever polygraph examiners may work.

The importance of the APA standards of practice cannot be understated – including those that are published in the form of Model Policies. APA Model Policies for PCSOT and Public Safety Applicant Screening are among those for which I can expect to receive some form of inquiry weekly if not daily. Although the APA does not itself attempt to enforce or administrate its Model Policies except in the form of publication, they have successfully served as a point of authoritative reference in local jurisdictions. As expected, they have also served as a point of departure for the creation of localized standards of practice that
are enforceable by local authorities who have a legislated mandate to do so. In some cases, APA Model Policies have been adopted by publication as written, without modification. These documents and other APA standards have helped to achieve the intended goals of improving the consistency of our knowledge, skills, and field practice standards, in addition to providing a point of reference when necessary to evaluate and respond to legal and scientific questions regarding individual cases or even programmatic policies.

During September a case in New Jersey was heard by the appellate court regarding questions that challenge the scientific validity and the legality of polygraph testing with sex offenders. As expected, scientists and psychologists were solicited to provide their differing opinions regarding both the accuracy and validity of the polygraph and the incremental validity that polygraph testing adds to other professional decision making. It was no surprise to hear impressively-credentialed and highly respected scientific critics criticize the polygraph. To my chagrin, most of the arguments today can be characterized as straw-man arguments. We heard that the fear hypothesis is deeply problematic – to which we informed the court that the profession is well aware of the limitations of the fear hypothesis and has begun to articulate and publish more satisfactory and parsimonious explanations about what occurs psychologically during testing. We heard from opposing experts that the test fundamentally depends on manipulation and trickery, to which we informed the court about contemporary polygraph techniques for which that is not the case. We heard that the test is vulnerable to subjective interpretation and confirmation bias – and were reminded about demonstration on popular news program involving an interview with an APA vice president – to which we advised the court
that the demonstration had occurred 28 years earlier and much had been learned about structured and replicable scoring systems and statistical methodology since that time. We heard that the polygraph lacks support by the scientific community and lacks realistic estimations about accuracy – in response to which we discussed the findings published by the National Academy of Sciences and in the APA 2011 meta-analysis. We heard that there is no universal lie response, and that it is not possible to measure a lie, and therefore there is no lie detector test. Fortunately we were fore-armed with publications to discuss this very fact and to explain the basis of any need for scientific tests of any kind – to test phenomena of interest for which neither perfect deterministic observation nor direct physical/linear measurement are possible. We heard scientific testimony that the polygraph is pseudoscience, and in response the court concluded that it recognized that things have changed in the polygraph profession, and that the publications by the APA and the National Academy of Sciences seem to concur that although imperfect, there is a basis of scientific validity to support the polygraph. That case is being prepared for appeal at this time. While we never know how a court case will be concluded, we do not expect a direct reversal of the courts favorable decision regarding the polygraph test.

It is possible that some individuals in the past had entertained hopes that the polygraph could one day achieve deterministic perfection, or that we would by this time have developed technology that could identify or isolated physiological responses that are robust indicators of specific emotions. Others may have held hope that we could identify some physiological response that is unique to deception – thereby providing the potential for perfect deterministic observation of a lie. Although each of these hopes may not have been satisfied, the polygraph profession has made significant progress during the last 50 years. Our task will be to manage the association and the profession so that progress can continue for the next 50 years, or longer.
The most important of all our skills is that of interviewing. This will likely never change – and it is the one skill that will likely not be subject to attempts at automation. Other skills can be said to be equally important – test target selection, question formulation, test administration, numerical and statistical analysis of test data – but the ability to develop information in the human interaction is what will continue to make polygraph examiners the most important of all resources available to the profession and the communities and agencies that we serve.

It is doubtful that the problems we face today and in the future will be adequately addressed or resolved by the methods or technologies of the past. There is much to learn from the past, and it is our task to make use of knowledge and information that remains useful while appreciating the historical importance of technologies that were useful for a time but no longer represent the optimal solution for today and tomorrow. What we have learned so far is that reliance on evidence-based standards helps us, and that attempts at reliance on unscientific assumptions – those not supported by evidence – will make us increasingly vulnerable.

“We will never have a perfect world, but it’s not romantic or naive to work toward a better one”
-Steven Pinker

We have learned that expertise and clinical skill are the cornerstone of our work and value as professionals, but of themselves they are not sufficient to carry us into the future. We have also learned that reliance on the strength of individual personalities or reputation as a basis of authority to establish validity, although helpful in the formative days of a profession, is not likely to provide satisfactory answers to long term future challenges regarding the basis of evidence to support our work. We are likely, in the foreseeable future, to face increased expectations for accountable standards of practice and training in the context of a national forensic science initiative. With that in mind, it is my prediction that the APA will need to continue the important work of developing standards of practice and training standards that can meet with 21st century expectations for validity, reliability and reproducibility.

Spring is approaching soon, and I am inclined to believe that it is later now than it has ever been. So don’t hesitate to make your travel plans for Chicago. See you there.
"The great thing in this world is not so much where we stand, as in what direction we are moving”
- Oliver Wendell Holmes

Later this year, your trust in me will be tested when I become president of this great association. As this summer’s Chicago seminar looms and my time as president officially begins, I want us all to think about the direction we are headed as an association. I’ve been fortunate to have many career opportunities placed in front of me over the past several years, but I have stayed with the polygraph profession and the APA because I absolutely believe we serve the greater good. When someone asked me what I did at work today my response is always the same, “I fought crime and suppressed evil.” If you care about what you do, your response should be the same as mine. As your president, I want you to know my efforts will be focused on making us better and ensuring we have the tools, training and resources to fight crime and suppress evil. It is my belief that if we do all this, everything else the APA hopes to accomplish will take care of itself.

I admire successful companies like Southwest Airlines who throws unruly passengers off of their airplanes and tells them in the future to fly another airline. Southwest Airlines understands the benefits of being selective. I also admire the Marine Corps and their slogan, “The Few, The Proud” because not everyone can be a Marine and it’s what sets them apart. The growth of the APA has been significant over the past
several years especially internationally and it has me asking whether we are moving in the right direction. Has the APA fallen victim to money and has embraced a bigger is better philosophy?

Is this quantity coming at the cost of quality?

Most importantly, are we able to fulfill the following goals of the organization?

Serving the cause of truth with integrity, objectivity and fairness to all persons encouraging and supporting research, training and education to benefit members of the Association as well as those who support its purpose and by providing a forum for the presentation and exchange of information derived from such research, training and education, establishing and enforcing standards for admission to membership and continued membership in the Association governing the conduct of members of the Association by requiring adherence to a Code of Ethics and a set of Standards and Principles of Practice.

The future success of the APA will be determined by the success of its members. This will be accomplished by setting and enforcing high standards instead of focusing on growth. If we set the bar high, those who want to reach it will and I believe these will be the same members that are fulfilling the mission of the APA while they fight crime and suppress evil. There is no doubt that when we fulfil our mission, growth will occur. As a Board of Directors, we will be focusing on the questions above and formulating a committee to address our future direction. I ask that you also read VP O’Burke’s article and start thinking about these issues. As always, I would love to hear from you anytime at presidentelect@polygraph.org or if you want to talk about it in person, just give me a call. As always, thank you for your service and working every day to make this world a little better place.

