Contributors to this issue

Robbie Bennett
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Nate Gordon
Michael Gougler
Lisa Jacocks
Jeff Johnson
Michael Lynch
Gregg Marshall
Vickie Murphy-Carr
Raymond Nelson
Marty Oelrich
Pam Shaw
Don Weinstein
Gordon Vaughn

Deadlines

This issue closed on May 22, 2009.

Deadline for July/August issue is July 23, 2009.

Submission of Articles

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2009 Class Start Dates

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<thead>
<tr>
<th>Jan. 5</th>
<th>March 16</th>
<th>April 20</th>
<th>June 1</th>
<th>Sept. 8</th>
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Director & Primary Instructor– Charles (Chuck) E. Slupski

Primary Instructor – Allan E. Stein
Army CID Examiner & Polygraph Instructor at US Army Polygraph School

Primary Instructor – Robbie Frederick
Clayton County Police Department Examiner & Instructor

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www.polygraphschool.com
Editor’s Corner
Donald J. Krapohl

First, congratulations to the winning candidates for the 2009-2010 APA Board of Directors: Nate Gordon (President Elect), Jimmy Padget (VP Government), Pam Shaw (VP Law Enforcement), Vickie Murphy-Carr (Secretary), and Marty Oelrich (Director). When this issue of the APA Magazine went to press the runoff between the two VP Private candidates (Ray Nelson and Bill Teigen) was in full swing. Check the APA website regularly for the first announcement of those results.

You might have noticed when your APA Magazine arrived it was more substantial than normal. There is a good reason for that. As we run up onto the APA Annual Seminar the membership needs to be apprised of some important items. One is the new Model Policy for PCSOT. This model policy is the culmination of the efforts of many individuals over the last few years, and it will help the clients of our members identify the quality work of APA members from the “chart rollers” who currently have an economic edge due to cutting a lot of corners.

There are also proposals to restructure how Universal Voting is accomplished in the APA, to ensure it is as fair, open, transparent, and efficient as it can be. You’ll also find seminar information so you can take advantage of what is certain to be a fun and educational event. And, of course, we have our regular features that have become so popular. I hope you will enjoy your APA Magazine. See you in Nashville!
Applicants for APA Membership

Timothy J. Acosta       Staten Island, New York
Vilma Arenas         Guatemala, Guatemala
Andrea Arevalo-Murcia  Bogota, Colombia
Andrew K. Armstrong   Worcester Hire, United Kingdom
Marto Baldovino-Perez  Bogota, Colombia
Michael G. Barrera    Humble, Texas
David M. Bernardo     Hoboken, New Jersey
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Hyunggil Choi        Seoul, Korea
Hung-Kwang Chiu      Taipei, Taiwan
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George C. Deitchman  Jacksonville Beach, Florida
Timothy J. Doll       Casper, Wyoming
Julia E. Duff         Florence, South Carolina
Martin Dyssel        Wonderboom, South Africa
Martha Encinales-Arango  Chia, Colombia
Chun-Ying Cheng      West Hartford, Connecticut
Frank J. Fallon       Chapmanville, West Virginia
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Guiomar Garcia       Albuquerque, New Mexico
Sonny F. Garcia      Woodbridge, Virginia
Joseph M. Gaudiano    Bogota, Colombia
Fernando A. Gomez     Albuquerque, New Mexico
Zazza Green          Lawrence, Kansas
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Esperanza Guzman-Daza Nassau, Bahamas
Martha Encinales-Arango  Bogota, Colombia
Mendel Stan Hepburn  Grand Forks, North Dakota
Rick A. Hilzendager  Bogota, Colombia
Gloria P. Hincapie    Bemidji, Minnesota
Scott J. Hoffman     Daphne, Alabama
Stephanie M. Hollinghead  Centreville, Virginia
Emily R. Horten     Woodstock, New Jersey
Thomas L. Hubbard    Sherman, Texas
Carl E. Hudman       Bucaramanga, Colombia
Omar Ibarra-Blanco   Estado, Mexico
Luis Jimenez-Ponce  Estado, Mexico
Alexander Isa Johnson  Kingston, Jamaica
Paul A. Kotter       Morgan, Utah
Brian D. Leitzinger  Appleton, Wisconsin
Rhyno J. Lombaard    Durban, South Africa
Gabriel P. Lopez     Mexico City, Mexico
Pedro Lopez-Calvo    Bogota, Colombia
Josué Jarquin Loria  Managua, Nicaragua
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Nadhieli Martinez-Villafranco  Obregón, Mexico
Yudy Medina-Marin   Bogota, Colombia
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Jill E. Merchant     Lawrenceville, Georgia
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Coral Gables, Florida
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Elizabeth A. Nelson
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Becky J. North
Denton, Maryland
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Elizabeth J. Christ
Steven M. Crow
Linda K. Gesell
Troy V. Holloway
Brian J. Moran
Sidney W. Newton
Mark A. Sayler
Bryon G. Sims
Randal Turner
Thomas D. Tyson
Jeffrey A. White
Donald B. Witham
**Letter to the Editor**

We would like to take this opportunity to thank the members for your dedication to the field of polygraph. Our parents, Bob and Mary Ann Henson, spent many years working to better of the field of polygraph, but most importantly the training of polygraph examiners at the Backster School of Lie Detection. It was their honor to do so.

It is with significant sadness that due to a series of unfortunate events we announce that the Henson name will no longer be actively associated with the Backster School of Lie Detection.

We wish you well and thank you for your support.

Sincerely,

Dani Henson-Phillips and Jennifer Einbinder

---

**Employment**

**Polygraph Program Manager**

The announcement for the Department of Energy (DOE) Polygraph Program Manager position (117456) is now open. This is a contract position through Battelle/Pacific Northwest National Laboratory for DOE. The announcement will close in early July. External candidates must apply via the PNNL jobs website (http://jobs.pnl.gov/). Applications will ONLY be accepted via the website interface; a courtesy resume may be emailed to shiela.thomas@pnl.gov (not required). Candidates that experience difficulty submitting to the announcement are encouraged to contact:

Robert Dromgoole, NSD Recruiter  
Phone: 509-375-2441  
Email: robert.dromgoole@pnl.gov

**Interview and Interrogation Specialist (Polygraph Examiner)**

The San Diego Police Department is seeking qualified applicants for an Interview and Interrogation Specialist position. The San Diego Police Department’s Polygraph Unit currently has four specialists. This polygraph unit follows the Backster School of Lie Detection protocol. The Interview and Interrogation Specialists are responsible for conducting detailed interviews and interrogations involving the use of computerized polygraph instruments for determining truthfulness in criminal investigations and in pre-employment applicants, and resolving issues developed as a result of an examination. Additional duties would include providing expert testimony in court, report writing, repair and upkeep of polygraph equipment, providing after hours response for investigative units, and providing training and expertise to departmental investigators regarding polygraph examinations.

For information on the position, including qualifications, salary and instructions on how to apply for the openings, please contact Tanya DuLaney, Supervising Criminalist, Interview & Interrogation Specialists, San Diego Police Department, (619) 531-2812.
Daan Bekker

On May 3, 2009, Daan Bekker, President of the Polygraph Association of South Africa, and former member of the APA, passed away. Daan was born in the Western Cape in 1932, and was a leading amateur boxer as a young man. He won the Bronze Medal at the Melbourne Olympics as a heavyweight in 1956 and the Silver Medal at the Rome Olympics in 1960. He retired from the South African Police Service and was considered one of the country’s top fingerprint experts, who went on to become one of the leaders in the South African Polygraph community. He is survived by his wife, 3 daughters (2 whom are polygraph examiners), son and granddaughter. He will be missed by all.

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Joe Perry Operations Manager

This polygraph examiner-training course is a comprehensive ten week program in the latest computerized polygraph techniques. Classroom is equipped with state-of-the-art equipment to view live examinations both physically, and electronically, as it is seen and done on the computer screen. Small classes (no more than 10 students) offer one-on-one attention to student needs. It consists of intensive classroom study, hands-on practice and a post test field project.

Information regarding this course, including, but not limited to pre-requisites, curriculum, tuition, refund policy, academic progress, etc., can be found on our website: http://www.azpolygraphschool.com/

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Numerically score your charts on your computer screen using our display of easy to understand computer measurements which are designed to facilitate the efficiency, reliability, and accuracy of diagnoses of truth and deception.

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Polygraph Examiner Training Schedule

**Academy for Scientific Investigative Training**
September 21 - November 13, 2009

**PCSOT**
November 16 - 20, 2009

**Advanced PCSOT**
September 16 - 18, 2009

**Forensic Assessment Interviewing & Interrogation Techniques (FAINT)**
October 5 - 9, 2009

**Academy of Polygraph Science**
September 8 - October 30, 2009 (Largo, FL)*

*based on enrollment

**American International Institute of Polygraph**
September 8 - November 13, 2009
September 8 - October 30, 2009
September 28 - December 4, 2009 (South Africa)

**PCSOT**
July 27 - 31, 2009 (Lafayette, IN)

**Arizona School of Polygraph Science**
September 7 - November 13, 2009

**Backster School of Lie Detection**
September 14 - November 6, 2009

**PCSOT**
November 9 - 13, 2009

**Defense Academy for Credibility Assessment**
August 18 - November 19, 2009

**Horowitz-Ginton Credibility Assessment Academy**
November 2 - December 31, 2009

**Advanced Training**
July 6 - 10, 2009
October 19 - 23, 2009

**Marston Polygraph Academy**
July - September, 2009 (Tacoma, WA)

**Maryland Institute of Criminal Justice**
September 14 - November 6, 2009
January 11 - March 5, 2010

**PCSOT**
November 9 - 13, 2009

**Interview-Interrogation Course**
October 6 - 7, 2009

**Troy University Polygraph Center**
August 31 - October 23, 2009

**Advanced Training**
Polygraph Update & Chart Analysis
November 2 - 6, 2009
Advanced Polygraph Techniques
November 16 - 20, 2009
Applicant Testing
November 30 - December 4, 2009
Interview & Interrogation
December 7 - 11, 2009
Upcoming Seminars

The American Polygraph Association will hold its 44th Annual Seminar/Workshop on August 2-7, 2009 at the Sheraton Music Hotel in Nashville, TN. Details and registration forms are on pages 14-15 of this issue.

The American Polygraph Association and the Virginia Polygraph Association will be holding a Continuing Educational Seminar (CES) on November 5-6, 2009 in Virginia Beach, Virginia. For additional information, please call the APA National Office, 800-272-8037.

The Northwest Polygraph Examiners Association will hold its 2009 Summer Seminar in Newport, Oregon on June 22 – June 26th, 2009 at the Agate Beach Inn. Reservations can be made by calling the Agate Beach Inn at (541) 265-9411. A special rate of $89 for single or double rooms, and $175 for suites has been negotiated. The cost of the seminar is $250 for members and $350 for non-members, and includes thirty four hours of APA approved CE training, daily coffee bar, three hosted meals, admittance to our annual banquet, and admittance to our now infamous hosted hospitality room each night where you can meet and mingle with our members. Come talk polygraph with some of the best examiners in the world! General information about the seminar, including registration information, is available on the NPEA web site at www.nwpea.net. All polygraph examiners are welcome to attend.

The North Carolina Polygraph Association (NCPA) and South Carolina Association of Polygraph Examiners (SCAPE) will be holding a training seminar on July 23 - 24, 2009 at the Shell Island Resort, 2700 North Lumina Avenue, Wrightsville Beach, NC. A special room rate of $159 + tax per night is available (must ask for NC Polygraph Association rate) by contacting the hotel at 800-689-6765 or www.shellisland.com. Rate will be available until June 21, 2009 or until NCPA/SCAPE room allotment is fulfilled.

The seminar fee is $150 which includes instruction, seminar materials, refreshment breaks and reception. Instructors will be Lynn Marcy, Milton “Skip” Webb, and F. Lee Bailey. Advance registration is required, and must be received by July 13, 2009. To register, send your name and contact information along with a check payable to NCPA to: NCPA, Attn: Supervisor Diane Chapin, 1289 Colony Drive, New Bern, NC 28562.

The Alabama Association of Polygraph Examiners (AAPE) is pleased to announce their Annual Seminar to be held in Orange Beach, Alabama. The seminar is to be held at the Hilton Garden Inn, 23092 Perdido Beach Blvd, Orange Beach, Alabama, beginning Monday, October 20, 2009, and will conclude at Noon on Thursday, October 23, 2009. The Hilton Garden Inn (1-888-644-5866, 1-800-445-8667, or 1-251-974-1600) has agreed to a group rate of $74.95 per night plus 11% tax. This rate applies for single or double occupancy. Cut off date is October 4, 2008, so make your reservations as soon as possible.

Registration fee for the seminar will be $175.00. For further information or to register, contact AAPE Treasurer, Jimmie Flanagan, at (251) 680-5995 or (251) 747-2774.

The California Association of Polygraph Examiners (CAPE) will be holding Training Conference on November 7-8, 2009 at the Loews Coronado Bay Resort, 4000 Coronado Bay Road, Coronado, California. Contact the hotel directly at 1(800) 815-6397 or 1(619) 424-4000 for room reservations.

Instructors will include Marty Oelrich, who will be discussing a methodological approach to interviewing PDD examinees regarding computer and Internet use, and Bill Majeski who will provide those in attendance with training, case and crime analysis and investigative solutions. Registration and Course Outline information are available on line at www.californiapolygraph.com.
GET YOUR GRAND OLE OPRY TICKETS NOW!!

Tickets must be purchased through the APA. Everyone who purchases a ticket will be taken to the Cock of the Walk Restaurant for dinner before the show compliments of the APA.

When: Tuesday, August 4, 2009.
Cost: $36 per ticket.

Deadline to order tickets: June 22, 2009

Be sure to mark the number of tickets you want on the seminar registration form

MUST BE RETURNED BEFORE THE JUNE 22 DEADLINE!!

---

MICJ SCHOOL CALENDAR

BASIC POLYGRAPH COURSE

Session II - April 6 - May 29, 2009
Session III – September 14 – November 6, 2009
Session I – January 11 – March 5, 2010

The MICJ polygraph program has been fully accredited by the APA since 1976. The course focus is on testing techniques most widely used by the US Army CID including numerical chart scoring, MZCT [Zone], Army MGQT, AFMGQT, POT and R/I for Applicant Screening by Instructors with over 150 years of experience.

The course meets ASTM Standards and is AAPP and VA Approved.

Call, Fax or email for booklet and enrollment information.
SEE MICJ WEB SITE FOR ADDITIONAL DETAILS

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Course Dates: March 9-13, 2009 & November 9-13, 2009

The basic 40-hour course for polygraph examiners. APA members may take the APA PCSOT Examination to receive APA Certification.