J Patrick O’ Burke
VP Private

This is the start of a fresh New Year for 2015, and I hope everyone is making those resolutions for change or self-improvement to which we all dedicate ourselves. For the next few Journal articles, I plan to discuss an issue looming before us, how does the APA obtain substantial compliance with its Standards of Practice? It would seem that there is a simple answer, however the diversity of our membership and complexity of global
standards makes this anything but easy. It is clear the APA is seeing an accelerated growth of membership from around the world. A review of the past year’s applications for membership alone will confirm this trend. At the annual conference, the APA has seen international attendance increasing every year, with an all-time high in 2014. Polygraph is now truly a global profession and not an American phenomenon. Polygraph ethics and standards of practice now apply in places where they were not originally envisioned. When writing rules or policies for any program, the author should always be aware of the old saying, “the devil is always in the details”. Standards that were originally defined by American standards and concepts, are now multi-cultural, multi-lingual and way more complex. For example, the APA requirement for membership with a baccalaureate degree was for a college that is accredited by the “United States Department of Education”. Of course this was broadened to allow that a “similar” body for international education may be applied. What exactly does that mean, and how does the APA investigate and interpret that standard? Everyone knows of a sub-standard schools, as well as “diploma mills” selling “degrees” that do not meet the spirit of a college education. Knowing this in your backyard is relatively easy, but halfway around the world, with language barriers, differing education standards, or when the “school” may no longer exist, can be an extremely frustrating process. Include the potential for fraudulent documents and the problem will make your head spin. So what seems like a basic requirement for a college degree is not all that simple. Being difficult does not mean that we should not try, or give up in setting basic requirements. Remember, on the other side of the coin are those who legitimately invested effort in college education and want their status recognized. The vexing problem is how to balance the difficulty in making a standard as a benchmark for supporting members, with the ability to determine or verify compliance.

Since I brought up schools and accreditation, it is a good time to discuss that issue. The word “accreditation” is important in deciding whether a polygraph school is, or should be “accredited” or “recognized”? These terms are not interchangeable, but people often do not understand what the differences in meaning are. Accreditation is a process that offers a certification of competency. Generally, a school that has a recognized curriculum would only mean the material is acceptable in
content. So the question is should the APA merely recognize, or should they accredit a polygraph school program. Evaluating the competency of a training program is a much more rigorous effort than saying the instructional material exists. We need to consider whether the APA truly has the desire, or need, to conduct an accreditation process for polygraph schools. Accreditation as a process, is generally performed by an outside entity. That does not mean the APA could not do it, it simply means we may have more complicated issues to solve. If we truly have the desire to have an accreditation process for polygraph schools, then we can determine how to obtain the things we need to accomplish this. At this point in time, the APA probably has a very limited ability to perform an accreditation function. Some of the consideration we face are complicated.

Consider if the APA were to give a written comprehensive test to every polygraph school graduate, would all students pass that examination? If there were students that did not pass the competency exam, is the school deficient, or is the student deficient? If a polygraph school was consistently having graduates that lacked competency, then is the school deficient, or is their school admissions process deficient? If there are deficiencies, how will the issue be corrected? The simple correction is to punish the school, or the student, right? However, if you were a good student who attended a deficient school, how would you react to not having passed and being unaware prior to admission? If you were the school, how do you deal with students who are not the top of their training class? It may be humorous, but nonetheless still a true fact is half of all students are below average. This problem is clearly one that will be difficult to define for a solution. The APA has made some strides in this area by updating school standards in 2014. There is also a pilot effort underway by Director Jamie McCloughan to give a standard examination to school graduates. As a school director though, I must tell you I was nervous when having students take this exam. Basic polygraph school training is a student's introduction to ethical practice. In every school I have taught since 2011, we thoroughly discussed the APA Study on Validated Techniques. I am aware of numerous training conferences that have also taught what formats and numerical evaluation techniques were acceptable. Nowhere in any of this training I just described included the routine use of the R/I format for testing. Clearly, this is a win for the
APA in moving towards more scientific practice and validated techniques. So how do we know, or measure, if examiners are now complying with the use of valid formats and scoring methods? I was recently teaching at an international conference on Validated Techniques. During the conference, I had numerous conversations with examiners who are continuing to use R/I formats as their standard format for daily testing. There are two reasons primary reasons they gave for violating this Standard of Practice. The polygraph examiner’s client wants, or demands, to ask more relevant issues than is permitted by a valid format, and secondly the development of comparison questions is too time consuming for the examiner who wants to conduct many polygraph examinations in one day. As multiple examiners have said when I bring this topic up, “I did not want to call attention to the elephant in the room”. This non-compliance is therefore not limited and not a complete secret. So do we ignore the problem, or do we say something? The APA is not a regulatory agency, a law enforcement agency or a government entity. Since there is no “ticket book” for writing up violations and issuing fines, how does the APA gain compliance? We are a professional association, made up of polygraph examiners who want to belong to this organization. Membership is our only reward, and our only consequence. Expelling members is not a great solution except in the most egregious of violations. Some members I have talked to say this is too big a problem and that there is no real solution. Some suggest we create a membership for those who do not want to comply with Standards of Practice. Maybe we create a class of membership for those who speak another language? Maybe we create a school accreditation for schools in a beautiful resort location, and not for one in a war zone? None of those ideas work for me. I believe that they merely represent frustration for those who really want solutions, but know how difficult they are to design.

As soldiers say, “I do not fight for God and country, I fight for the man beside me”. I believe these words reflect what I feel in my heart. I know that polygraph works and is the most useful tool we have for assessing credibility. I know that there are examiners who diligently work every day to perform at a level that brings praise, honor and respect to the profession. Those who do their job poorly threaten all who do it well. How do you encourage compliance without seeming petty? Striving for shared survival is critical and education is one of our best vehicles. I was asked publically at the last APA Conference by an international member,
how that examiner should deal with polygraph schools and examiners that are not compliant with accepted Standards of Practice in their country. What a great question! Asking that question is something we should all ask ourselves. Doing nothing is not an answer I endorse. The courage to ask also brings the courage to face difficult solutions and a willingness to come up with answers. In the next few months, I want to thoughtfully explore how come up with joint solutions from all members around the world on what will strengthen our profession through global compliance with standards of practice. This is my New Year’s resolution. Please contact me with your ideas and your expectations. See you at the Chicago conference in 2015.

Jamie McClougan
Director

I hope that everyone had a blessed holiday season. As a new year has begun, the American Polygraph Association (APA), mainly Lisa, the Education Accreditation Committee (EAC) inspectors and I are busier than ever preparing for a full year of inspections of at least 13 education and training programs for APA accreditation. Few APA members have been involved in this process and even fewer have been involved in the new process that began last January. I decided I would take the opportunity provided with my report to outline the process for the rest of the members, so as to allow you to appreciate the hard work that goes on by the accredited programs to provide you with your basic education and training. The first step in seeking accreditation is submitting a self-evaluation and inspection form. This form tells the EAC how the education and training program proposes that it meets all of the standards required in the accreditation manual. Each area must be covered by the program and supporting documentation submitted. Some of the supporting documentation required includes pictures of the facility and official college transcripts of instructors to be used for the education and training. Programs using instructors who earned their degree outside of the United States must have their credentials vetted through www.WES.org. This step is the lengthiest one, taking six or more months to complete, and entails checking and correcting everything through the process of documentation review until the EAC is satisfied that, on paper, the program meets the minimum required standards. The student’s education and training is always the main concern of the APA. The APA review process was designed
to ensure programs have everything in order prior to the start of the course to be inspected. This helps minimize the chance of deficiency findings that could affect the students training outcome. Once the program has successfully completed the self-evaluation and inspection form submission process, they are notified they may submit their application for accreditation. The application for accreditation tells the APA who the owners of the program are, binds them to the agreed-upon standards and inspection processes, and establishes the necessary funds required for the inspection. The process is completely self-funded by the program. Once the APA receives the application and payment, an inspector is assigned to the program to coordinate the inspection date. Usually the inspection occurs during the last two weeks of the program course, so as to allow the inspector to observe and talk with students who are nearing the end of their basic training. Also, the inspector ensures that the program is doing everything it said it did in its self-evaluation and inspection form process - which is much easier to do at the end of the course than the beginning or middle. The conclusion of the inspection process comes once the inspector has submitted his or her report, documentation and recommendation for accreditation to the EAC. Once the EAC is in possession of this information, it makes its determination of whether or not to accredit the program. If there are no findings of deficiency,
the EAC usually makes an immediate recommendation for accreditation. When deficiencies are found, they must be successfully remedied prior to any recommendations for accreditation. Unresolved deficiencies can result in denial of accreditation.

The final step of the accreditation process takes place at the next regularly scheduled APA Board of Directors (BOD) meeting. At the BOD meeting, the chair of the EAC presents her or his recommendation and provides any information to the BOD that they request for making their decision. The BOD decides to accredit, deny or make other recommendations as they see fit by a majority vote.

I hope this snapshot of the APA education and training program accreditation process has been enlightening and useful. As those who have been through it can attest to, this short overview doesn’t truly capture the hard work done by all of those involved to ensure that students attending an APA accredited school have the opportunity to receive a basic education and training intended to prepare them for a career in polygraph. In closing, may all who are fighting for our freedom against threats, both foreign and domestic, be safe, and have Godspeed in their return to friends and loved ones.

William L. Fleisher
Director

When almost forty years ago I became a polygraph examiner, I could not have imagined how geometrically the profession would grow. The requisite skills of a polygraph examiner and the amazing technological advances of the polygraph instrumentation still make me proud to be a member of a dynamic profession. Basic polygraph examiner training has gone from six to ten weeks. Modern computerized polygraph systems make the analog instruments look like something that may have been driven to a field examination in a “Model T Ford.” Polygraph testing techniques have also evolved to evidenced based testing best practices, which would make the pioneers in the Lie Detection field shake their heads in amazement. Just as it is important for our technologies and techniques to continue to grow, it is important for us as examiners to continue to professionally grow. In order for each of us to be the best forensic psychophysiological professionals that we can be, we must continue our polygraph
education until the day we roll up our pneumograph tubes for the last time. The American Polygraph Association exists to help our members to grow professionally. As General Chair of the APA Professional Development Committee, I would like to encourage you to make use of the many APA resources available. Through our seminars, publications, websites, resources, accrediting APA training schools, approving training for PCSOT and the approving of continuing education hours (CEH), the APA encourages our members to develop professionally.

One of the most common questions we receive at the APA National Office is how to go about getting CEHs for the polygraph related training you attend. If your local or state polygraph association wants to make their training seminars eligible for continuing education hours, it is simple to do. Ask the association or training provider to use the following procedure:

Requests for approval of CEH by APA accredited schools, APA members, or others shall be submitted in writing, through the APA National Office to the General Chair of the Professional Development/Continuing Education Committee at least 30 days in advance of the proposed training. The request should clearly identify the dates, times, location, schedule/outline of the subject matter to be presented, and documentation reflecting the qualifications of the presenter(s). Curriculum vitae are the preferred documentation of the qualification of the presenter(s). Within 5 days after receiving a request from the APA National Office, I will approve or disapprove for cause, your request.

Probably the most productive way to develop professionally is to attend the APA Annual Seminar. The year 2015 will mark the 50th Anniversary of the APA. Seminar Program Chair Michael Gougler is planning an annual seminar worthy of the occasion. The theme will be “Polygraph in the 21st Century.” The seminar will be held at the historic Hilton Palmer House, Chicago, Illinois, August 30 to September 4, 2015. It is not too early to mark your calendar and make your plans to attend. Remember, to keep growing as a polygraph professional, keep learning. The APA is here to help you do that.
Twelve word Essay: What does the polygraph measure?

Raymond Nelson

Polygraph measures the uncertainty surrounding a categorical conclusion of deception or truth-telling.
Handling the perpetually-mobile examinee

Humanum Perpetuum Mobile

Tuvya T. Amsel

Humanum Perpetuum Mobile n. from Latin Perpetual Mobile Human: a human in a state of indefinite constant movement without any external source of energy.

The “Perpetually-Mobile” Examinee is just one of many examinees’ types an examiner may have to deal with. These are the examinees who are either unused to sitting in an office chair for more than a few minutes because of their outdoor occupations, such as: construction workers, drivers, logistic personnel, mechanics, farm hands and alike. They also include those with hyperactive or high-strung personalities. As a result they just have a hard time to sitting still and focusing for a long time. This results in them being jumpy and restless during the polygraph session. When not attached to the polygraph components they still have some freedom of movement and their constant change of posture has no effect on the test. But once the components are attached and they are told: “Please
remain still, the test is about to begin” the problems begin. They may move their body, look aside, look at their hand (“Boss, my hand is turning purple …”) scratch their nose - they resemble a bubbling liquid in a chemistry lab seconds before explosion. Needless to mention that by the end of their test, their polygraph charts look like a Jackson Pollock painting, and deriving meaning from them can be quite a challenge.

QUESTION: How do we constrain their movements and encourage them to cooperate?

ANSWER: By simply implying operant conditioning positive reinforcement.

Operant conditioning is a method used to modify individuals’ behavior by using positive reinforcement (reward) in order to increase a certain behavior or negative reinforcement (sanction) in order to decrease a certain behavior. For example, when a laboratory monkey presses a green button, he receives food as a reward, but when he presses the red button he receives a mild electric shock. As a result, he learns to press the green button and avoid the red.

The concept of “operant conditioning” was coined by American psychologist Burrhus Frederic Skinner, who basically believed that human free will is a fiction and what motivates humans’ actions are a result of the consequences of that same action. If the outcome of their act is bad the chances are they will not repeat it. However if the consequences are good they are more likely to repeat it. In other words Skinner believed external stimuli - rather than internal thoughts- motivate human behavior.

Implementing the theory

Once an examinee is identified during the pretest as a perpetually mobile and after they are attached to the polygraph components, they should be told the following: “I know how hard it is to sit motionless, especially to an active person like you, but it is essential to the success of the test. I am sure that you are as interested as I am to have a valid test that reflects the truth inside you. You seem to me like a person who has strong enough personality that in spite of your natural tendency you will have no problem in controlling yourself and sitting motionless during the test. So I trust you that you will be able to sit still in the test in spite of the difficulties.”