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Approved for 16- hour CEU credit for polygraph examiners.

FOR SALE: “Polygraph Test Question Source Book” by Billy H. Thompson
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by Vickie T. Murphy-Carr, $31.00 [includes postage & handling]
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APA FED ID # 52-1035722

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Room rate: *$119.00 Single/Double occupancy, plus taxes (currently 15.25% tax)  **FREE PARKING/SHUTTLE**

CUTOFF DATE for hotel reservations is 06/30/09 or until APA’s room allotment is fulfilled. Number of rooms are limited. Individual departure dates will be reconfirmed upon check-in. (72 HOUR CANCELLATION)

Seminar Chair:  Robbie S. Bennett – 800/272-8037, 423/892-3992  FAX: 423/894-5435
Seminar Program Chair: Keith Gaines - 803/751-5885

Each registered person will be provided handout material; ID badge and tickets to all APA sponsored events.

**IMPORTANT:** The pre-registration discount is good only if payment is received on or before JULY 22, 2009.

Registration Hours –Sun. 8/2/09, 10:00 am - 5:00 pm
On-Site –Mon. 8/3/09, 8:00 am-12:00 noon
Seminar Sessions –Monday-Friday, August 3 - 7, 2009

Complete the form below, attach check, VISA, MC or AE information payable to the APA and mail to:
APA National Office, PO Box 8037, Chattanooga, TN 37414-0037
Or FAX to:  **423/894-5435** to arrive **no later than 07/22/09** for applicable discount. Payment information and registration received after 07/22/09 will be charged the on-site fee.

---

**APA Cancellations Refund Policy:**
Cancellations received in writing prior to 07/22/09 will receive a full refund. Persons canceling after 07/22/09 will not receive a refund but will be provided with the handout material.

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All expenses of continuing education (including registration fees, travel, meals and lodging) taken to maintain and improve professional skills are tax deductible subject to the limitations set forth in the Internal Revenue Code.
(The registration fee includes professional instruction, seminar materials, AM and PM Refreshment Breaks)

*UP TO 100 GUESTROOMS WILL BE AT THE PREVAILING FEDERAL PER DIEM RATE.*

---

**GRAND OLE OPRY TICKETS**

TUESDAY, AUGUST 4
$36 each

**DEADLINE TO ORDER:** JUNE 22

Number of Tickets:_______

Amount to be added to registration fee.

**PRE PAID BY JULY 22, 2009**

$350 – Member/Applicant _____
$475 – Member/Apppl W/Guest _____
$125 – Additional Guest _____
$500 – Non-Member _____
$625 – Non-Member W/Guest _____

$400 – Member/Applicant _____
$525 – Member/Apppl W/Guest _____
$175 – Additional Guest _____
$550 – Non-Member _____
$675 – Non-Member W/Guest _____

**FEE RECEIVED AFTER JULY 22, 2009**

$400 – Member/Applicant _____
$525 – Member/Apppl W/Guest _____
$175 – Additional Guest _____
$550 – Non-Member _____
$675 – Non-Member W/Guest _____

*GUEST FEE includes APA SPONSORED EVENTS: Reception, Guest Breakfast, and Banquet.

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DATE OF ARRIVAL ___________________ DATE OF DEPARTURE ___________________

VISA ( ) MC ( ) AE ( ) ____________________________ (CVV2) _______ EXP: __________
(CVV2 is a 3 digit number found on the back of your VISA or MC card or a 4 digit number on the front of the AE).

SIGNATURE__________________________________________ 2009
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TUESDAY, AUGUST 4, 2009  
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FOLLOWED BY A TRIP TO THE GRAND OLE OPRY

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The shuttle departs the Sheraton Music City Hotel on the hour and 30 minutes after the hour. It arrives at the airport 15 minutes after the hour and 15 minutes before the hour. This service is a complimentary service between the hours of 5:00 am and 12:00 midnight.

At 1:30 PM, the service changes to “on call”, which means that the shuttle will transport/pick-up guests to/from the airport as soon as notified.

The guest should go to the Baggage Claim Area to retrieve luggage, then proceed to the Phone Bank, depress Button #46 to arrange for shuttle pick-up. The guest should then go down one level to Airport Shuttle pick-up to wait for the shuttle.

(TICKETS MUST BE PURCHASED THROUGH APA NATIONAL OFFICE - SEE SEMINAR REGISTRATION FORM.)
Maryland Implements a State Wide Policy for Polygraph Testing Victims of Sex Offense Crimes

Maryland’s HB1154 which would prevent polygraph testing of victims of sex crimes was withdrawn and as a substitute, the Governor’s Office of Crime Control and Prevention developed the following statewide policy:

It is the policy of the State of Maryland that, as provided in 42 U.S.C. § 3796gg-8(a), no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth or child victim of an alleged sexual offense as defined under federal, State, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of an offense. It is also the policy of the State of Maryland that, as provided in 42 U.S.C. § 3796gg-8(b), the refusal of a victim to submit to a polygraph or other truth-telling examination shall not prevent the investigation, charging or prosecution of an alleged sexual offense.

The State of Maryland implements this policy in part to retain its eligibility to obtain grants under the Violence Against Women and Department of Justice Reauthorization Act of 2005 and other applicable federal laws. All agencies that apply to GOCCP for funds that are to be disbursed from any such grant will be required to demonstrate to GOCCP that they too have and follow a substantially similar policy regarding the use of polygraphs during sex offense investigations.

All questions concerning this policy shall be directed to GOCCP’s Executive Director.

Academy of Polygraph Science

The Academy of Polygraph Science conducts certification training in basic, PCSOT, and advanced forensic psychophysiology in the detection of deception courses. The home campus is located in Largo, Fl. (Tampa Bay metro area) and satellite classes are continually planned throughout the United States and Latin-America.

Dr. Richard E. Poe, Director has been studying and practicing polygraph for more than 30 years. He graduated from the Univ. of Sarasota, with an Ed. D. Degree and also is a Florida Certified Mental Health Professional.

Dr. Poe is a seasoned Law Enforcement Officer and Polygraphist, who is considered an expert in the 6th Judicial Court System of Pinellas/Pasco Counties, Fl. and Military Court Martial hearings at MacDill A.F.B., Tampa, Fl. Dr. Poe is the past Vice-President-Private, former Treasurer and past member of the Board of Directors of the Florida Polygraph Association and is currently serving as the Director of the School of Continuing Studies.

Dr. Poe holds F.P.A. certificate #127 and AAPP certificate #1745

Class schedules available via e-mail

Phone/Fax: 352/608-4022
Address: 5441 Emerald Drive, Ridge Manor, FL 33523
E-mail: drpoeandassoc@tampabay.rr.com  Website: www.drpoeandassoc.com
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44TH ANNUAL SEMINAR/WORKSHOP

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KEITH H. GAINES, CHAIRMAN

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AUGUST 2 – 7, 2009

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44th ANNUAL SEMINAR/WORKSHOP
SHERATON MUSIC CITY HOTEL
777 McGAVOCK PIKE, NASHVILLE TN 37214
AUGUST 2-7, 2009

FRIDAY/SATURDAY, JULY 31 – AUGUST 1, 2009
8:00 AM - 5:00 PM  BOARD OF DIRECTORS MEETING

SUNDAY, AUGUST 2, 2009
9:00 AM - 6:00 PM  REGISTRATION
1:00 PM - 5:00 PM  REGULAR SCHOOL DIRECTORS’ MEETING
6:30 PM - 8:30 PM  ANNUAL RECEPTION

MONDAY, AUGUST 3, 2009
7:30 AM - 5:00 PM  LATE REGISTRATION
10:00 AM - 11:30 AM  SPOUSE/GUEST BRUNCH
12:00 NOON - 1:15 PM  PAST PRESIDENTS’ LUNCHEON
(OLD HICKORY GRILL)

TUESDAY, AUGUST 4, 2009
3:15 PM – 4:15 PM  ANNUAL BUSINESS MEETING (CLASSROOM A)
4:15 PM - 9:30 PM  DINNER AT THE COCK OF THE WALK RESTAURANT
FOR THOSE THAT PURCHASED GRAND OLE OPRY TICKETS
(BUS TRANSPORTATION FURNISHED BY AXCTON SYSTEMS, LAFAYETTE INSTRUMENT, STOELTING
COMPANY AND COMPLETE EQUITY MARKETS)

WEDNESDAY, AUGUST 5, 2009
12:00 NOON - 1:15 PM  INTERNATIONAL LUNCHEON

THURSDAY, AUGUST 6, 2009
6:30 PM  COCKTAILS, ANNUAL BANQUET
GUEST SPEAKER – JUDGE JONATHAN C. THACHER
ENTERTAINMENT – PATRICK DAVIS AND FRIENDS

FRIDAY, AUGUST 7, 2009
3:45 PM  CLOSING REMARKS – APA PRESIDENT SOSNOWSKI
(CLASSROOM A)

SATURDAY, AUGUST 8, 2009
8:00 AM - 3:00 PM  BOARD OF DIRECTORS MEETING
MONDAY, AUGUST 3, 2009

CLASSROOM A
8:00 – 12:00 NOON

OPENING CEREMONIES

<table>
<thead>
<tr>
<th>Activity</th>
<th>Sponsor</th>
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<tbody>
<tr>
<td>Call to Order –</td>
<td>Michael C. Gougler, APA President</td>
</tr>
<tr>
<td>Master of Ceremonies –</td>
<td>Keith H. Gaines, APA VP Government, 2009 Seminar Program Chair</td>
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<tr>
<td>Presentation of Colors –</td>
<td>Nashville Police Color Guard</td>
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<td>The National Anthem –</td>
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<td>Pledge of Allegiance –</td>
<td>Keith H. Gaines, APA VP Government, 2009 Seminar Program Chair</td>
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<td>Bag Pipes and Drums –</td>
<td>??? State Police Department</td>
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<td>Invocation –</td>
<td>Larry Wasser</td>
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<td>Welcome to Nashville -</td>
<td>TBD</td>
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9:15 – 9:30 Break – Sponsored by:

INSIDE THE APA

Michael C. Gougler, APA President, Moderator

Panel Members:

Daniel E. Sosnowski, APA President Elect; Charles E. Slupski, APA VP Private; Keith H. Gaines, APA VP Government; Pamela K. Shaw, APA VP Law Enforcement; Vickie T. Murphy-Carr, Secretary; Chad Russell, Treasurer; Donnie W. Dutton, Board Chairman; Donald A. Weinstein, Director; Barry Cushman, Director; Elmer N. Criswell, Jr., Director; Gordon L. Vaughan, Esq., General Counsel; Donald J. Krapohl, Editor

10:30 – 10:45 Break – Sponsored by:

12:00 – 1:00 Lunch (On Your Own)

CLASSROOM A
1:00 – 5:00
“Nailing the Pre-Test”
Milton O. “Skip” Webb
U.S. Army CID

CLASSROOM B
1:00 – 5:00
Elicitation Techniques for Blind Interviews
Stanley M. Slowik

CLASSROOM C
1:00 – 5:00
Quality Control Workshop
Elmer N. Criswell, Jr.
APA Director

2:30 – 2:45 Break – Sponsored by:

3:30 – 3:45 Break – Sponsored by:

APA ISSUES IN THE DIFFERENT FIELDS OF POLYGRAPH
5:15 – 6:15

CLASSROOM A
PRIVATE
Charles E. Slupski
Vickie T. Murphy-Carr
Elmer N. Criswell Jr.
Daniel E. Sosnowski

CLASSROOM B
GOVERNMENT
Keith H. Gaines
Donald A. Weinstein
Donnie W. Dutton

CLASSROOM C
LAW ENFORCEMENT
Pamela K. Shaw
Chad Russell
Barry Cushman

CLASSROOM D
INTERNATIONAL PANEL
Frank Horvath, PhD
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<tr>
<th>Time</th>
<th>Location</th>
<th>Session Overview</th>
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<tr>
<td>8:00 – 12:00</td>
<td>CLASSROOM A</td>
<td>WORKING WITH INTERPRETERS</td>
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<td>Milton O. “Skip” Webb</td>
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<td>U.S. Army CID</td>
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<tr>
<td>8:00 – 10:00</td>
<td>CLASSROOM B</td>
<td>1. THE IMPORTANCE OF A CONSISTENCY FACTOR IN NUMERICAL SCORING.</td>
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<td>2. FROM RIGID TO ELASTIC COVER VIA SHORT BLANKET - Understanding and</td>
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<td>Coping with the False Outcomes Phenomenon in PDD.</td>
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<td>Avital Ginton, Ph.D</td>
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<td>10:00 – 12:00</td>
<td>CLASSROOM C</td>
<td>PCSOT</td>
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<td>Daniel E. Sosnowski</td>
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<td>APA President Elect</td>
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<td>Break – Sponsored by:</td>
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<td>Break – Sponsored by:</td>
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<td>12:00 – 1:00</td>
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<td>Lunch (On Your Own)</td>
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<td>APA ANNUAL BUSINESS MEETING</td>
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<td>GRAND OLE OPRY</td>
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**WEDNESDAY, AUGUST 5, 2009**

**8:00 – 12:00**
**BOARD ROOM**
**APA MEMBERSHIP EXAMINATION** (Nathan J. Gordon)

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<th>CLASSROOM A</th>
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<tr>
<td><strong>TEST DATA ANALYSIS</strong></td>
<td><strong>CLINICAL POLYGRAPH IN THE ASSESSMENT AND TREATMENT OF SEX OFFENDERS</strong></td>
<td><strong>BLIND ACQUAINTANCE – Advantage Law Enforcement</strong></td>
</tr>
<tr>
<td>Pam Shaw APA VP-Law Enforcement</td>
<td>Maria Molett, PhD</td>
<td>Chad Russell APA Treasurer</td>
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<tr>
<td>10:00 – 12:00</td>
<td><strong>VOICE STRESS ANALYSIS</strong></td>
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<tr>
<td>Frank Horvath, PhD APA Past President, Director, APA Research Center</td>
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9:15 – 9:30 Break – Sponsored by:

10:30 – 10:45 Break – Sponsored by:

12:00 – 1:00  Lunch (On Your Own)

1:00 – 5:00  BOARD ROOM

**QUALITY CONTROL REVIEW**

Elmer N. Criswell, Jr.