The positive reinforcement and the examiner trust act as a strong incentive on almost all of the truthful examinees simply because they do not want to impair the test as well as not want to disappoint the examiner who is currently act as their “judge and jury” and so they cooperate and follow the instructions in
spite of their natural tendency. This may not the case with the deceptive examinees who may want to undermine the test and calls for a different approach, one that should be discussed separately.

Upon completion of the first chart if the examinee acted in accordance with the instructions and sat motionless the examiner should encourage them by saying: “I knew I can trust you with sitting motionless and I have no doubt that you will continue to control your natural tendency of in the upcoming sessions. You did well at sitting still.”

Usually by the second chart the truthful examinees are less anxious and find it easier to follow the instructions due to the fact that the fear of the unknown, which accompany the first chart dissipates as they acclimate to the situation. The examinees that won’t cooperate are either the extremely anxious and concerned truthful who cannot overcome their anxiety or the deceptive examinees, who have no real interest in helping out the examiner.

How do we distinguish between the two? Extremely anxious truthful examinees are truly trying to control themselves which will result in clear, free of distortion segments in the charts while the deceptive examinees’ charts who exercise counter measures will be unclear and distorted all along.

An additional aide to distinguish between the anxious truthful and the disruptive deceptive is by telling the examinee after the first chart: “Unfortunately you did not follow my instructions to sit motionlessly. I should inform you that if you have done it on purpose it will be held against you. If not, please try to sit still during the test”. Usually these words will have a restraining effect on the truthful examinees that will produce clearer charts hereafter while it will bear no consequences on the deceptive examinees.

How to deal with examinees who exercise counter measures is whole different issue by itself, one to be discussed separately. For those examiners who are concerned that the examinee’s constant self-restrain efforts during the test may divert their attention from the questions to the motionless posture, there is only one piece of advice: Try it out, it simply works!
“What has been will be again, what has been done will be done again; there is nothing new under the sun.” Ecclesiastes 1:9

“What, you mean I have to use one of them new-fangled computerized motion pads before I conduct a polygraph examination? Who says I have to?”

“The Bi-Laws of the American Polygraph Association say you do. A motion sensor is required for all examinations.”

“Ridiculous. Useless. Never heard of such a thing. Who thought up this insanity?”

About the author: Michael Lynch is a Primary Instructor with Marston Polygraph Academy. He can be reached at mlynch@lawyerspolygraph.com. The opinions and comments expressed in this article do not necessarily reflect those of Marston Polygraph Academy or the American Polygraph Association.
John Reid thought up this insanity. “In 1945, John Reid . . . developed what he called the ‘Reid Polygraph.’ Besides recording blood pressure, pulse, respiration, and GSR, this new polygraph instrument recorded muscular activity in the forearms, thighs, and feet. These muscular movements were picked up from metal bellows under the arms and seat of the polygraph chair. This instrument was the first instrument to use a movement sensor to detect subject movement during the examination.”¹

“That is nice history, but why should I use one today?”

“The study (2008) found that the addition of the countermeasure sensors significantly improved examiners’ performance in detecting physical countermeasures used by examinees.”²

“Do the detected countermeasure recordings affect test data analysis?”

“No, . . . (the study) also determined that the presence of the sensor information did not affect the scores or countermeasure ratings of examinees who had not been programmed to perform countermeasures.”³

“Can the detected countermeasure recordings be used for test data analysis?”

“No, other than for the purpose of observing purposeful non-cooperation, there is no diagnostic value in the motion sensor tracings as to test data analysis.”

“I can’t afford one; they are very expensive.”

“So is a law suit.”

References
1  Ball & Gillespie Polygraph - Edmonds, Washington
2  Ogilvie, Jack and Dutton, Donnie  “Improving the Detection of Physical Countermeasures With Chair Sensors” Polygraph  Volume:37, 2008
3  Ibid
Editors note:

I wanted to start a series on polygraph abroad and invite our foreign members to contribute. I am fascinated by the dedication I have seen by a number of non-US examiners who have sought polygraph training and strive to develop and practice it. I started by asking one of our newer members, Krista Ranacher of Tanzania, to kick off the series. Krista, a gifted writer, has done a wonderful job for us and I hope you enjoy her piece as much as I did.

From Krista:

The United Republic of Tanzania is a relatively large and naturally rich East African country comprised of mainland Tanganyika and the Zanzibar Archipelago1. The mainland of Tanganyika gained its independence from the United Kingdom in 1961 and was joined with Zanzibar and Pemba in 1963 to make Tanzania. As an early adopter of independent rule, Tanzania played host to many of the rebel groups that became the ruling parties of other African nations, especially Uganda, Mozambique, Zimbabwe and the ANC of South Africa.

1 Retrieved from https://www.google.co.tz/maps/place/Tanzania/@-6.3728253,34.8924827,6z/data=!3m1!4b1!4m2!3m1!1s0x184b51314869a111:0x885a17314bc1c430
The official languages in Tanzania are Kiswahili and English. According to the World Bank the population is approaching 51 million people and less than half the rural population enjoy an “improved water source”². Transparency International gives Tanzania a score of 31/100 on its “corruption perceptions index” which places the country at a rank of 119 out of 179 countries on their scale³.

Tanzania is a popular tourist destination for safari and beach holidays. The economic capital of Dar es Salaam boasts an important ocean port that serves inland neighbours in the region: Burundi, Rwanda, Uganda and beyond. Otherwise, this low-income nation relies on aid, limited agriculture and processing and gold and mineral extraction. Recent oil and gas discoveries off the coast in the Indian Ocean and around the inland great lakes is attracting much international attention and prospecting of all kinds. International companies, corporates and other organizations operate in a highly competitive high-risk business environment with little in the way of effective regulation, infrastructure and/or service from the public services.

**Polygraph in Tanzania**

Polygraph is in its very infancy in a Tanzania where the light we can shine into dark corners with this science is very much needed. Polygraph has not been used as evidence in a public court of law in Tanzania. There are no known public sector polygraph programs. Before I had a work permit to practice here, I had the opportunity to address a continuing education seminar on polygraph evidence at the Tanganyika Law Society. I have also been asked to address business gatherings on a few occasions to introduce polygraph and what we can do with our science. Polygraph examiners do sit as expert witnesses at labour or disciplinary hearings in

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³ Retrieved from http://www.transparency.org/country/#TZA.
companies and organizations where they are commissioned to work privately. Until a few years ago there were no resident polygraph examiners in Tanzania. Of the handful that are now at least part time residents and practicing private polygraph examiners, only one might have been born here. I am Canadian and I have lived in Tanzania for almost 10 years. Private examiners mostly assist to investigate fraud, theft and collusion in organizations where sometimes it has been allowed to fester for many months and years.

Training

Two of the polygraph examiners who have been residents in Tanzania were apparently trained in country by an APA trainer who did a private session just for them. I did polygraph school in Pretoria South Africa with Chuck Slupski and Estelle Dreyer at the American International Institute of Polygraph. I graduated in May 2011. Shortly thereafter I started, a limited business in Tanzania with a South African mentor and business partner. I went back to South Africa in June 2013 for some continuing education and I went to the 49th Annual Seminar in Seattle. I hope to do well enough to keep attending the Annual Seminars bi-annually and I’d like to get down to South Africa for continuing education and advanced training during 2015.

My practice

I primarily use the AFMGQT and have recently started using the TES/DLST after gaining the confidence to add it to my toolbox in Seattle. I work for security companies, a mobile phone company or two, mines and interesting odd jobs along the way.

I try to remember that every test I do might be the one that someone decides to challenge in a Tanzanian court for the first time. I am not a big fan of screening programs because I find it becomes a box ticking exercise rather than an effective use of the science of polygraph. I have worked on one effective periodical screening program with a loss control officer at a bottling company for almost two years. The constant rotation of people through several other management chairs that I deal with in other organizations is a constant challenge.

When someone inherits a polygraph program they come with a whole new set of understandings and expectations of how the science can serve them.
Indeed, gaining the trust and rapport needed to collect good data isn’t confined to the exam room. I often find myself in the position of having to introduce, sell and defend the science and I am very glad for the support and continuing education from the APA in helping me to talk about it confidently and collect data that I can believe in. When I’ve gone wrong I feel it is not the science of data collection that has let me down but the ability to get the right information and construct useful questions.

I come to the polygraph profession later in life. I was an anthropologist when I first came to work in Africa on community and organizational development projects in Uganda and Malawi. I feel that my training in social science gives me a longer view on polygraph and some insight into introducing this science effectively in a new market. I met my South African husband in Malawi where we were both posted in 2002 and it is thanks to his work in private security that I got to meet polygraph examiners that he brought in to Tanzania to work for his clients here. One of these stayed in our home for a week at one point, invited me to go to polygraph school and we started our company here together. At this point my business is going into its fourth year and I am delighted with where I’ve had the chance to go with this science.

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In Search of the Holy Tail

Donald Krapohl and Pamela Shaw

This is a story about a tail, a very special tail belonging to a sacred donkey that was used to identify guilty suspects in ancient times. It is a story most polygraph examiners will recognize as having been taught as part of the history of lie detection.

But before taking up the story about the donkey’s tail, we’d like to take a short side discussion on something else: memes. The connection between memes and a donkey’s tail will make more sense a little later. A meme is a term generally referring to an idea or practice that spreads through a culture, typically by imitation. Customs can be memes, and usually are. So can gestures, buzzwords, etiquette, and things like stories and legends. Memes are conceptually conceived as the cognitive equivalent of a biological gene in how it spreads, how it can mutate, and how it responds to selective pressures. It is a term coined by Richard Dawkins, an evolutionary biologist, to conceptualize how ideas and social practices are an analog for organic evolution: those with value spread and mutate while those without value disappear.

With memes in mind, let us now return to the donkey’s tail. Virtually every polygraph examiner knows the story of the donkey’s (or “sacred ass”) tale. It is a story that takes place centuries ago in India, where a Hindu leader wants to identify which of several suspects is guilty of an offense. He arranges to place lamp black, a dark powder that results from burning oil, on the tail of the donkey. The donkey is placed in a darkened room where each suspect is instructed to individually enter and pull the donkey’s tail. Before going into the darkened room, however, the suspects are told of the donkey’s magical abilities of discernment, wherein it will bray loudly when the guilty party, and only the guilty party, pulls its tail. As each of the suspects exits the darkened room the leader examines his hands for lamp black. It is expected that the guilty suspect would be afraid to pull the donkey’s tail for fear of the donkey braying, and therefore be the only suspect with clean hands. That is how the story goes.

The account has a few variations, depending on the teller. The leader is sometimes called a

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1 With abject apologies to the Monty Python comedy team.

2 The views expressed in this article are solely of the authors, and do not necessarily represent those of the Department of Defense, US Government, or the National Polygraph Academy. This article is based on the authors’ historical research during the production of the forthcoming text Fundamentals of Polygraph Practice. Comments can be directed to krapohl@gmail.com.
“crafty Hindu prince,” other times he’s a Hindu priest. Lamp black is occasionally replaced with mud, soot, dirt, and even grease. The room holding the donkey/sacred ass is variously a tent, a chamber, a hut, or a stable. Sometimes a specific period is identified, such as 500 BC, while other versions suggest it is far more recent. All accounts that place the practice in a specific region of the world seem to agree that India was the site. Irrespective of the finer details, the meme is of a Hindu leader in India using a donkey and an astute understanding of human psychology to manipulate a suspect into inadvertently revealing himself.

The sacred ass story is found in many books and articles over several decades. With little effort we located more than a dozen books that make reference to it. The “tail tale,” as we shall call it hereafter, is also repeated in websites of polygraph companies, in websites of polygraph detractors, in polygraph school lessons, and in uncountable seminar presentations.

So, the tail tale must be true, right? The answer is this: at best, maybe. Verification is extraordinarily difficult to come by. Most books and articles tell the story without citing its source. The few publications that do include a citation will list some other author who told the tail tale previously, but there is never a complete trail of citations that lead to an authoritative original source.²

As far as we can tell, Keeler (1936) appears to be the first writer to report the tail tale in the context of the history of lie detection. Keeler, not known to be an expert in Hindu customs or history, is an unlikely authoritative source. Then, where did Keeler get it? The tail tale was not to be found in Keeler’s textbooks donated to the National Center for Credibility Assessment. Lie detection pioneer William Marston (1938) did not write about it. Scholars such as Larson (1932) and Trovillo (1939), both Keeler contemporaries, never mention it in their impressive review of the history of lie detection. Neither is it located in Lea’s (1866) exhaustive treatise on the history of ordeals and trials upon which both Larson and Trovillo relied heavily.

Following Keeler’s 1936 publication of the tail tale, it appears again in C.D. Lee’s polygraph text, The Instrumental Detection of Deception (1953), and Mulbar’s Interrogation (1951). Reference to the story is also found in the handwritten notes of former APA Editor Norman Ansley from when he attended the Keeler Institute in 1951. All these writers can be traced to Keeler, but none of them included an original citation in their writings. Where did Keeler get the tail tale? Was it possible he made it up, or perhaps he had repeated one told to him, and others have merely copied him? Without any authoritative foundation available in published accounts of the tail tale, no possibility can yet be ruled out. And thus began our search for the origin of the tail tale.

Our hunt inevitably took us to the Internet to see whether an authenticated original source could be located. (Be forewarned: Using “sacred ass” in your web search will lead to sites having nothing to do with lie detection). Eventually we did encounter a promising website with remarkable historic resources: www.archive.org. This free site holds a digitized archive of hundreds of thousands of books going back several centuries from scores of countries,

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² As an example of how the tail tale has been passed down from author to author, Cacioppo et al (1994) cited Hassett (1978), who cited Sternback et al (1962), who cited C.D. Lee (1953). C.D. Lee (1953) did not cite anyone, but the most reasonable source was the published account by his former coworker, Leonarde Keeler (1936).
and all searchable. The majority were in English. The texts are either copyright-free, or the copyright had expired. If the tail tale could be found anywhere, this was the best prospect.

The starting point was to identify books that could potentially contain the tail tale. Using a few critical keywords (India, Hindu, Hindoo, Hindustan, Hindoostan), we reduced the search to just over 300 English-language books published up to 1936, the year Keeler wrote about the tail tale. The books were a rich collection of writings by a wide range of authors who had lived in, or traveled to, early India: British explorers, ethnologists, British colonial officials, teachers, Christian missionaries, entrepreneurs and businessmen, university professors, European settlers, historians, and diary writers. If the tail tale originated in what is now India, we were confident that some writer who experienced India would have commented on it.