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<tbody>
<tr>
<td><strong>A SEMI-STRUCTURED INTERVIEW PROTOCOL FOR PSCOT MAINTENANCE POLYGRAPHS</strong></td>
<td><strong>TEN SIMPLE RULES FOR MINIMIZING ERRORS IN POLYGRAPH EXAMINATIONS</strong></td>
<td><strong>LAW ENFORCEMENT SCREENING: A Successive Hurdles Approach</strong></td>
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<tr>
<td>Raymond I. Nelson</td>
<td>Robert J. Drdak</td>
<td>Barry Cushman APA Director</td>
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3:00 – 3:15  Break – Sponsored by:

3:15 – 5:45  **POLYGRAPH INSTRUMENTS WORKSHOP**

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<th>CLASSROOM C</th>
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<tbody>
<tr>
<td><strong>AXCITON SYSTEMS</strong></td>
<td><strong>LAFAYETTE INSTRUMENTS</strong></td>
<td><strong>LIMESTONE TECHNOLOGY</strong></td>
<td><strong>STOELTING INSTRUMENTS</strong></td>
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<tr>
<td>Bruce White</td>
<td>Chris Fausett</td>
<td>Jamie Brown</td>
<td>Mark Cochran</td>
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# THURSDAY, AUGUST 6, 2009

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<tr>
<td>ASSESSMENT AND TREATMENT OF THE FEMALE SEX OFFENDER</td>
<td>INTERVIEW TRAINING SYSTEM</td>
<td>THE DIRECTED LIE SCREENING TEST (Session 1)</td>
</tr>
<tr>
<td>Maria Molett, PhD</td>
<td>Dale E. Olsen, PhD SIMmersion LLC</td>
<td>Benjamin Blalock</td>
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| **9:15 – 9:30** | Break – Sponsored by: |
| **10:30 – 10:45** | Break – Sponsored by: |
| **12:00 – 1:00** | Lunch (On Your Own) |

## ANNUAL STATE LEADERSHIP MEETING
**11:00 AM**
**CHEEKWOOD BOARD ROOM**

## 1:00 – 3:00
**COUNTERMEASURES IN 2009, What we know and what we don’t**
Dr. Charles Honts

## 1:00 – 4:00
**IMPROVING THE DECISION ACCURACY FOR CQT POLYGRAPH: To be (a test) or not to be: that is the question**
Dr. Jos Buschman, Senior Diagnosticus Netherlands

## 1:00 – 5:00
**THE DIRECTED LIE SCREENING TEST (Session 2)**
Benjamin Blalock

| **9:15 – 9:30** | Break – Sponsored by: |
| **2:30 – 2:45** | Break – Sponsored by: |

## 6:30 BANQUET

**Guest Speaker – Judge Jonathan C. Thacher**

**ENTERTAINMENT**
Patrick Davis and Friends
## FRIDAY, AUGUST 7, 2008

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<tr>
<td><strong>IZCT TECHNIQUE</strong></td>
<td><strong>A SCIENTIFIC PERSPECTIVE OF THE COMPARISON QUESTION TEST</strong> (continued)</td>
<td><strong>PAROLE OFFICER (PCSOT)</strong></td>
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<tr>
<td>Nathan J. Gordon</td>
<td>Dr. Charles Honts</td>
<td>Daniel E. Sosnowski</td>
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<td>Academy of Scientific and Investigative Training, Director</td>
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<tr>
<td><strong>TEST QUESTION FORMULATION</strong></td>
<td><strong>A SCIENTIFIC PERSPECTIVE OF THE COMPARISON QUESTION TEST</strong> (continued)</td>
<td><strong>CONDUCTING POLYGRAPH EXAMINATIONS IN HIGH PROFILE AND SENSITIVE CASES</strong></td>
</tr>
<tr>
<td>Nathan J. Gordon</td>
<td>Dr. Charles Honts</td>
<td>Robert J. Drdak</td>
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<th>12:00 – 1:00</th>
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<tbody>
<tr>
<td><strong>ISSUES IN EPPA</strong></td>
<td><strong>POLYGRAPH TESTING BY THE MEXICAN POLICE</strong></td>
<td><strong>STRUCTURED INTERVIEW PROTOCOL FOR PCSOT SEXUAL HISTORY DISCLOSURE POLYGROPHS</strong></td>
</tr>
<tr>
<td>Gordon L. Vaughan, Esq.</td>
<td>Julian Flores Anda</td>
<td>Raymond I. Nelson</td>
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<tr>
<td>General Counsel</td>
<td>Mexican Federal Police</td>
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### 3:45

**CLOSING REMARKS**

Daniel Sosnowski, APA President
THE BACKSTER SCHOOL
OF
LIE DETECTION

POLYGRAPH EXAMINER TRAINING COURSES:

320 hour resident basic training phase plus field project
Annual five-day work conference for professional polygraphists to upgrade their skills
Post Conviction Sex Offender Polygraph Examiner Training Course

Accredited by the American Polygraph Association since 1966
Recognized by the American Association of Police Polygraphists

Cleve Backster: Director and Chief Instructor
Charter member: American Polygraph Association
American Association of Police Polygraphists
California Association of Polygraph Examiners
Originator of the Backster Zone Comparison Technique, and the first system for numerical evaluation of polygraph charts, both now generally adopted as the standard throughout the polygraph field.

8-WEEK BASIC POLYGRAPH EXAMINER TRAINING COURSES
January 19, 2009-March 13, 2009
June 8, 2009-July 31, 2009
September 14, 2009-November 6, 2009

POST CONVICTION SEX OFFENDER TESTING TRAINING COURSES
March 16, 2009-March 20, 2009
November 9, 2009-November 13, 2009

FIFTY FIRST FIVE DAY POLYGRAPH EXAMINER WORK CONFERENCE
December 8, 2008-December 12, 2008

FIFTY SECOND ANNUAL 5 DAY POLYGRAPH EXAMINER WORK CONFERENCE
December 7-11, 2009

Registrar
The Backster School of Lie Detection
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San Diego, CA 92101
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Website: www.backster.net E-mail: clevebackster@cs.com
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- Wired USB connectivity, or cutting edge wireless Bluetooth® technology
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email: kari@lafayettemyinstrument.com

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President’s Message

Michael Gougler

Greetings:

This will be my last article as President of the American Polygraph Association. I have enjoyed serving the membership for the past year. It has been a rewarding experience. I would like to thank all the members and the Board of Directors for their hard work and support.

We accomplished many objectives and met several goals this past year. I am eternally grateful to the PCSOT Committee, VP-LE Pam Shaw, the PCSOT Adhoc committee, and several individual members who completed the PCSOT Model Policy. Special recognition goes to Elizabeth Freitas, Eric Holden, and Chuck Slupski for working together for the greater good.

I have been busy traveling during the first half of the year. I have taught at the Kentucky Institute of Polygraph Studies and the Texas Department of Public Safety Law Enforcement Polygraph School. I had the opportunity to provide training to the Hawaii Organization of Polygraph Examiners. Thanks to Ed Clarke and Mike Doole for their hospitality. Also, I recently returned from Lake Tahoe and the AAPP training seminar. Thanks to President Toby McSwain, Chairman Don Imbordino, and VP Jim Gallagher for their hospitality. I invited President McSwain to attend the APA Seminar in Nashville as my invited guest and he graciously accepted.

Barry Cushman is diligently working toward the completion of the School Accreditation manual rewrite. I have no doubt that he will present a document for review prior to the seminar.

Chuck Slupski has updated our Standards of Practice and Law Enforcement Applicant Screening Model Policy. Thanks Chuck! Having been involved on the prior versions, I know first hand the challenge that you faced.

Keith Gaines has put together a classic event for the Nashville seminar. I want to personally thank him for putting up with my demands and always having a smile on his face. We will miss you on the board.

Don Weinstein, thanks for all your years of service to the APA. My words cannot express the gratitude the profession holds for you.

To Chad, Lisa, and Gordon, thanks for the benefit of your experience and knowledge. You are truly assets to the APA.

The journals and magazines, once again, are the pride of the Association. Thanks to Don and Lisa Krapohl for providing a product we can be proud of.

Elmer Criswell has brought a fresh perspective to the board. I only wish he had to time to continue as a director. I know, however, that a man of his many talents is limited by the number of hours in a day. Thanks for stepping up and helping improve the profession through quality assurance review.

VP-LE Pam Shaw is a rising star on the horizon. Her accomplishments are many in her short tenure in the profession. I hope you will continue to ascend the ranks of the APA. You have great vision and I thank you for your continued support.

To Dan Sosnowski, it is now your day! Godspeed, and strive to leave the APA and the profession better than you found it.

Vickie Murphy has been a wealth of knowledge and experience. I am truly thankful for her service to the APA. I am honored to have served with her for the last 5 years.
Thanks to Donnie Dutton for his guidance during the past year. Stay safe and I look forward to seeing you in Nashville.

I have saved the best for last. Without Robbie Bennett, the past year would have been impossible to navigate. Words cannot express my love and admiration for this fine woman. Everyone has heard the tributes and accolades throughout the years about the service of Robbie to the APA. You cannot appreciate the importance and dedication of Robbie until you work with her on a daily basis. On behalf of all current and past members of the Association, thank you!!

During my speech in Indianapolis, I said, “The windshield and the mirror are both made of glass; through one you see the future, in one you see the past.” As my term ends, I will look for new challenges ahead, but I will always look in the rearview mirror and remember those individuals and experiences that helped this vision in my windshield come true.

Thanks for allowing me to serve.

Board of Directors’ Reports

Pam Shaw
Vice President, Law Enforcement

I am very pleased to announce that a Post-Conviction Sex Offender Model Policy was submitted and APPROVED by the Board of Directors at the May 26th teleconference. This model policy will soon be posted, and likely will be by the time of this publication, on the APA website for membership wide viewing and distribution. It is also included in this issue of the magazine.

First and foremost, I want to take a moment and thank the PCSOT Committee for their diligent efforts on this assignment. Nearly two years ago the committee was tasked with the grand objective of carrying the torch forward of past efforts in developing a model policy for PCSOT. They were given specific directives and guides to accomplish the task, but of primary concern, was the mandate to have consensus and vote among a committee with widespread representation and differing views.

The PCSOT committee members have dedicated numerous hours of their life, energy and sleep to birth a document that benefits everyone in our profession! Just as a chain is as weak as its weakest link, so we are weakened when any aspect of our profession is without direction or stability. Even if you don’t administer PCSOT exams, documents such as this, only serve to more clearly target best practices in an area that has struggled to obtain sure footing. I am grateful for and want to recognize the many who may not now be associated with the committee, but contributed by laying a foundation for the current work.

This model policy is a first, but ever-so necessary step in the APA’s PCSOT journey. Growing pains will occur and improvements will be implemented as supported and necessary. As has been said all along, all of our model policies are living, breathing documents that have the ability to evolve with greater knowledge, research and understanding. Your constructive criticism, feedback and/or applause is not only welcomed, but requested!!

We all have special circumstances, laws, or considerations in how PCSOT exams are administered in our states or regions. As such, it is expected that certain areas or comments throughout the document may not be applicable to all, but be reassured that those idiosyncrasies are addressed by commenting on the model’s submissiveness to prevailing laws, governing authorities or policies.

A PCSOT Operational Policy is also in the works to give additional guidance and direction regarding the 40-hour PCSOT basic course, course curriculum and PCSOT instructor requirements. If you have input or suggestions involving these areas, please contact me.

Before closing, I also want to take a moment and thank as a whole the numerous other individuals in and outside our profession that contributed to the development and birth of this model policy. Their input and feedback was instrumental in advancing the work and strengthening the efforts of the PCSOT committee. This model policy has overwhelmingly been a collaborative effort of many professionals!
This magazine couldn’t hold all the thanks that are due to so many, so please accept for now a resonating “THANK YOU!”

Please contact me with any feedback, discussion points and/or concerns you may have about the new PCSOT model policy, law enforcement concerns or anything else in which I may be of service to you.

I hope you are enjoying the beginning of summer and I hope to see you soon in Nashville!

Donald Weinstein
Director

The way I understand it, there will be one more edition of the Magazine before the 2009 seminar in Nashville. I have every confidence that the seminar will be educationally and socially fulfilling to all our members in attendance. I won’t say my goodbyes until that time.

Near the end of May, your Board of Directors held a periodic teleconference; one of several since the Indianapolis seminar. Two of the primary issues addressed in that teleconference, included adopting a model policy for PCSOT and a model policy for PCSOT operational policy. Also of importance was a discussion about the manner in which we now conduct the election of officers.

There is still work which must be done on the PCSOT matters. I personally wish this wasn’t the case and my admitted minimal appreciation for this newest technique perhaps makes it more difficult to understand. I will say this; note the manner to which the technique is referred….model policy. To me that means that this is always going to be a work in progress; never perfect, as we learn more about the best way to conduct these tests and deal properly with the offenders. We have to remember first and foremost that our services are called on to protect our children, punish the guilty and exonerate the innocent. There is little if any room for error. I hope that every PCSOT examiner holds this credo close to their hearts and dispenses with the typically ego in performing this service to the best of our ability. If you don’t think you are suited to do this kind of testing, or your training leaves a bit to be desired, respectfully decline and refer the client to someone who can conduct the best possible test. Like I said there is no room for error.

Another issue discussed was the conduct of elections in our Association. Because it is a Constitutional matter, any changes must be published 30 days in advance and then voted on at the next meeting of the General Membership. There are going to be a number, 4 if I am correct, procedures to be discussed and voted. The plan is for those choices to be presented to you in this issue of the Magazine. I know there are many views out there on how we conduct elections and this is your opportunity to be heard. The universal system involving mail ballots is but a year old and there are procedures which need “tweaking”. There are other ways to be certain and perhaps because I am, as Past President Skip Webb, coined the phrase, a “graybeard” I sometimes wish we would go back to the “old” system with some very necessary guidelines on behavior of candidates. I realize that we are probably averaging 500 additional voters and in these times of economic hardship it is difficult for some to get to the seminar. My personal fondness for the “old” way was that the candidate faced the membership and was available for questions about their platform and voiced what they would plan to do if elected. It is important that we hold our elected officers feet “to the fire.” You have to know, we have to know what they want to do in leading our Association.

Please think carefully when you choose a voting method and know for what you are voting. I cannot emphasize it more, but if you have questions ask. Get someone to explain the processes to you.

By the way, while I am on the topic of voting, I extend my heartiest congratulations to those who were elected. By the same token I extend appreciation to those who ran unsuccessfully. Just by committing to seek office said something about your desire to make this Association better. Don’t give up, come back, again and again....and again...let the membership know you are there and interested in leading. The new officers to be sworn in at the Thursday banquet include:

- President Elect        Nate Gordon
- VP Government        Jimmy Padgett
- VP Law Enforcement     Pam Shaw
- Secretary         Vickie T. Murphy-Carr
- Director         Marty Oelrich

The office of Vice President will have to be decided by a run off election between Bill Teigen and Ray Nelson. Your votes must be postmarked by June 15, so if you haven’t yet, please vote. Follow the directions carefully. Don’t throw away your vote through an administrative error. Your vote counts. It is for the improvement of YOUR Association.