One of the great features of the archive.org website is it allows users to conduct keyword searches within a text. We did so for the more than 300 books identified by the keywords listed earlier. We searched for the following words and phrases for each text: donkey, mule, sacred ass, thief, lying, and guilt. Those searches produced thousands of hits. An examination of each of the hits did not reveal the tail tale, however. We were surprised, and disappointed, the tail tale was not mentioned anywhere in this collection. Inasmuch as the tail tale was not noted by any author over the long course of Indian history, from writers who gave comment to even the most trivial aspects of Indian culture and custom, our search seemed to have reached a dead end.

Well, not quite a dead end. Here is where serendipity stepped in. During the search of one text, Shurreef (1832) describes a custom in India that, though not identical, was reminiscent of the tail tale. Here is what he wrote:

“When a person’s property is stolen he sends for a thief-catcher; and should he suspect any particular individual, he assembles together a few of his neighbours along with that person. Then the thief-catcher having besmeared the floor of an apartment with yellow or red ochre or cow-dung, and sketched thereon a hideous figure of prodigious size, selecting any one from among those employed in the casting out of devils, giving it four frightful faces, he places a handmill in the centre of it, having previously rubbed some assafœtida about the centre betwixt the two stones. The upper stone of the mill is placed obliquely, resting on the pin in the centre of the lower one, or some cloth or flax is wound round the pin, about the distance of a finger or two from the top, and on this the upper stone rests, so that it appears as if suspended in the air and not resting on anything. He places near the mill a few fruits, & burns frankincense, and places thereon a lighted lamp, made by burning oil in a human skull-cap. He then desires the men and women to go one by one into the room, touch the centre of the mill, and return to him; adding, that should none among them be the thief, they need not hesitate in so doing; observing, “Behold, by the power of my science the stone is suspended. Whoever is the thief, his hand will be caught between the stones, and it will be no easy matter for him to extricate it. Nay, the chances are, the upper stone will fall and crush his hand to atoms.” While they do this, the thief-catcher sits in a place by himself; and as each individual comes to him, he smells his hand, to ascertain whether it have the odour of assafœtida, and then sends him away to a separate apartment, that they may have no communication with each other. He who is the guilty person, through fear of being detected, will not on any account
touch it; consequently his hand will not smell of assafœtida, and he must be set down for the thief. The operator then takes him aside, and tells him privately, “swear that I will not expose you, provided you deliver up the article to me, and your honour will remain wholly unimpeached.” In consequence of which, should it be a reputable man, he will immediately confess it and deliver up the stolen goods...” (p 390-391).

In describing this practice, Shurreef (1832) reports the thief-catcher ploy was practiced in India among the “Moosulmans,” an earlier expression for Muslims. The book’s preface goes on to say that many of the Moosulman customs had been borrowed from the Hindus. The thief-catcher story may be one of those.

This brings us back to the tail tale. We conducted an extensive search through authoritative books and accounts that should have documented the tail tale, had the custom been commonly practiced, but we did not find it. Keeler’s own personal library was similarly silent on the practice. If the tail tale actually took place among the early Hindus, or even in historical India, we would have expected it to appear in the collection we searched. We failed to confirm the story’s authenticity, and its absence from so many sources raises doubts about it.

Whether true or false, the tail tale is a meme in polygraphy, an idea spread through our professional culture decades ago and kept alive ever since by generations of polygraph instructors for its value in teaching about lie detection. We still hope to one day identify the source of the tail tale. Until then, we are compelled to regard it as apocryphal.

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Other books retelling the story of the “sacred ass”.


What is a p-value?

A p-value is a statistic that describes probability of error or margin of uncertainty associated with the result of a scientific experiment or scientific test such as a polygraph test. P-value (p) is a scientific or statistical or term for score, in the same way that alpha (a) is scientific or statistical term for decision threshold or “cutscore.” P-values - expressed as a decimal value - are calculated for results of computer scoring algorithm, and can also be calculated for manual polygraph scores.

What is a proportion?

A proportion describes the fraction or percentage of the data that are observed at or exceeding a certain value. A proportion describes what we observe in the data we have, and can be the basis for a p-value or probability.
What is a probability?

A probability is similar to a proportion in that it describes a fraction or percentage of data. But the meaning or use of a probability is slightly different from that of a proportion; probabilities use observed proportions of the data we have to make inferences or predictions about data we do not have. In polygraph testing we use proportions of confirmed case samples or reference distributions to calculate the probability of error - because there is no such thing as a test that offers deterministic perfection - associated with test results when we do not have external or independent confirmatory information?

What is a prediction?

A prediction is a probability statement about what we expect to observe when or if we can obtain more evidence and data. We use scientific experiments and scientific tests with data that we have to make predictions about data that we do not have - such as when attempting to make conclusions about things that cannot be subjected to deterministic observation or physical measurement. We do not need a test or experiment when we can observe or measure directly. Conclusions from scientific tests and experiments are predictions; they are statements about how we think the universe and reality are likely to be observed when or if we have the opportunity. Polygraph test results are a form prediction that the categorical polygraph results can be confirmed by information or evidence if we continue to investigate or interview a subject. Because prediction is difficult (especially predicting the future) and to avoid charlantry, scientific predictions are expected to be quantifiable, documented, and replicable.

Can we use the compliment or inverse of a p-value (1-p) as a probability or prediction that a conclusion is correct?

Sometimes yes. Sometimes no. This can be done correctly when data from two exclusive decision categories is known to have the same distribution. The compliment or inverse of a p-value is referred to as a confidence-level, and is often expressed as a percentage. If the data for the categorical conclusions is expected to come from different distributions (different means, variance, or shape for the different categorical groups) then it is not correct to take the compliment of an error statistic as a probability of a correct conclusion.
Disability Laws

In 2008 the Americans With Disabilities Amendment Act (ADAAA) expanded the menu of conditions from the Americans With Disabilities Act (ADA) that might qualify as a disability. Neither the ADA nor the ADAAA considers pregnancy to be a disability unless some complications associated with pregnancy significantly impair a major life function. Nevertheless, in July of 2014, the Equal Employment Opportunity Commission (EEOC), the federal agency that investigates complaints that employers have violated a federal employment law, issued new “enforcement guidance rules” (1) which essentially includes pregnancy as a workplace disability by reinterpreting the 1978 Pregnancy Discrimination Act (2). In a case currently before the U.S. Supreme Court (3), the previous interpretation, that medical events associated with activities away from the job are not work related, is being challenged. Since it is the Court and not the EEOC that will interpret the meaning of this and other federal employment laws, employers should use caution before changing any present practices and policies regarding pregnancy and the new EEOC enforcement guidance rules, at least until this case is resolved.

Ban The Box

As of October of 2014, thirteen states and at least sixty cities and counties have enacted laws, ordinances or policies prohibiting public employers from requesting information about criminal convictions on applications and Personal History Statements or conducting criminal record checks prior to Conditional Offer of Employment (COE) (4). While some of these prohibitions exempt public safety employers, they are not uniform or consistent. Colorado, for example, exempts the Department of Public Safety, public and private Corrections and public employee Retirement Associations but not elder care

*Stanley M. Slowik is a frequent contributor to APA publications and presenter before polygraph associations and groups. He is a practicing examiner with over 45 years of field experience and the author of a federally recognized high quality polygraph validity study.
facilities, Fire Departments or public and private schools (5). Employers are therefore strongly advised to have state and local statutes and policies reviewed to first determine applicability.

As discussed at length previously (6), deferring the review of criminal convictions appears to contradict at least two federal appellate court decisions encouraging that all phases of the pre-employment selection process, except the physical and psychological, be conducted prior to COE, determining that offers with too many conditions are not real (7).

In 2012 the EEOC updated its Enforcement Guidance on Employer Use of Arrest and Conviction Records in Employment Decisions (8) having concluded that certain races and nationalities might be disproportionately or adversely affected by such evaluations and placed significant restrictions on the practice of criminal record checking.

All criminal record data bases, including the U.S. Department of Justice (9), clearly show this disparity, with African-Americans and Hispanics being convicted approximately twice as often as Whites. Notably absent from the EEOC observation, however, is any discussion of type of crime or gender. Males are convicted nearly four times as often as females and crimes of violence seem to be the most significant distinguishing variable based on race.

Proponents of criminal record checking maintain that the statistical disparities only
reflect realities: that males actually engage in workplace violence and other employment-related criminal activities more frequently than females and delaying the evaluation of criminal activity harms both applicants and employers. Further, since most crime in America is opportunistic in nature, while statistically African-American males are arrested and convicted of crimes of violence more frequently than any other racial group, over 90% of their victims are also African-American. Opponents of criminal record checking propose that these disparities are the result of gender and racial bias against men and African-Americans on the part of complainants, police, prosecutors, judges and juries. This statistical disparity or adverse impact, is not limited to criminal record checking and appears in all measures of criminality including psychological testing, character reference checking and pre-employment polygraph testing based on pre-test and post-test admissions.

**Sexual Orientation**

Executive Order 11478 prohibits federal employers and to a large degree, their subcontractors from discriminating in employment based upon Sexual Orientation (10). The U.S. Merit Systems Protection Board points out that Executive Orders are different from legislative statutes and therefore lack the legal mechanisms for redress accorded Civil Rights (11). As is the case with any variable protected in this manner, it may not be illegal to ask for or obtain the information identifying the applicant as a member of a protected group but most would consider it ill advised to solicit the information. Overtly asking for the information strongly implies the information was, in fact, used as part of the employment decision – why ask for it if you don’t use it? Therefore, it might be wise to remove requests for information regarding sexual orientation from any personal history statements, applications or pre-polygraph assessment forms.

**Educational Standards**

The EEOC has indicated that it intends to continue to challenge the use of education standards and educational employment requirements, maintaining that disqualifying applicants who fail to meet educational requirements could be a discriminatory practice on the basis of both race and disability. The EEOC’s argument is that a person with a learning disability might not be able to qualify for jobs with specified educational prerequisites. While the EEOC is not prohibiting the use of educational standards, the EEOC’s interpretation of the Americans With Disabilities Act Amendment Act requires employers to first prove that a specific educational standard is a Bona Fide
Occupational Qualification, of Business Necessity or an Essential Function for the position being sought. This might be easy to achieve if there are federal licensing or certification requirements with imbedded educational prerequisites, in effect, playing off one federal mandate against another. Unfortunately, since federal law trumps state law, employers without federal protection would have to show that employees with less than the required level of education either couldn’t perform the job or have an unacceptable lower level of performance. As law enforcement agencies require higher levels of education as minimums but employ individuals with less than the new requirements, proving the need for the higher levels based upon actual job performance could become problematic. However, the EEOC further requires that even if an employer can show that the education requirement is job related and consistent with business necessity, “…the employer may still have to determine whether a particular applicant whose learning disability prevents him from meeting it can perform the essential functions of the job, with or without a reasonable accommodation, despite not have the diploma (educational requirement)” (12).

As is the case with admissions of criminal activity and criminal records, there are significant statistical differences based on race and gender with regard to objective measures of educational achievement. Women, increasingly, have higher college enrollment and graduation rates – as well as higher GPA’s – than men (13) so, statistically, college education requirements discriminate against men, particularly, African-American males. However, there are far more successful performers in male dominated professions such as law enforcement, than women simply because there are far more males. One could therefore conclude either that educational requirements are irrelevant to performance in law enforcement or that the measures of successful performance are gender biased to favor males, neither of which may actually be true. Proving or disproving any of these postulations would be difficult and time consuming if even possible, a reality the EEOC often uses to obtain compliance with its interpretations of federal employment laws and Executive Orders. Ironically, the Obama Administration recently proposed that new hires in charge of certain public school food services “…have bachelor’s degrees in food and nutrition or other related fields, while master’s degrees are preferred” (14), a new education requirement few school food service employees possess.

Electronic Recordings

On May 12, 2014 the U.S. Department of Justice issued a new “Policy Concerning Electronic Recording of Statements” creating a presumption that custodial interviews
(and presumably, polygraph examinations) and interrogations be electronically (preferably both audio and video) recorded “as soon as the subject enters the interview area until the interview is completed” (15). The policy, effective July 11, 2014, applies to U.S. Attorneys, federal agents and private contractors working as agents with the FBI, DEA. ATF and U.S. Marshals Office. There are some exceptions permitted, e.g. when agents and the U.S. Attorney agree in advance not to record, when subjects refuse to be recorded, anything that could damage national security, etc. Since most polygraph examinations of witnesses and suspects take place prior to arrest or detention, it appears that this policy would not affect most polygraph examinations since they usually take place in non-custodial circumstances. Nevertheless, examiners retained or employed by these federal agencies should check with their specific agency’s interpretation of the new policy as well as changes to previous policies requiring the presence of two agents and Form 302.

2014 Profiling Guidelines

On December 8, 2014 the Department of Justice issued new guidelines superseding the previous guidelines prohibiting racial profiling by federal law enforcement agencies. The new guidelines expands the identification variables to include not only race but ethnicity, gender, national origin, religion, sexual orientation, or gender identity and applies to both federal law enforcement activities and national security and intelligence operations. Further, it limits the use of these variables to “listed characteristics in a specific suspect description” and the “…prohibition applies even where the use of listed characteristics might otherwise be lawful” (16). While there are some federal agencies exempted from these new requirements, as are all state, county and municipal police agencies, it is assumed that private polygraph examiners acting as agents for non-exempt federal agencies would have to conform to the new directives as if they were federal employees.

It is unlikely that this directive will require any significant changes to the normal investigative process since the type of profiling as described in the directive is not part of any recognized investigative procedure or practice. However, it may be difficult for a federal agency to prove it not use a prohibited profiling practice because of the overlap between criminal profiling and the new, prohibited profiling. Most sexual abusers of children are male, regardless of the gender of the victim. The vast majority of people involved in computer, securities and Medicare fraud are white. In some large urban areas, the vast majority of victims of violence will be of the same ethnic or racial group as the suspects. Investigators and polygraph examiners should avoid any mention of the Voice of Experience, probability analysis and intuitive deduction in any report or discussion.
with associates since these practices are never part of a “specific suspect description”.