I will close by thanking the Board and membership of our sister organization, the American
At their recent seminar, which by the way was attended by a record number of members...387 if what I have been told is correct, the AAPP honored me by bestowing Life Membership on me. I was presented with a beautiful laser engraved crystal cylinder. I will proudly show this honor off. When I was told of this selection, I was honored beyond belief. Over the years, I have been proud to be a member of both the APA and the AAPP. Together with John Mata, when I was the APA President and he was the AAPP President, we joined together to get the two organizations to work together. I think that has been achieved. The following AAPP and APA Presidents and Board worked to achieve mutual goals. I have seen the AAPP grow exponentially over the years and they genuinely have learned that there is strength in numbers. If you are eligible, I encourage you to seek membership in the AAPP as well as maintaining your membership in the APA. It is beneficial to you and to the profession. Go to their website www.policepolygraph.org and review their membership procedures. Thank you again AAPP. I will forever be in your debt.

That’s about it. Thank you for listening to me ramble. I look forward to the Nashville seminar and the educational and social opportunities it will bring. Robbie, Lisa and Keith Gaines have worked very hard to make this a special seminar. Let’s rock Nashville!

Barry Cushman
Director

Hello again APA members! It won’t be long until we meet in Nashville for our annual seminar (August 2nd to the 7th). Be sure to book your room and flight early. Don’t forget that the pre-registration rates apply to those who register on or before July 22nd. Keith Gaines, your seminar general chair, is working hard to put the finishing touches on the schedule. A copy of the schedule appears in this publication; however, updates are regularly posted on the APA website, so check that for the latest info and news. Tuesday night is the night we’ll be getting together for the Grand Ole Opry. The deadline to order your tickets for that event is June 22nd. Please consider joining us there.

For those of you who haven’t heard, congratulations are in order for our editor, Don Krapohl. He was recognized this year at the AAPP’s annual seminar. Don is the 2009 recipient of the Holly S. Canty Memorial Award. Well done Don, and congratulations!

As always, if there is anything your board of directors can do for you, or if you just want to run some ideas or thoughts past us, just pick up the phone and call or shoot one of us an email. We’re here to serve the membership, but we need to hear from you regularly so that we can best represent your interests.

As most of you know, I have an interest in polygraph (and credibility assessment in general) research. We are good at what we do, but there is always room for improvement. We have a lot of unanswered questions, and it’s going to take some time and effort to figure some of them out. Currently I’m working on a project that some of you might be able to help me complete. I need some folks to score some charts (or perhaps chart segments), and I may need somebody to assist in organizing all the data depending on how much work this turns out to create. I’m particularly interested in people who routinely score photoplethysmograph data, but if you don’t know how, that’s okay too. (I’ll teach you. It’s not that difficult.) What I’m interested in doing – in follow up to a paper on finger pulse line length that we’re writing now – is comparing whether “computer assisted” scoring increases accuracy.

My hypothesis is that if you are provided with measurements you will better score the respiration and finger pulse data. (It’s your job to decide if the data is worthy of a score, and if so, you determine the score based on the computer measurements provided.) I’ve spoken to some of you about this issue, and some have mentioned that a hand score yields a pneumo score, for example, on one side of zero, but measuring RLL sometimes leads to a score on the opposite side of zero. I suspect the issue will be the same with the finger pulse line length (“FPLL”). I want to find out which one we should be relying on for the most accurate scores. If you’re interested in helping in any way – or if you have any new ideas or issues we can tackle – let me know.

Finally, I am pleased to announce that the new PCSOT Model Policy has been approved by the Board. A lot of time and effort has gone into making such a model policy a reality so be sure to thank all those involved for their efforts. It has been a long time coming as a lot had to be done to get the “needs list” addressed, and the PCSOT Committee put a lot of work into cataloging those needs so they could be adequately addressed.

Until next time, stay safe and keep up the good work in the field.
MINUTES

The APA Board held a Teleconference Meeting on Tuesday, May 26, 2009, with all members present except Donnie Dutton, Dan Sosnowski and Keith Gaines. The Board approved an amended PCSOT Model Policy and discussed proposed SOP for the PCSOT Committee and various training programs. The election votes for President-Elect (Nate Gordon), VP Government (Jimmy Padgett), VP Law Enforcement (Pam Shaw), Secretary (Vickie T. Murphy-Carr), and Director (Marty Oelrich) were ratified; approval was given for retired membership status for Robert R. Burns; approval was given for Divisional Membership for the Dutch Polygraph Association; reaccreditation was granted to the Kentucky Institute of Polygraph Studies; and accreditation was granted for the Centro Mexicano de Analisis Poligrafico y Psicologico.

The Board discussed issues for the FEC and Universal Voting and alternatives will be presented to the General Membership for a vote in August at the annual meeting. Other discussion included the validity of diploma mills and issues surrounding international degrees and schools, and changing the Treasurer’s position from an elected position, to an ex-officio position (see pages 32 and 33).

A detail Summary of the Minutes of the May 26th Teleconference Meeting will be published in the next Magazine.

The next Teleconference Meeting is scheduled for June 23rd, so if you have issues to address, don’t hesitate to contact a Board member.

WEBSITE COMMITTEE

Our current Webmasters are currently upgrading and restructuring both front and back ends of our website, which is expected to take about 7 more weeks before final completion. Once finished, the need for additional control by a professional webmaster will be greatly diminished and our Webmasters are promising that by the end of this phase, all of us will be happy with the product. In the meantime, I will continue to make changes and postings as needed.

LEGISLATIVE COMMITTEE

Attorney Vaughan continues to provide the status of legislation throughout the states and I have forwarded, and will continue to forward, information to those respective states. Congratulations to recent successes in Virginia, North Carolina and Maryland.

STATE ADVISORY BOARD

As previously mentioned, our meeting will be a brief meeting and arrangements have been made for State Association Presidents or their selected representatives to meeting in one of the APA meeting rooms. Notify me of your attendance, along with any issues in your state that need to be addressed. Some issues may also be brought up in the respective Town Hall Meetings.

PUBLIC RELATIONS and INFORMATION COMMITTEE

My sincere appreciation and thanks go out to Don Krapohl, who is instrumental behind the scenes in helping me field and answer numerous emails and questions we receive by the public.

I send my congratulations to all of our newly elected Officers and humbly thank your continued, long-standing support of my efforts as your Secretary for the past 19 years. I have always considered it an honor and a privilege to serve as an Officer in the APA, and I vow to continue to live up to your expectations as I serve you, our Association, and the polygraph field in general over the next two years.

Thank you again.

Quotables

I am different from Washington; I have a higher, grander standard of principle. Washington could not lie. I can lie, but I won’t.

~Mark Twain
Polygraphists
Professional Liability Coverage

Coverage Includes (but is not limited to):

Professional and Personal Injury Liability
Optional Coverages Available:

Interviewing
Written Testing
Private Investigation
Background Checks
Law Enforcement Polygraphs
General Liability (available in most states)

For specific information write, fax or call Melanie Javens at:

Complete Equity Markets, Inc.
1190 Flex Court
Lake Zurich, Illinois 60047-1578
www.cemins.com
Toll Free In U.S. & Canada (800) 323-6234
In Illinois (847) 541-0900 • Fax (847) 541-0444
Proposed Amendments to the APA By-Laws and Constitution

Announcement:

At the Board of Directors meeting of May 26th the officers considered motions to: change the office of the Treasurer to an appointed non-voting position and create a fourth voting Director; amend the Constitutional provisions now requiring majority vote so that elections could be decided by plurality, and; refine or correct other portions of the electoral process. Several motions were considered, each with strengths and weaknesses. The Board determined that the options should be placed before the membership. Below are those motions from the Board. These issues will be voted by the membership at the Annual Seminar.

By-Law Proposals

By-Law Proposal #1: Motion to amend the By-Laws to remove the currently required 25 signatures from APA members to appear on the election ballot.

6. Division VI: Nominations and Fair Elections Committee

6.4 In addition to the candidates approved by the Board of Directors, any regular member may have his or her name appear on the official ballot if he or she has the written endorsement of at least one (1) twenty-five (25) full members of the Association. In order to be placed on a ballot additional petitions supporting the candidacy of a member must be received by the Chair of the Nominations and Elections Committee by December 1 in the calendar year preceding the election, candidate has the support of at least twenty-five (25) full members.

By-Law Proposal #2: Motion to amend the By-Laws to remove the currently required 25 signatures from APA members to appear on the election ballot, and restricting the Fair Elections Committee to conducting the elections only.

6. Division VI: Nominations and Fair Elections Committee

6.1 Any member qualified under Division V of the By-Laws may have their name appear on the ballot if they are nominated by at least one voting member of the Association. A voting member may nominate oneself. The nomination shall be made on a form provided by the Association.

6.2 All completed nomination forms shall be delivered to the Immediate Past President by January 1 in the calendar year of the election. Upon receipt of the nominations, the Immediate Past President shall examine the authenticity of each nomination and that the nominees meet all qualifications required by the Association to hold the office to which they have been nominated.

6.3 All nominees shall deliver to the Immediate Past President by February 5 in the calendar year of the election a letter in support of their candidacy for inclusion in the ballot packet for APA members. The letter shall not be more than 500 words.

6.4 The Immediate Past President shall present to the Board of Directors a slate of all qualifying nominees. The Board of Directors considers any challenge as to whether the candidate meets all qualifications required by the Association to hold the office to which they have been nominated. The Board of Directors shall timely certify the slate of nominees for the ballot.

6.5 The Immediate Past President shall notify all nominated candidates of their status for the ballot.

7. Division VII: Election Procedures
7.1 A Fair Elections Committee shall be appointed by the Immediate Past President, immediately after leaving the office of President, to conduct the annual election. The Fair Elections Committee shall consist of at least five (5) Full Members of the Association and the Immediate Past President who shall serve as Chair. At least one appointed member shall be selected from each of the three categories of membership, Private, Law Enforcement and Government; an additional Full member shall be selected so as to make the Committee broadly representative of the constituent interests of the Association.

7.2 A printed ballot shall be mailed to all regular members qualified to vote. The ballot shall include the names of the candidates for each office in last name alphabetical order and a space for write-in candidates. Election materials will be mailed to the membership by February 15 of each year.

7.3 Enclosed with the printed ballot shall be biographical and goals statements by the candidates for each office, a self-addressed envelope, and a smaller inner envelope bearing only the statement, “Secret Ballot.” The marked ballot must be returned in the inner envelope, within the self-addressed envelope. Members may insert and return the “Secret Ballot” envelope in their own envelope or an agency envelope if preferred.

7.4 As a means of certifying that the return envelope and the enclosed ballot were the result of a regular member’s vote the member’s printed name and signature shall be placed on the outside of the “Secret Ballot” envelope. The Fair Elections Committee shall count only official “Secret Ballot” envelopes designed for return ballots.

7.5 Thirty (30) days shall be allowed for the voting process, i.e., for the receipt of election materials and the return of marked ballots. In the instructions accompanying the election material, a deadline for receipt of the ballots shall be announced. No ballots received after this date shall be counted.

7.6 The Fair Elections Committee will then tabulate the results of the election and notify the entire membership of the Association and report the results to the Board of Directors.

7.7 If no candidate for an office has received a majority of those valid ballots cast, a runoff election shall be held. Such ballot shall include only the two persons who receive the highest number of votes on the original ballot. A period not exceeding thirty (30) days shall be allowed for conducting the runoff election. The Chairman of the Fair Elections Committee shall retain the ballots and all other election material until the election has been certified at the annual meeting. The Board may authorize the destruction of the ballots and other election material at its annual meeting provided there is no pending contest of the election.

7.8 Anyone wishing to contest the election results must submit a formal, written petition to the Board at or before its first session during the annual meeting setting forth all pertinent information. If this matter is not resolved by the Board to the satisfaction of all parties directly concerned, it shall be presented to the membership during the scheduled business session for final disposition.

7.9 If an election is held to be null and void by the Board, the Board may authorize an election from the floor of the annual meeting. Article VII of the Constitution applies.

8. Division VIII: Election Certification

8.1 The official certification of the results will be by the Board at the next annual meeting of the Association.


9.1 Amendments to the Election Code may be made only by the procedure specified in Article XI of the Constitution. However, nothing in these provisions in the Election Code or Article XI shall be deemed to preclude modification of purely administrative or clerical procedures or details by
the Fair Elections Committee or the Board necessitated by effective and efficient carrying out of the intent and purposes of the Code. In any such case, the decision of the Board shall be final, subject to the provisions of Article XI Interpretation of the Constitution.

9.2 Proposed amendments approved by the Board shall be submitted by the Secretary to the membership using the same procedures provided for in Article XI, insofar as applicable. Amendments may be submitted at any time as determined by the Board.

**Constitutional Proposals**

_Constitutional Proposal #1:_ Motion to amend the Article VII, Section C, such that when no candidate receives a majority of the votes, the winner shall be the candidate with the most votes.

_C -_ The election of the President, the President-Elect, the three Vice Presidents, the Secretary, the Treasurer and the three Directors shall be elected by mail ballot by a plurality of the vote of those electors, as specified by By-Laws Division VII: Election Procedures. All Officers and Directors shall take office immediately upon taking the oath of office at the annual banquet.

Constitutional Proposal #1 would also require changes to the APA By-Laws. The following amended language for the By-Laws would retain Universal (mail ballot) Voting, reduce the number of persons required to nominate a candidate from 25 to 1, and permit election by plurality.

6. **Division VI: Nominations and Fair-Elections Committee**

6.1 A Fair Elections Committee shall be appointed by the Immediate Past President, immediately after leaving the office of President, to conduct the annual election. The Fair Elections Committee shall consist of at least five (5) Full Members of the Association and the Immediate Past President who shall serve as Chair. At least one appointed member shall be selected from each of the three categories of membership, Private, Law Enforcement and Government; an additional Full member shall be selected so as to make the Committee broadly representative of the constituent interests of the Association.

6.2 The Fair Elections Committee shall canvass the general membership to obtain suggestions for candidates, and it may on its own initiative consider possible nominees.

All candidates shall be contacted by the Committee to determine their willingness to serve if elected and requested to provide such materials as the Committee requires for the electoral process.

The Committee shall present to the Board of Directors, at its regular meeting in January of each year, a slate of candidates for all offices to be elected, such slate to include whenever possible two (2) and only two (2) nominees for each office. When, in the judgment of the Committee, such inclusion is not possible, the Committee shall explain the inability to the Board for its edification and concurrence.

6.3 The slate presented by the Committee shall require approval by the Board of Directors; the Board is the final authority on the names of candidates to be on the ballot for each office, except as provided by Article VII, Paragraph C, APA Constitution.

6.4 In addition to the candidates approved by the Board of Directors, any regular member may have his or her name appear on the official ballot if he or she has the written endorsement of at least twenty-five (25) full members of the Association. In order to be placed on a ballot, additional petitions supporting the candidacy of a member must be received by the Chair of the Nominations and Elections Committee by December 1 in the calendar year preceding the election.
6.4.1 Upon receipt of petitions in support of a member, the Chair shall examine and judge the authenticity of each petition to determine that the candidacy has the support of at least twenty-five (25) full members.

6.4.2 The name of the member shall be included on the ballot, without action or approval by the Board, as an addition to those approved by the Board of Directors as specified in paragraph (6.4) above.

6.4.3 All petitions shall be presented by the Chair of the Committee to the Executive Board and held until such time as the results of the election are officially promulgated.

6. Division VI: Nominations

6.1 Any member qualified under Division V of the By-Laws may have their name appear on the ballot if they are nominated by at least one voting member of the Association. A voting member may nominate oneself. The nomination shall be made on a form provided by the Association.

6.2 All completed nomination forms shall be delivered to the Immediate Past President by January 1 in the calendar year of the election. Upon receipt of the nominations, the Immediate Past President shall examine the authenticity of each nomination and that the nominees meet all qualifications required by the Association to hold the office to which they have been nominated.

6.3 All nominees shall deliver to the Immediate Past President by February 5 in the calendar year of the election a letter in support of their candidacy for inclusion in the ballot packet for APA members. The letter shall not be more than 500 words.

6.4 The Immediate Past President shall present to the Board of Directors a slate of all qualifying nominees. The Board of Directors shall consider any challenge as to whether the candidate meets all qualifications required by the Association to hold the office to which they have been nominated. The Board of Directors shall timely certify the slate of nominees for the ballot.

6.5 The Immediate Past President shall notify all nominated candidates of their status for the ballot.

7. Division VII: Election Procedures

7.1 A Fair Elections Committee shall be appointed by the Immediate Past President, immediately after leaving the office of President, to conduct the annual election. The Fair Elections Committee shall consist of at least five (5) Full Members of the Association and the Immediate Past President who shall serve as Chair. At least one appointed member shall be selected from each of the three categories of membership, Private, Law Enforcement and Government; an additional Full member shall be selected so as to make the Committee broadly representative of the constituent interests of the Association.

7.2 A printed ballot shall be mailed to all regular members qualified to vote. The ballot shall include the names of the candidates for each office in last name alphabetical order and a space for write-in candidates. Election materials will be mailed to the membership by February 15 of each year.

7.3 Enclosed with the printed ballot shall be biographical and goals statements by the candidates for each office, a self-addressed envelope, and a smaller inner envelope bearing only the statement, “Secret Ballot.” The marked ballot must be returned in the inner envelope, within the self-addressed envelope. Members may insert and return the “Secret Ballot” envelope in their own envelope or an agency envelope if preferred.

7.4 As a means of certifying that the return envelope and the enclosed ballot were the result of a regular member’s vote the member’s printed name and signature shall be placed on the
outside of the “Secret Ballot” envelope. The Fair Elections Committee shall count only official “Secret Ballot” envelopes designed for return ballots.

7.54 Thirty (30) days shall be allowed for the voting process, i.e., for the receipt of election materials and the return of marked ballots. In the instructions accompanying the election material, a deadline for receipt of the ballots shall be announced. No ballots received after this date shall be counted.

7.65 The Fair Elections Committee will then tabulate the results of the election and notify the entire membership of the Association and report the results to the Board of Directors. The (single) candidate (for each office) with the highest number of votes shall be reported as the winner of the election.

7.76 If no candidate for an office has received a majority of those valid ballots cast In the event of a (first-place) tie, a runoff election (for that office) shall be held. Such ballot shall include only the two persons who received the highest number of votes on the original ballot. A period not exceeding thirty (30) days shall be allowed for conducting the runoff election. In the event of a subsequent first-place tie(s), a runoff election(s) shall occur at the annual meeting. Such a ballot(s) shall include only the persons who received the highest number of votes on runoff ballot. Voting shall continue until a singer person receives a plurality of the votes cast. The Chairman of the Fair Elections Committee shall retain the ballots and all other election material until the election has been certified at the annual meeting. The Board may authorize the destruction of the ballots and other election material at its annual meeting provided there is no pending contest of the election.

7.87 Anyone wishing to contest the election results must submit a formal, written petition to the Board at or before its first session during the annual meeting setting forth all pertinent information. If this matter is not resolved by the Board to the satisfaction of all parties directly concerned, it shall be presented to the membership during the scheduled business session for final disposition.

7.98 If an election is held to be null and void by the Board, the Board may authorize an election from the floor of the annual meeting. Article VII of the Constitution applies.

8. Division VIII: Election Certification

8.1 The official certification of the results will be by the Board at the next annual meeting of the Association.

Constitutional Proposal #2: Motion to amend the Constitution at Article VI, Paragraphs A&B: A: removing the Treasurer’s position under paragraph A and restoring a fourth Director, and B: adding to position of Treasurer as #4 in paragraph B to make it an Ex-Officio position, effective 2010:

ARTICLE V
Directors and Officers

A - Only Voting Members authorized by the By-Laws shall hold office as a Director or as an Officer.

B - Directors - Directors shall perform the duties and fulfill the obligations of their office as defined in the By-Laws of the Association. There shall be four (4) Directors.

1 - Each Director shall be elected to and shall serve a term of two (2) years or until the next meeting of the General Membership thereafter and may be reelected to consecutive terms.

2 - Two (2) Directors shall be elected to office in years ending in even numbers and two (2) Directors shall be elected to office in years ending in odd numbers.
C - Officers - Officers shall perform the duties and fulfill the obligations of their office as defined in the By-Laws of the Association. The Officers shall be six (6) in number and shall be the:

1 - President - The President shall serve one year in that capacity and in the subsequent year as Immediate Past President, the latter office being held by virtue of his or her election as President without subsequent re-election a term of one (1) year.

2 - President Elect – The President-Elect will serve one year in that capacity upon election and in the subsequent year as President, the latter office being held by virtue of his or her original election as President-Elect without subsequent re-election.

3 - Vice President, Private - This Vice President shall be elected to a term of one (1) elective year and may be reelected to consecutive terms.

4 - Vice President, Government - This Vice President shall be elected to a term of one (1) elective year and may be reelected to consecutive terms.

5 - Vice President, Law Enforcement - This Vice President shall be elected to a term of one (1) elective year and may be reelected to consecutive terms.

6 - Secretary - The Secretary shall be elected to and serve a term of two (2) elective years and may be reelected to consecutive terms, and such election shall occur in years ending in an odd number.

ARTICLE VI
Board of Directors

A - The Board of Directors (BOD) shall be eleven (11) in number and shall consist of:

1 - The President
2 - The President-Elect
3 - The three (3) Vice Presidents
4 - The Secretary
5 - The Immediate Past President
6 - All four (4) Directors.

B - There may be Ex-Officio members of the Board of Directors. They must be nominated by the President and confirmed by a two-thirds (2/3) majority vote of the Board of Directors. They may attend any and all meetings of the Board, but shall have no vote in matters before the Board. Ex-Officio members may include, but not limited to:

1 - General Counsel
2 - Editor In Chief
3 - National Office Manager
4 - Treasurer

ARTICLE VII
Meetings, Elections, Voting and Dues

C - The election of the President, the President-Elect, the three Vice Presidents, the Secretary and the four Directors shall be elected by mail ballot by majority vote of those electors, as specified by By-Laws Division VI: Elections. All Officers and Directors shall take office immediately upon taking the oath of office at the annual banquet.

Constitutional Proposal #3: Motion to adopt the changes to the Constitution at Article VII, Section C, to replace Universal Voting with elections at the Annual Seminar. Note: This amendment will also require the return to the 2006 version of the APA By-Laws.
Confession to Theft of Drugs

LOGAN COUNTY, Ohio - A Logan County corrections officer, Theresa Zook was charged with two counts of theft after two inmates reported seeing Zook take prescription drugs during booking of a person into the jail. Zook took and failed a polygraph examination, after which she confessed to taking drugs from the inmate and also from a locked cabinet in the nurse’s office. The facility reportedly conducts random drug testing of its employees and there had never been any problems with Zook in the past. She was scheduled for a court appearance.


Man arrested after Admitting Molesting Child

CAPE GIRARDEAU, Missouri - Raymond M. Ressel, 29, of St. James, Missouri, was arrested by the Cape Girardeau County Sheriff’s Department, and faces charges of statutory sodomy for allegedly molesting a child under the age of 10. The investigation of Ressel began on March 8 when the child’s mother reported that her daughter had stated she was molested by Ressel during a time when she had been left alone with him. The child stated that Ressel had put his hand down her pants and molested her, scratching her skin. There were no other witnesses. Ressel agreed to undergo polygraph testing by the sheriff’s department, and the test resulted in a decision of Deception Indicated. Ressel then acknowledged molesting the girl, claiming he had been drinking and taking medication at the time.

Source: Southeastern Missourian (http://www.semissourian.com/story/1526302.html), March 31, 2009 - “Man arrested on charges he molested girl under 10 in Cape Girardeau County.”

Fabricated Assault Story Revealed

JOHNSTOWN, Pa - Hope Michelle Eck, 27, of the Vinco area was charged with lying to police about being pulled over last week by a man impersonating as a police officer. According to Eck, she was pulled over by a car with flashing red and blue lights. The man driving the car allegedly struck her in the back as she was reaching into the glovebox to retrieve her registration card and insurance papers as the man had requested. As backdrop to this story, the Pennsylvania State Police had an ongoing investigation of two incidents of a man impersonating a police officer in nearby areas. Eck agreed to undergo polygraph testing to verify her claims, but upon arrival for her appointment she confessed to making up the story. Her motivation for the fabrication: a sore back. Eck had calculated that if she reported that she had been injured in an incident such as that, she could get medical attention at a hospital without questions being asked.


Eye Witness Identification vs. Polygraph

SAN LUIS OBISPO, Ca - Charges have been dropped against Frederick “Freddy” Haworth who had been wrongly accused of two armed robberies in the area. According to prosecutors, six people identified Haworth from a photo lineup, and one of his relatives identified him in a surveillance photo of the robbery. The case unraveled when Michael Anthony Koselka, a suspected serial bank robber, confessed to police that he had committed the robberies for which Haworth had been accused. Police also noted a strong physical resemblance between Haworth and Koselka. “I think the bottom line is when you have that many eyewitness identifications it’s just real hard to discount that,” said Deputy District Attorney Lee Cunningham, “Eyewitness identification is fallible, just like other types of circumstantial evidence.” However, prosecutors did have disconfirming evidence when they sought charges against Haworth, including a favorable polygraph result and cell phone records indicating his phone was not in the area at the time of the robberies. They also lacked any forensic evidence tying Haworth to the crimes.

Kidnapping Charges Dropped Against Wrongly Accused Couple

PORTLAND, Maine - Belinda Libby, 41, and Peter Sullivan, 45, were arrested on December 6, 2008 and held for four months for keeping captive a 67-year old man in his apartment. The head of detectives for the Portland Police Department, said the couple were arrested based on the statements made by the alleged victim, and minor injuries he claimed to have suffered during the incident. The defendants took and passed polygraph examinations in early April, and Deputy District Attorney Meg Elam agreed with their lawyers there was not enough evidence to proceed with the charges. “Thank God for the lie detector tests,” said Libby. “I thought that because we were poor people, we weren’t going to make it out. We knew we didn’t do anything wrong.” Joel Vincent, the couple’s defense attorney, stated that the key to the charges being dropped was the polygraph test that Libby and Sullivan passed. Vincent also pointed out there were inconsistencies between the medical reports and the statements the alleged victim made about his injuries.


Murder of Hungarian Model Solved

LONDON, England - The battered body of former model Eva Rhodes was found buried in Hungary after disappearing seven months previously. A former beauty queen and associate of John Lennon, Rhodes was discovered near her Hungarian home after an associate from an animal sanctuary confessed to the murder following a polygraph examination. Though identified early in the investigation as a suspect, he had always denied being responsible for her death until the polygraph test showed he was lying about her last day at the refuge. The unnamed suspect then led authorities to a wooded area where he had buried the body, having tried for nearly an hour to burn it with gasoline before burying it. Many locals and police had dismissed claims of foul play during the investigation, suggesting instead Rhodes had simply gone home to the UK. However, Rhodes’ home had been ransacked and electronics were stolen. Her office records and files were partially destroyed and her car was found abandoned nearby. Rhodes had last been seen in a local mobile phone shop on September 10 with her alleged killer who she had recruited to help her run the sanctuary.


Polygraph and the Manhole Murders

SOUTH BEND, In - In January 2007 the bodies of four homeless men were found in manholes in remote sections of a railroad track. The chief suspect was Daniel Sharp. Sharp was brought in repeatedly for interviews about the murders but adamantly maintained his innocence. Police noted when Sharp lifted up his shoes, however, the pattern on the soles matched the footprint pattern found in blood in the building where it was believed the murders were committed. Sharp ultimately agreed to undergo polygraph testing to resolve the matter, and having failed his test, he confessed to the murders. As the story unfolded, Sharp told of how he and the victims lived in separate parts of an abandoned building. The victims stole Sharp’s space heater, something important to him, and he used it as justification for killing all four of the men. According to police, Sharp had no remorse, and he used it fully justified in the murders. Sharp later pleaded guilty in court.


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The ASTM International Committee E52 on Forensic Psychophysiology meeting was held in conjunction with the American Association of Police Polygraphists (AAPP) on May 2 and 3, 2009, at Harrah’s Hotel and Casino in Lake Tahoe, Nevada. The following information was discussed during the subcommittee meetings, specific to proposed additions and revisions of standards:

E52.01 Research: There was no new activity to report.

E52.02 Instrumentation: The subcommittee reviewed and discussed the negative vote associated with the revision of E2439-05 Standard Guide for Instrumentation, Sensors and Operating Software Used in Forensic Psychophysiological Detection of Deception Polygraph Examinations. The balloted item specifically addressed language that would require PDD examiners to use instruments that have a dedicated channel for activity sensors which record covert movements. The negative vote was found non-persuasive. The change in terminology will be reflected in the next publication of E2439-05.