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Director: Benjamin Blalock
Ph: 630.258.9030
E-Mail: Ben@apsPolygraphSchool.com
Webpage: www.apsPolygraphSchool.com

**Academy of Polygraph Science Latinamerica**
12945 Seminole Blvd. Ste 15
Largo, FL 33778
Director: Arno Horvath – 727.531.3782
E-Mail: polygraphacademy@hotmail.com
Website: abhpolygraphscience.com

**American Institute of Polygraph (Singapore)**
908 Barton Street
Otsego, Michigan 49078-1583
Director: Lynn P. Marcy
Ph: 269.692.2413
Fax: 269.694.4666
Webpage: www.polygraphis.com

**American International Institute of Polygraph**
P.O. Box 2008
Stockbridge, GA 30281
Director: Charles E. Slupski
Ph: 770.960.1377
Fax: 770.960.1355
E-mail: aiip@qpolygraph.com
Webpage: www.polygraphschool.com

**Backster School of Lie Detection**
861 Sixth Avenue, Suite 403
San Diego, California 92101-6379
Director: Cleve Backster
Ph: 619.233.6669
Fax: 619.233.3441
E-mail: clevebackster@cs.com
Webpage: www.backster.net

**Canadian Police College Polygraph Training School**
P.O. Box 8900
Ottawa, Ontario
Canada K1G 3J2
Director: Donald Macaulay
Ph: 613.998.0886
E-mail: donald.m.macaulay@rcmp-grc.gc.ca

**Centro de Investigacion Forense Y Control de Confianza S.C.**
Rodriguez Saro #523, Int. 501-A Col. Del Valle
Del. Benito Juarez
Mexico, D.F. C.P. 03100
Director: Jaime Raul Duran Valle
Ph: 011.52.55.2455.4624
Webpage: www.el-poligrafo.com

**Centro Mexicano de Analisis Poligrafico y Psicologico, S.C.**
Plateros 110, building 76, int 101
Col. San Jose Insurgentes
Del. Alvaro Obregon
Mexico D.F. (Mexico City) 03900
Phone: (52)(55) 56608728
(52)(55) 55936075
E-mail: fernanda@cemapp.com.mx

**Gazit International Polygraph School**
29 Hamered, Industry Building
P.O.Box 50474
Tel Aviv 61500 Israel
Director: Mordechai (Mordi) Gazit – 972.3.575.2488
E-mail: mordi@gazit-poly.co.il
Webpage: www.polygraph-school.com

**Horowitz-Ginton Credibility Assessment Academy**
11 Ben-Gurion, Vita Towers
Bnei-Bark 51260 Israel
Director: Dr. Avital Ginton
Ph: 972.3.616.1111
E-mail: ginton@zahav.net.il

**Instituto Latinoamericano de Poligrafia Mexico**
Genova 33, Despacho 503
Col. Juarez Del Cuauhtemoc
C.P. 06600 Mexico D. F.
Director: Sandra Zambrano
E-mail: lpi2007@gmail.com

**International Academy of Polygraph**
1835 South Perimeter Road, Suite 125
Fort Lauderdale, Florida 33309-3066
Director: Scott A. Walters
Ph: 954.771.6900
Fax: 954.776.7687
E-mail: dci@deception.com

**International Polygraph Studies Center**
Insurgentes Sur No. 1877, Piso 2
Ofic. 204 Col. Guadalupe Inn
Deleg. Alvaro Obregon
C.P. 01020 Mexico D. F.
Director: Raymond Nelson – 303.587.0599
E-mail: international@poligrafia.com.mx

**Israel Government Polygraph School**
P.O. Box 17193
Tel-Aviv 61171 Israel
Director: Eyal Peled
E-mail: igpolyschool@012.net.il
Latin American Polygraph Institute
Carrera 46 #93-70
Barrrio La Castellana
Bogotá, Colombia
Director: Sidney Wise Arias
Ph: 571.236.9630
571.482.9421
E-mail: swarias@bellsouth.net

Marston Polygraph Academy
390 Orange Show Lane
San Bernardino CA 92408
Director: Cynthia Saenz
Ph: 877.627.2223
e-mail: mail@marstonpolygraphacademy.com
Webpage: www.marstonpolygraphacademy.com

Maryland Institute of Criminal Justice
8424 Veterans Highway, Suite 3
Millersville, Maryland 21108-0458
Director: Billy H. Thompson
Ph: 410.987.6665 or 800.493.8181
Fax: 410.987.4808
E-mail: MDMICJ@aol.com
Webpage: www.micj.com

Mexico Polygraph Studies Unit
Calle Cuauhtemoc # 168
Colonia Tizapan de San Angel
Mexico D.F. 01059
Director: Luz Del Carmen Diaz
Ph: 011.52.55.5616.6273
E-mail: ldgalindo@entermas.net

MINDEF Centre for Credibility Assessment
Block 13, Mandai Camp 2
Mandai Road
Singapore
Director: V. Cholan – (65) 67684147
E-mail: cholan@starnet.gov.sg

National Academy of Training and Investigations in Polygraph Analysis
Reforma #364, Colonia Juarez
Delegacion Cuauhtemoc
Mexico, D.F. CP 0660
Director: Jesus Sandoval Escalante
Ph: 011.52.5.552.410313

National Center for Credibility Assessment
7540 Pickens Avenue
Fort Jackson, SC 29207
Director: William F. Norris
Ph: 803.751.9100
Fax: 803.751.9125 or 37
Registrar e-mail: registrar@ncca.mil
Webpage: www.ncca.mil
Federal, State, and Local Law Enforcement only

National Polygraph Academy
1890 Star Shoot Parkway, Suite 170-366
Lexington, KY 40509
Director: Pam Shaw
Phone: (859) 494-7429
E-mail: shaw.national@gmail.com
Website: http://www.nationalpolygraph.com

New England Polygraph Institute
15 Glidden Road
Moultonborough, NH 03254
Director: David J. Crawford
Ph: 603.253.8002
E-mail: kacdc@worldpath.net

Northeast Counterdrug Training Center Polygraph Program
P.O. Box 4087
Austin, Texas 78773-0001
Director: Charles M. Hicks
Ph: 512.997.4093
Fax: 512.424.5717
Local, State, and Federal agencies only

The Polygraph Institute
19179 Blanco Road, Ste. 105, #812
San Antonio, TX 78258
Director: J. Patrick O’Burke
Ph: 817.290.0033
E-mail: JPOBurke@thepolygraphinstitute.com
Webpage: www.thepolygraphinstitute.com

Tudor Academy
Carrera 66, No. 42-103
Barrio San Juaquin
Medellin, Colombia
Director: Charles Speagle
Webpage: www.tudoracademy.com

Veridicus International Polygraph Academy
Domingo Gonzales #35 Bis, Col. San Antonio Culhuacan
Del. Iztapalapa
Mexico DF, C.P. 09800
Director: Yasmin Rios
Ph: (01152) 15591033522
Webpage: www.veridicusinc.com

Virginia School of Polygraph
7885 Coppermine Drive
Manassas, Virginia 20109
Director: Darryl Debow
Ph: 703.396.7657
Fax: 703.396.7660
E-mail: Polygraph11@comcast.net
Webpage: www.virginiaschoolofpolygraph.com