E52.03 Quality Control: The subcommittee reviewed and discussed the negative vote associated with the revisions of E2031-99(2004) Practice for Quality Control of Psychophysiological Detection of Deception Polygraph Examinations. The balloted item was specifically related to a change terminology regarding information that is required for an independent/objective quality control review to be conducted. The negative voter was found persuasive. The revised section of E2062-07 will be balloted prior to the January 2010 meeting.

E52.04 Examiner Education and Training: There was no new activity to report.

E52.05 Psychophysiological Detection of Deception (PDD): The subcommittee reviewed and discussed the negative votes associated with two revisions of E2062-07 Guide for PDD Examination Standards of Practice. The balloted items addressed the recommendation for PDD examiners to conduct no more than five PDD examinations in any 24 hour period and the requirement of PDD examiners to use instruments that have a dedicated channel for activity sensors which record covert movements. The negative voters were found non-
The change in terminology will be reflected in the next publication of E2062-07.

The subcommittee discussed work item WK23891, which is associated with E2080 Standard Guide for Conduct of Psychophysiological Detection of Deception (PDD) Examinations. The proposed addition to E2080 regarding use of translators included the following:

1. PDD examiners shall assess the need for language translation, including both foreign languages and sign languages, on a case-by-case basis.
2. PDD examiners should use interpreters who are fluent in both written and spoken language for which they are interpreting. Interpreters should be fluent and conversant in idiomatic translation of the topical content of the PDD examination.
3. PDD examiners should not use interpreters who are relatives or friends of the examinee.
4. PDD examiners shall require that interpreters maintain professional boundaries with the examinee.
5. Before beginning the examination process, PDD examiners shall ensure that interpreters are familiar with the process of PDD examinations.
6. PDD examiners shall require interpreters to provide written translation of each test question prior to the test phase. It is also recommended that a mirror translation be completed in which the translated test questions are re-translated back to the language of the examiner. This translation shall be prepared prior to the test phase of the examination, and shall be maintained as part of the PDD examination record.

The proposed additional language to E2080 will be balloted prior to the January 2009 meeting.

E52.06 Terminology: There was no new activity to report. However, the subcommittee compiled a list of terms that will be defined and balloted prior to the January 2010 meeting.

E52.07 Ethics: The subcommittee reviewed and discussed the negative votes associated with revision of E2065-05 Standard Guide for Ethical Requirements for Psychophysiological Detection of Deception PDD Examiners. The balloted item included numerous changes throughout the standard, including the title. The negative votes were found non-persuasive. The changes will be reflected in the next publication of E2065-05.

E52.09 Liaison: The subcommittee discussed their activities, including publications in the American Polygraph Association Magazine.

The next meeting of ASTM International Committee E52 will be held in conjunction with the National Polygraph Association (NPA) in Las Vegas, Nevada, in January 2010. Please see future articles for exact date and time. Please note if you are interested in attending Committee E52 meetings, they are open to non-members. Both your attendance and comments are welcome. If you have any questions regarding the aforementioned meeting or other related questions regarding Committee E52, please feel free to contact Marty Oelrich at martyoelrich@hotmail.com.

Please note that Marty Oelrich, the author of this column, is the Secretary for Committee E52 on Forensic Psychophysiology. However, the views and comments expressed within this article do not necessarily reflect those of ASTM International or those of Committee E52 on Forensic Psychophysiology.
On October 9, 2002, the Los Angeles Times published an article *SCIENTISTS GIVE THE LIE TO POLYGRAPH TESTING*. There are two issues raised in the opening sentence of the article “Polygraph testing for national security screening is little more than junk science . . .” The first issue is polygraph testing for national security. The second issue is the validity and reliability of polygraph testing.

Generically, there are two kinds of polygraph examinations, utility examinations and validity examinations.

Utility examinations are used in the pre-employment screening process. Pre-employment examinations are utility examinations. They address mixed issues in the applicant's background. Because they address mixed issues, pre-employment examinations lack the validity and reliability of single issue validity examinations. If the National Academy of Sciences based its study on utility examinations and found those examinations have little validity or reliability, its findings may have merit. It is for that reason few if any government agencies make employment decisions based only upon utility polygraph examinations. In all cases, the opinion of the polygraph examiner is or should be confirmed by subsequent independent investigation.

Validity examinations focus very narrowly on a single issue. The intent is to eliminate as many variables as possible so that what remains is the truth. Validity examinations, when conducted by a qualified examiner, have a high degree of validity and reliability. If the National Academy of Sciences based its study and findings on validity examinations and found those examinations to have little validity or reliability, its findings and conclusions contradict earlier government studies and contradict the claim “. . . virtually no serious research about its (polygraph) efficacy has been conducted.”

Polygraph testing for national security at all levels of government, both federal and state, is affected by policies which frequently limit the effectiveness of the procedure. Political will impacts public policy and public policy often impacts science. Polygraph examinations and the opinion of the examiner are based upon psychophysiology, a science generally accepted by the scientific community. When the opinion of a polygraph examiner does not conform to political will or public policy, the validity and reliability of the polygraph procedure is most frequently blamed for failure.

It is not the validity and reliability of the polygraph procedure which is at issue, it is the willingness of government to use polygraph examinations effectively without political agenda or restrictive policy considerations. We must stop shooting the messenger and start accepting the message. A polygraph examination, when conducted by a qualified polygraph examiner, is an effective tool in the war chest of national security at what ever level.

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I admit it...I’m a country girl at heart!  My roots are from a place that when I was growing up, you could tell the day of the week by the type of dried bean that was cookin’ on the stove.  I spent many a summer at my grandparent’s house in North Carolina, pickin’ those fresh veggies in the summer.  And in winter months when the fresh canned goods were gone, I saw many a store bought can of green beans and corn cooked all day long, with the addition of “fat back,” “salt pork,” “streaky meat,” or bacon grease that sat in a can on the stove!  In fact, it took me several years to learn how to cook anything without fatback!  Even longer to learn the meaning of how long to cook something by the southern cooking standards of, “til it’s done!”  Pork chops were a Sunday breakfast, nothing I ever heard of for having during supper.  Measuring cups and spoons weren’t used.  Instead, things were measured with a pinch of this, or a dash of that.  I’m still trying to figure out the “till it’s done” part.

But, somewhere along the way, times changed.  A woman’s place was no longer “barefoot and pregnant in the kitchen.”  Both husband and wife worked to be able to afford their house, their 2 cars in the garage, and, a lifestyle to keep up with the Jones’ where the grass always looked greener.  Fast food, carry-out, frozen dinners, microwaves and crock-pots became not just the passing fad or fashion, but a new way of life for the kitchen.

And although I’m capable of growing my own garden, I gave it up a long time ago while being on the APA Board.  Somehow, everything always managed to ripen during the 11 days I was away attending the annual seminar and Board meetings.  All of my neighbors got to reap the benefits of my efforts.  Yes, I know how to can, but so does my local grocery store!

With all of this in mind, here’s a new take on some old-fashioned cooking southern cooking, but the modern, fast way!

**Papa Jim’s Slaw**  
(North Carolina vinegar based coleslaw)

1 Head of cabbage, sliced and chopped fine  
1 green pepper, chopped fine  
1 can of whole tomatoes (14 oz), chopped  
1 T salt  
1 “heaping” T black pepper  
1/8 c. cider vinegar  
1/3 c. sugar

Mix all ingredients.  Adjust seasoning to taste.  Best when made the day before. Serve with, or on, hot dogs, hamburgers, or pulled pork BBQ sandwiches.

**Corn Puddin’**

1 box of corn muffin mix  
1 can corn, drained  
1 can creamed corn  
1 stick butter or margarine  
2 eggs  
1 c. sour cream

Melt butter in 1.5 quart casserole dish.  Stir in remaining ingredients. Bake at 350 degrees for 45-60 minutes.

**Blue Plate Special**  
(AKA- A new take on Salisbury Steak)

1 egg  
2 green onions, chopped (or ½ c. chopped sweet onion)  
3 ¼ c. seasoned bread crumbs  
1 T mustard  
1.5 lbs. ground beef  
1 jar beef gravy (or 1 package, prepared according to directions)  
3 t. horseradish  
½ lb. fresh mushrooms, sliced

Beat egg.  Add onions, bread crumbs & mustard; Add beef & mix well.  Shape into 4-6 hamburger patties. Fry 4-5 minutes on each side; drain.  In small bowl, combine gravy, water and horseradish. Add mushrooms. Cook uncovered 5 minutes, until mushrooms are tender. Serve with mashed potatoes (or rice).
Fire & Ice Pickles

1 gallon dill pickle slices (the kind you use on hamburgers)
6 cloves of garlic
6 c. sugar
1 (small) bottle of Tabasco hot sauce (or hot sauce of your choice)
3 T dill weed

Rinse and pat pickles dry. Add all ingredients in a non-metal pan or bowl. Leave covered on counter 5 days, stirring (with non-metal spoon!) several times a day. After 5 days, put into jars and refrigerate.

(Note- the original recipe was given to me by a dear friend, Kay, who has Southern roots in Texas. It called for 8 cups of sugar which is very good, but also very sweet. I cut it down and used 6 cups of sugar and it’s still plenty sweet and met with her approval. Go by your own taste buds. Adjust the hot sauce depending on your taste, but this amount has a nice after-kick!)

Be sure to use non-metal container and non-metal spoon to stir!

Fresh Corn on the Cob

I’ve cooked corn every way imaginable. When my father was in the military and stationed in Massachusetts, I learned the New England way of cooking corn which was soaking it in the husk overnight, and then grilling it the next day. My problem is, I want it tonight… now… and didn’t think of soaking it last night because I didn’t want it last night! Forget about boiling it. Husk it, coat it in butter (along with other seasonings such as Old Bay - a Maryland tradition - cilantro butter, basil butter, or your favorite seasoned butter), and then grill it. Better still, forget about husking it! Just lift up the husk (to remove silk) and slather both the corn and the husk with whatever type of butter or seasoned butter you happen to like, pull the husk back over the corn and grill it. Forget about wrapping it in foil and don’t even think about boiling it anymore! The best… fail proof method… is to MICROWAVE it… husk and all! Plan on microwaving 2 ears (with husks intact!) for about 4-6 minutes, depending on how you like your corn cooked. Microwaving it in the husk steams it to give it that soaked overnight in the husk taste and is a fail-proof way of being able to husk it without any left over silk.

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Answers from the Mar/Apr 09 issue

Tech Bit
by Gregg Marshall

Oil Prices are going up. Airfares are going up too (some say faster than oil).

Looking for the best airfare?

One of my favorite starting places is ITA Software (http://beta.itasoftware.com).

They wrote the Orbitz booking engine.

This site is where they try new ideas. You know it’s unbiased since they don’t sell any tickets, just display the fares.

Check out their help pages. They have a “route language” that lets you specify all sorts of things (like connecting through a certain city on a certain airline).

And they have a monthly fare display. Say you need to go to Toledo sometime in December for 3 days, but you can be flexible when. They will show a calendar of the lowest fare each day. I’ve seen differences of 200% by changing a date by one day.

I then go to the airline website to book (and get the booking bonuses).
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polygraph instrumentation
Raymond Nelson

Across
2. commercial polygraph instrument manufactured in Chicago during the 1930s
4. computerized polygraph system manufacturer in Texas
9. device for recording an examination for later visual or auditory review
11. polygraph researcher from Utah who published algorithm scoring experiments and feature development and based on electrodermal, cardiograph, and respiration data
13. device for recording electrodermal activity
16. device for recording cardiovascular activity
18. device for recording respiration activity
19. Windows computer folder where Limestone exams are located
22. used a hydro-sphygmograph to record changes in blood pressure during interrogation
23. early 20th century researcher who studied respiration changes in the detection of deception
24. computerized polygraph system from Canada
25. developed first instrument to simultaneously record blood pressure, pulse, and respiration first suggested the use of GSR in the detection of deception

Down
1. sensors attached to an examinee’s epidermis
3. Windows computer folder where Lafayette exams are located
5. common fastening mechanism to attach respiration sensors to an examinee’s abdominal and thoracic areas
6. Windows computer folder where Lafayette exams are located
7. fastening system used to secure the cardio cuff on the arm
8. reference electrode sensor used by polygraph researchers
10. ceramic technology used to monitor peripheral activity
12. device for recording elapsed time and events during a polygraph exam
14. developed first instrument to simultaneously record blood pressure, pulse, and respiration
15. commercial polygraph instrument manufacturer in Indiana began production during the 1970s
17. photoelectric device used to monitor cardiovascular activity
20. commercial polygraph instrument manufacturer in Chicago during the 1960s
21. established the importance of changes in blood pressure in the detection of deception

Answers in the Jul/Aug 09 issue
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# Model Policy for Post-Conviction Sex Offender Testing

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## Table of Contents

1. Model Policy.
   1.1. Compliance and local authority.  
   1.2. Periodic review and modification.  
2. Evidence-based approach.
   2.1. Face-valid principles.  
   2.2. Evolving evidence.  
3. PCSOT program goals.
   3.1. Containment approach.  
   3.2. Operational objectives.  
4. Decision-support.
   4.1. Professional judgment.  
   4.2. Successive hurdles approach.  
   4.3. Confidentiality.  
5. General principles.
   5.1. Rights and dignity of all persons.  
   5.2. Polygraph examiner as part of the supervision and treatment team.  
   5.3. Non-interference with ongoing investigations.  
   5.4. Known and unknown allegations.  
   5.5. Confirmatory testing.  
   5.6. Ethical and professional roles.  
   5.7. Number and length of examinations.  
   5.8. Examination techniques.  
6. Operational definitions.  
7. Examination questions.
   7.1. Relevant questions.  
   7.2. Comparison questions.  
8. Types of PCSOT examinations.
   8.1. Instant offense exams.  
   8.1.1. Instant offense exam.  
   8.1.2. Instant offense investigative exam.  
   8.2. Prior allegation exam.  
   8.3. Sexual history exams I and II.  
   8.3.1. Sex history form.  
   8.3.2. Sexual history exam I.  
   8.3.3. General sex history exam II.  
   8.4. Maintenance exam.  
   8.5. Sex offense monitoring exam.  
9. Suitability for testing.
   9.1. Medications.  
   9.2. Unsuitable examinees.  
   9.3. Team approach.  
   9.4. Incremental validity.  
10. Testing procedures.
    10.1. Case background information.  
    10.2. Audio-visual or audio recording.  
    10.3. Pre-test phase.  
    10.4. In-test operations.  
    10.5. Test data analysis.  
    10.6. Posttest review.  
11. Examination report.
    11.1. Dissemination of test results and information.  
    11.2. Scope of expertise.  
12. Records retention.  
    14.2. Continuing education.  
    14.3. Professional experience.
1. **Model Policy.** This Model Policy should be considered a description of recommended best-practices for polygraph professionals who engage in post-conviction sex offender testing (PCSOT) activities. This Model Policy is intended to provide a basis for local programs developing or updating their PCSOT regulations, and does not attempt to address all aspects of PCSOT programming or policy implementation at the local level.

1.1. **Compliance and local authority.** Examiners should be responsible for knowing and adhering to all legal and regulatory requirements of their local jurisdictions. In case of any conflict between the Model Policy and any local practice requirements, the local regulations should prevail. Examiners who work in jurisdictions and programs without local regulations should refer to this Model Policy as a guide.

1.1.1. **Compliance with this Model Policy.** Although this Model Policy should be considered non-binding and not enforceable by the APA or any local jurisdiction, examiners whose work varies from the recommendations of this Model Policy should be prepared to provide justification for doing so.

1.1.2. **Compliance with professional standards.** Unless prohibited by law, regulation or agency policy, all members of the American Polygraph Association (APA) shall comply with the APA Standards of Practice. Additionally, all examiners should be responsible for knowing and adhering to standards of ASTM International.

1.2. **Periodic review and modification.** This Model Policy should be reviewed and amended periodically in order to remain consistent with emerging information from new empirical studies.

2. **Evidence-based approach.** To the extent possible, this Model Policy relies on knowledge and principles derived from existing research pertaining to polygraph testing, risk assessment, risk management, and sex offender treatment. Examiners should be cautious of field practices based solely on a system of values or beliefs. Some elements of this Model Policy are intended to increase professionalism and reliability among field examiners through the implementation of standardized field practice recommendations in the absence of data from empirical studies.

2.1. **Face-valid principles.** When an evidence-based approach is not possible, the Model Policy emphasizes face-valid principles pertaining to polygraph testing, field investigation principles and related fields of science. These include psychology, physiology, mental health treatment, forensic threat assessment, signal detection, decision theory, and inferential statistics.

2.2. **Evolving evidence.** In the event that evidence from future empirical studies reveals the practice recommendations of this Model Policy are inconsistent with empirically based evidence, the evidence-based information should prevail.

3. **PCSOT program goals.** The primary goal of all PCSOT activities should be to increase public safety by adding incremental validity to risk-assessment, risk-management, and treatment-planning decisions made by professionals who provide supervision and sex-offense specific treatment to convicted sex offenders in community settings.

3.1. **Containment approach.** Examiners who engage in PCSOT activities should emphasize a multi-disciplinary or multi-systemic containment approach to the supervision and treatment of sex offenders. This approach involves a collaborative effort among professionals from varying disciplines and systems including treatment providers, supervising officers, polygraph examiners, medical and psychiatric professionals, child-protection/family-services workers, and other professionals.

3.2. **Operational objectives.** Any or all of the following operational objectives should be considered a reasonable and sufficient basis to engage in PCSOT activities:

   A. **Increased disclosure of problem behavior** that will be of interest to professionals who work with convicted sex offenders;

   B. **Deterrence of problem behavior** among convicted sex offenders by increasing the likelihood that engagement in such behaviors will be brought to the attention of supervision and treatment professionals; and

   C. **Detection of involvement in or abstinence from problem behavior** that would alert supervision and treatment professionals to any escalation in the level of threat to the community or potential victims of sexual abuse.
4. **Decision-support.** Psychophysiological Detection of Deception (PDD) (polygraph) testing of convicted sex offenders should be regarded as a decision-support tool intended to assist professionals in making important decisions regarding risk and safety. Polygraph testing should not replace the need for other forms of behavioral monitoring or traditional forms of supervision and field investigation.

4.1. **Professional judgment.** Polygraph testing and polygraph test results should not supplant or replace the need for professional expertise and judgment. Polygraph test results should not be used as the sole basis for revocation of any individual from court supervision or termination of sex offense specific treatment.

4.2. **Successive hurdles approach.** Examiners should use a successive hurdles approach to testing to maximize both the informational efficiency and sensitivity of multi-issue (mixed-issue) screening polygraphs and the diagnostic efficiency and specificity of event-specific single-issue exams. The term screening, as it applies to PCSOT, is based on the fact that some exams are conducted for exploratory purposes in the absence of known allegations or known incidents. Follow-up examinations should employ a single-issue technique whenever increased validity is required to resolve an issue. Successive-hurdles may include following an unresolved mixed-issue polygraph test with additional attempts to resolve the issue(s), including posttest discussion, additional field or background investigation, or additional polygraph testing. Follow-up examinations may be completed on the same date as the initial exam, or they may be scheduled for a later date.

4.2.1. **Multi-issue (mixed-issue) exams.** Examiners should use multi-issue polygraph techniques only in the absence of a known incident, known allegation, or a particular reason to suspect wrongful behavior. Exploratory exams may at times be narrowed to a single target issue of concern. However, most exploratory exams involve multiple target issues in which it is conceivable that a person could lie about involvement in one or more issues while being truthful or uninvolved in the other issues of concern.

4.2.2. **Single-issue exams.** Examiners should use single issue polygraph techniques for follow-up exams conducted in response to a previously unresolved exploratory exam. Event specific diagnostic/investigative exams, conducted in response to known allegations or known incidents for which there is reason to suspect the involvement of the examinee, may be formulated as multi-facet tests with questions pertaining to several behavioral roles or aspects of a single known allegation.

4.2.3. **Multi-facet tests.** Event specific diagnostic/investigative exams, conducted in response to known allegations or known incidents for which there is reason to suspect the involvement of the examinee, may be formulated as multi-facet tests with questions pertaining to several behavioral roles or aspects of a single known allegation.

4.3. **Confidentiality and mandatory reporting.** Except as provided by law, information from the polygraph examination and test results (outcomes) should be kept confidential and provided only to those involved in the containment approach to the supervision and treatment of sex offenders.

4.3.1. **Examiners are not mandated reporters.** Examiners should not engage in mandatory child-abuse reporting activities except where required by law (i.e., whenever polygraph examiners are named or listed in statutes describing mandatory reporting requirements).

4.3.2. **Other professionals and mandatory reporting.** Examiners should remain aware that other professional members of the multi-systemic containment team will likely be subject to mandatory child-abuse reporting or other mandatory disclosure requirements.

5. **General principles.** Examiners who engage in PCSOT activities should adhere to all of the generally accepted principles that pertain to polygraph testing, including, but not limited to the following:

5.1. **Rights and dignity of all persons.** Examiners should respect the rights and dignity of all persons to whom they administer polygraph examinations.

5.2. **Polygraph examiner as part of the supervision and treatment team.** Examiners should consider themselves to be an integral part of the multi-disciplinary supervision and treatment team. Contact with supervision and treatment team should be frequent, though contact with an examinee will be periodic (i.e., the examiner will not maintain routine contact with the examinee between examinations).

5.3. **Non-interference with ongoing investigations.** Examiners who engage in PCSOT activities should not interfere with or circumvent the efforts of any open or ongoing investigation of a new criminal allegation.
5.4. **Known and unknown allegations.** Examiners who engage in PCSOT activities should investigate and attempt to resolve, if possible, known allegations and known incidents before attempting to investigate or resolve behavioral concerns that do not involve a known allegation or known incident.

5.5. **Confirmatory testing.** PCSOT activities should be limited to the Psychophysiological Detection of Deception (PDD). Confirmatory testing approaches involving attempts to verify truthfulness of partial or complete statements made subsequent to the issue of concern should not be utilized in PCOST programs. Truthfulness should only be inferred when it is determined that the examinee has not attempted to engage in deception regarding the investigation targets.

5.6. **Ethical and professional roles.** Examiners who possess multiple types of credentials (i.e., examiners who are also therapists, probation officers, or police officers) should be limited to one professional role with each examinee and should not conduct polygraph examinations on any individual whom they directly or indirectly treat or supervise.

5.7. **Number and length of examinations.** Examiners should not conduct more than five examinations in a single day, they and should not conduct more than three sexual history disclosure examinations in a single day.

5.7.1. **Length of examination.** Examiners should not plan to conduct examinations of less than 90 minutes in duration from the start of the pretest interview through the end of the post-test interview. Examiners should not conduct a complete polygraph examination in less than 90 minutes absent exigent circumstances such as when an examinee is not suitable for testing, an examinee refuses to continue with the examination, or when the issue under investigation is resolved prior to collection of data.

5.7.2. **Number of exams per examinee.** Examiners should not conduct more than four separate examinations per year on the same examinee except where unavoidable or required by law or local regulation. This does not include re-testing due to a lack of resolution during an initial or earlier examination.

5.8. **Examination techniques.** Examiners should use a recognized comparison question technique for which there is evidence of validity and reliability, including estimates of sensitivity and specificity, published in the Polygraph journal or a peer-reviewed scientific journal. There should not be more than four (4) relevant questions per test series.

6. **Operational definitions.** Examiners should ensure that every behavior of concern to the multi-disciplinary supervision and treatment team will be anchored by an operational definition that describes the behaviors of concern. Operational definitions should be common among all referring professionals, and should use language that is free of vague jargon. It should be easily understood by the examinee. Examples of operational definition include the following:

   A. **Physical sexual contact:** refers to rubbing or touching another person's sexual organs (i.e., breasts, buttocks, genitalia) whether over or under clothing, if for the purpose of sexual arousal, sexual gratification, sexual stimulation or sexual “curiosity.” This includes having, allowing, or causing another person to rub or touch one's own sexual organs, whether over or under clothing, for purposes of sexual arousal, sexual gratification, sexual “curiosity,” or sexual stimulation. This does not include parental contact with children's private areas in the form of diapering, wiping, bathing, dressing, or changing, unless done for the purpose of sexual arousal or stimulation.

   B. **Sexual contact:** includes the above definition, and also includes non-contact sexual behaviors such as exhibitionism, voyeurism, public masturbation, child-pornography, or other non-contact sexual behaviors.

   C. **Force (real or implied violence):** includes any form of real or implied violence; physical restraint to prevent a victim from leaving, escaping or moving away from the assault; or threats of harm against a victim's family members or pets.

   D. **Coercion (non-violent):** includes any non-violent means of gaining the compliance of a victim who expresses his or her reluctance to comply (e.g., bribery, threats to end a relationship, etc.).

   E. **Grooming (child grooming):** includes any means of building trust or exploiting a relationship such that a victim tolerates an offense with a perception of complicity.
F. **Manipulation**: includes any means of trickery to gain the compliance of a victim who is unaware of the sexual motives of the offender (e.g., wrestling, horseplay, tickling or other trickery).

G. **Relative (family member)**: includes aunts, uncles, nieces, nephews, children, grandchildren, parents, grandparents, brothers, sisters, cousins, or any person related by blood, marriage, or adoption, or where a relationship has a legal relationship or the appearance of a family relationship (e.g., a dating or live-in relationship with the person(s) natural, step or adoptive parent).

H. **Minor, child, youth, underage person**: refers to anyone who has not yet reached the age of majority or adulthood (usually 18). Adolescence, though it refers to older/teenage children, is included in this broad category.

I. **Incidental contact**: refers to any brief or unanticipated contact, typically concerning minors, including any greeting (e.g., waving, or smiling), interaction (i.e., verbal), or incidental physical contact (e.g., shaking hands, hugging, patting the head, bumping into, exchanging money or merchandise, etc.).

J. **Physical contact**: includes shaking hands, hugging, patting the back or head, bumping into, exchanging money or merchandise along with other forms of physical contact including sitting on one’s lap, holding, wrestling or athletic activities, etc.

K. **Alone or unsupervised with minors**: refers to any contact or activity with minors in a location where one cannot be seen or heard, and where others are not aware of one’s presence or activity with a minor, and in which the activity cannot be monitored or observed.

L. **Pornography**: refers to the explicit depiction of sexual subject matter for the sole purpose of sexually arousing the viewer, sometimes referred to as X-rated or XXX material, though there is no formal rating system that includes these designations. Minors cannot purchase pornographic materials in most, if not all, jurisdictions.

M. **Sexually stimulating materials/erotica**: refers to the use of sexually arousing imagery, especially for masturbation purposes.

N. **Sexual fantasy/erotic fantasy**: refers to a deliberate thought or patterns of thoughts, often in the form of mental imagery, with the goal of creating or enhancing sexual arousal or sexual feelings. Sexual fantasy can be a developed or spontaneous story, or a quick mental flash of sexual imagery, and may be voluntary or intrusive/involuntary.

O. **Masturbation**: refers to sexual stimulation of one’s genitals, often, though not always, to the point of orgasm. Stimulation can be over or under clothing, either manually or through other types of bodily contact, through the use of objects or devices, or through a combination of these methods. Although masturbation with a partner is not uncommon, masturbation for the purpose of this Model Policy refers to self-masturbation.

7. **Examination questions.** Examiners should have the final authority and responsibility for the determination of test questions and question language, which must be reviewed with the examinee. Examiners should advise the supervision and treatment professionals to refrain from informing the examinee of the exact test questions and investigations targets, or coaching the examinee in the mechanics, principles or operations of the polygraph test. Technical questions about polygraph should be directed to the examiner at the time of the examination. Examiners should advise community supervision team members and treatment professionals that it is appropriate to inform the examinee of the purpose or type of each examination.

7.1. **Relevant questions.** Relevant questions should pertain to a single frame of reference, which refers to the type of PCSOT examination. (See Section 8.)

7.1.1 **Content.** Relevant questions should address behaviorally descriptive topical areas that have a common time of reference, which refers to the time-period under investigation. Content should bear operational relevance to actuarial or phenomenological risk assessment, risk management and treatment planning methods. Examiners should exercise caution to ensure they do not violate any rights of examinees regarding answering questions about criminal behaviors.

7.1.2 **Structure.** Relevant question construction should be...

A. **answerable by a “NO” without unnecessary mental exercise or uncertainty; and**
B. **behaviorally descriptive** of the examinee's direct or possible involvement in an issue of concern and, whenever possible, not indirectly addressing that issue by targeting a subsequent denial of it;

C. **simple**, direct and easily understood by the examinee;

D. **time-delimited** (date of incident or time of reference);

E. **free of assumptions of guilt** or deception;

F. **free of idiosyncratic jargon**, legal terms; and

G. **free of references to mental state** or motivational terminology except to the extent that memory or sexual motivation may be the subject of an examination following an admission of behavior.

7.2. **Comparison questions.** Comparison questions should meet all common requirements for the type comparison question being applied.

7.2.1. **Content.** Comparison questions should address broad categorical concerns regarding honesty and integrity and should not be likely to elicit a greater physiological response than deception to any relevant question in the same test.

7.2.2. **Structure.** Comparison questions should be structurally separated from relevant questions by either frame of reference or time of reference. Nothing in this Model Policy should be construed as favoring exclusive or non-exclusive comparison questions.

8. **Types of PCSOT examinations.** Examiners should utilize five basic types of PCSOT examinations: instant offense exams, prior-allegation exams, sexual history disclosure exams, maintenance exams, and sex offense monitoring exams. These basic types of examinations provide both a frame of reference and a time of reference for each examination. Examiners should not mix investigation targets from different frames of reference (examination types) or times of reference within the structure of a single examination.

8.1. **Instant offense exams.** Examiners should use two basic types of examinations to investigate the circumstances and details of the instant offense for which the examinee was convicted: the Instant Offense exam and the Instant Offense Investigative exam. These exams should be conducted prior to victim clarification or reunification in order to reduce offender denial and mitigate the possibility of further traumatizing a victim. These circumstances might result when an offender has attempted to conceal the most invasive or abusive aspects of an admitted offense or whenever the multi-disciplinary community supervision team determines that accountability for the circumstances and details of the instant offense represent a substantial barrier to an examinee's engagement and progress in sex offense specific treatment.

8.1.1. **Instant offense exam.** Examiners should conduct the Instant offense (IO) exam as an event-specific polygraph for examinees who deny any or all important aspects of the allegations pertaining to their present sex offense crime(s) of conviction.

8.1.1.1. **Instant offense – examination targets.** Examiners, along with the other members of the community supervision team, should select the relevant investigation targets from the circumstances of the allegation that the examinee denies.

8.1.1.2. **Instant offense – testing approach.** Examiners should conduct this exam either as a single-issue or multi-facet event-specific exam. However, nothing in this Model Policy should be construed as to prohibit the completion of the Instant Offense exam in a series of single-issue exams when such an approach will lend to more accurate or satisfactory resolution of the investigation targets.

8.1.2. **Instant offense investigative exam.** Examiners should use the Instant Offense Investigative (IOI) exam to test the limits of an examinee's admitted behavior and to search for other behaviors or offenses not included in the allegations made by the victim of the instant offense. This examination should be completed prior to victim clarification or reunification.

8.1.2.1. **Instant offense investigative – examination targets.** Examiners, along with the other members of the community supervision team, should select relevant targets from their concerns regarding additional or unreported offense behaviors in the context of
the instant offense. At the discretion of the examiner and the other professional members of the community supervision team, examination targets may include the following:

A. **Number of offense incidents against the victim**: when the admitted number of offense incidents is very small.

B. **Invasive offense behaviors**: when the examinee denies intrusive or hands-on offense behaviors against the victim of the instant offense.

C. **Degree of physical force or violence**: when the examinee denies use of violence, physical restraint, threats of harm, or physical force against the victim of the instant offense.

D. **Other sexual contact behaviors**: when not included in the allegations made by the victim of the instant offense, at the discretion of the community supervision team.

8.1.2.2. **Instant offense investigative – testing approach**. Examiners should conduct this exam as a multi-facet or multi-issue (mixed-issue) exploratory exam. However, nothing in this Model Policy should be construed as to prohibit the completion of the Instant Offense Investigative exam in a series of single-issue exams (i.e., in the absence of an allegation involving the behavioral examination targets) when that approach will lend to more accurate or satisfactory resolution of the investigation targets.

8.2. **Prior allegation exam**. Examiners should use the Prior Allegation Exam (PAE) to investigate and resolve all prior alleged sex offenses (i.e., allegations made prior to the current conviction) before attempting to investigate and resolve an examinee’s history of unknown sexual offenses. This exam should be considered identical in design and structure to the Instant Offense Exam, except that the details of the allegation stem not from the present crime of conviction but from an allegation prior to the conviction resulting in the current supervision and treatment, regardless of whether or not the examinee was charged with the allegation. Examiners should exercise caution to ensure they do not violate any rights of an examinee regarding answering questions about criminal behaviors.

8.3. **Sexual history exams I and II**. Examiners should use two basic types of Sexual History examinations to investigate the examinee’s history of involvement in unknown or unreported offenses and other sexual compulsivity, sexual pre-occupation, or sexual deviancy behaviors. Information and results from these examinations should be provided to the professional members of the supervision and treatment team to add incremental validity to decisions pertaining to risk assessment, risk management and treatment planning.

8.3.1. **Sex history document**. Examiners should work with the community supervision team to require that examinees complete a written sexual history document prior to the conduct of a sexual history polygraph. The sexual history document should provide operational definitions that unambiguously describe each sexual behavior of concern. The purpose of the document is to help examinees review and organize their sexual behavior histories. It aids in familiarizing examinees with the conceptual vocabulary necessary to accurately discuss sexual behaviors; it can assist examinees in recognizing sexual behavior that was abusive, unlawful, unhealthy, and identify behaviors that are considered within normal limits.

8.3.1.1. **Prior review of the sex history document**. Examiners should request that each examinee review the sexual history document with his or her community supervision team and treatment group prior to the examination date. The examiner does not need to review this document prior to the examination date, though the content should be reviewed thoroughly during the structured or semi-structured pretest interview.

8.3.1.2. ** Examiner authority**. It should be the examiner’s discretion to administer an alternative form of PCSOT examination if an examinee has not completed and reviewed the sexual history document prior to the examination date.

8.3.2. **Sexual history exam I – unreported victims**. Examiners should conduct the Sex History Exam I (SHE-I) to thoroughly investigate the examinee’s lifetime history of sexually victimizing others, including behaviors related to victim selection, victim access, victim impact, and sexual
offenses against unreported persons. These target issues provide a summary of the most tangible signal issues that provide interpretable information about victim-age, victim-profile, victim-selection, victim-control/access, and victim-silencing behaviors. SHE-I also provides information about the offender’s capacity for grooming, sneakiness, violence, relationship-building and relationship-exploiting in addition to the capacity to offend in the absence of a relationship. Gathering information in these areas is additive to forensic risk assessment and risk management efforts. Ruling out matters in these SHE-I areas is also helpful as it allows the justification of a lower assumption of risk. What a person does or does not do (is capable of doing or not doing) to others is illustrated by past behavior. The best predictor of future behavior is past behavior.

8.3.2.1. **Sexual history exam I – examination targets.** Examiners, along with the other members of the community supervision team, should select investigation targets that provide operational relevance to actuarial and phenomenological risk/threat assessment protocols pertaining to recidivism, victim selection, and risk management decisions. Examples include the following:

A. **Sexual contact with underage persons**, (refer to local statutes) including sexual contact with persons younger than age 15 while the examinee was legally adult, or sexual contact with persons 4 or more years younger than the examinee if the examinee is a juvenile.

B. **Sexual contact with relatives**, whether by blood, marriage, or adoption, or where a relationship has a legal relationship or the appearance of a family relationship (e.g., a dating or live-in relationship with the person(s) natural, step or adoptive parent).

C. **Use of violence to engage in sexual contact**, including physical force/physical-restraint and threats of harm or violence toward a victim or victim’s family members or pets through the use of a weapon or any verbal/non-verbal means.

D. **Sexual offenses against persons who appeared to be unconscious, asleep, or incapacitated**, including touching or peeping against persons who were asleep, severely intoxicated, impaired due to drugs, or who were mentally/physically helpless for other reasons.

8.3.2.2 **Sexual history exam I – time of reference.** The time of reference for the Sex History Exam I may be restricted to the period of time prior to the current court supervision that mandated the present treatment when there are concerns about 1) potential differences in consequences for pre-treatment or pre-conviction acts and those acts occurring post-conviction or after treatment onset, or 2) examinee rights pertaining to the behavioral targets after conviction while under the supervision of a court or in a treatment program.

8.3.2.3 **Sexual history exam I - testing approach.** Examiners should conduct this examination as a multi-issue (mixed-issue) exploratory examination. However, nothing in this Model Policy should be construed as to prohibit the completion of the Sex History I Exam in a series of more narrowly focused exams when that approach will lend to more accurate or satisfactory resolution of the investigation targets.

8.3.3. **General sexual history exam II – sexual deviancy, compulsivity, and preoccupation.** Examiners should conduct this General Sex History (GSH) examination to thoroughly investigate the examinee’s lifetime history of sexual deviancy, preoccupation, and compulsivity behaviors not including those behaviors described in the Sex History Exam I. This examination may be most important with examinees who substantially deny involvement in sexual deviancy, compulsivity and preoccupation behaviors. SHE-II issues are additive to risk-assessment/risk-management/treatment-planning, but in a different way than SHE-I issues. Actuarial risk researchers tell us that sexual deviancy/compulsivity/pre-occupation is also correlated with increased rates of recidivism and increased rates of failure under supervision and failure in sex-offense-specific treatment. SHE-II adds incremental validity to risk-assessment/risk-management/treatment-planning to the extent that it gathers information about involvement in sexual behaviors that are more often compulsive (large-numbers) such as peeping/voyeurism, exhibitionism, theft of undergarments, public masturbation, and child-pornography. The forensic challenge will be to differentiate no-involvement from minimal-
involvement from high-involvement. Polygraph examiners should be cautious about attempting to test the limits of admitted sexual compulsivity or sexual preoccupation behaviors with the hope of somehow knowing everything or every incident when an examinee admits to substantial involvement in the behavioral targets of concern. When an offender admits to being highly involved in these activities, there may be little to be gained from testing the limits of involvement: there is likely more, but it might not be remembered. It is not additive because the answer is already known: he or she is highly involved. Testing these behaviors is additive when an offender denies involvement or admits to only minimal involvement because confirming that will help justify an assumption of absence of compulsivity/deviancy/preoccupation, which is correlated with an assumed lower level of risk.

8.3.3.1. **General sexual history exam II - examination targets.** Investigation targets for the General Sexual History exam II should bear operational relevance to actuarial and phenomenological risk/threat assessment protocols pertaining to sexual deviancy, sexual compulsivity, and sexual preoccupation behaviors. Investigation targets may include any of the following:

A. **Voyeurism/sexual peeping activities,** including all attempts to look into someone’s home, bedroom or bathroom without the person’s knowledge or permission, in an attempt to view someone naked, undressing/dressing, or engaging in sexual acts. Voyeurism activities include attempts involving the use or creation of a hole or opening to view others for sexual arousal, including all attempts to use any optical devices (e.g., cameras, mirrors, binoculars, or telescope) to view others for sexual purposes.

B. **Exhibitionism/indecent exposure,** including all attempts to intentionally or to have appear to have “accidently” exposed one’s bare private parts to unsuspecting persons in public places. Exhibitionism includes wearing loose or baggy clothing that allows one’s sexual organs to become exposed to others, and may also include mooning, streaking or flashing behaviors, and public urination while in view of others.

C. **Theft or use of underwear/undergarments for sexual arousal or masturbation,** including taking or keeping undergarments (including other personal property or “trophies”) from relatives, friends, sexual partners, or strangers for masturbation or sexual arousal. It also includes all incidents of wearing or trying on another person’s underwear or undergarments without that person’s knowledge or permission, in addition to all incidents in which underwear, undergarments, or personal property was returned after use for masturbation or sexual arousal.

D. **Frottage/sexual rubbing,** including all attempts to sexually rub or touch others without their knowledge or permission, by standing or walking too close in public locations (e.g., work, stores, school, or other crowded places), or during any form of play, horseplay, wrestling/athletic activities, or other similar activities.

8.3.3.2. **General sexual history exam II – additional investigation targets.** Other possible investigation targets for the Sex History Exam include but are not limited to the following:

A. **Child pornography,** including any history of ever viewing, possessing, producing, using, or distributing pornographic images of minors (i.e., infants, children or teenagers under age 18) who were engaging sexual acts.

B. **Sexual contact with animals,** refers to all sexual behaviors (including attempts) involving pets, (those belonging to the examinee or others) domesticated (farm/ranch) animals, or wild animals, whether living or deceased, and whether whole or dismembered. This target may include animal cruelty behaviors.

C. **Prostitution activities,** including ever paying anyone or being paid for sexual contact (including erotic massage activities) with either money, property, or any special favors. It also includes ever employing or managing others who were paid to engage in sexual activities.
D. **Coerced sexual contacts**, including bribing, tricking, manipulating, lying, misuse of authority, badgering/pestering, wearing-down boundaries, or not accepting “no” for an answer.

E. **Stalking/following behaviors**, including all incidents of following someone to his or her home, workplace or vehicle, or following others around a store, aisle, parking lot, workplace/school, campus, or community for sexual or aggressive/angry reasons. It also includes all other efforts to monitor or observe another person’s behavior without that person’s knowledge or permission.

F. **Use of a computer to solicit minors for sexual activities**, including ever using a computer, the Internet, or any electronic communication device in attempt to solicit an underage person for sexual contact. It also includes ever engaging in on-line sex-chat or cyber-sex activities via IRC, Instant Messaging, Web Chat, email or any other electronic method.

G. **Masturbation or sexual acts in public places** where one could be seen by others such as a vehicle, hiding place, standing outside someone’s home or window, or anywhere one could watch others without their knowledge or permission. It also includes masturbation or sexual acts in workplace/school locations, public restrooms, or adult entertainment businesses.

8.3.3.3. **General sexual history exam II – time of reference.** The time of reference for the Sex History Exam I may be restricted to the period of time prior to the current court supervision that mandated the present treatment when there are concerns about 1) potential differences in consequences for pre-treatment or pre-conviction acts and those acts occurring post conviction or after treatment onset, or 2) examinee rights pertaining to the behavioral targets after conviction while under the supervision of a court or in a treatment program. The time of reference should be included in the test questions unless clearly established during the pretest interview.

8.3.3.4. **General sexual history exam II - testing approach.** Examiners should conduct this examination as a multi-issue (mixed-issue) exploratory examination. However, nothing in this Model Policy should be construed as to prohibit the completion of the General Sex History Exam II in a series of more narrowly focused exams when that approach will lend to more accurate or satisfactory resolution of the investigation targets. Nothing in this Model Policy should be construed as to require the investigation of all or any of the suggested investigation targets or preclude the selection of alternative targets pertaining to sexual behavior that would assist the supervision and treatment team in determining and responding to the examinee’s supervision and treatment needs.

8.3.3.5. **Testing the limits of admitted sexual compulsivity or sexual preoccupation.** Examiners should attempt to prioritize the investigation of behaviors in which the examinee denies any involvement. It may not be realistic to hope to know everything when an examinee admits to substantial involvement in sexual behaviors that may include elements of sexual compulsivity or sexual preoccupation. In these cases community supervision team members should be informed of the examinee’s admission of substantial involvement.

8.4. **Maintenance exam.** Examiners should conduct the Maintenance Examination (ME) to thoroughly investigate, either periodically or randomly, the examinee’s compliance with any of the designated terms and conditions of probation, parole, and treatment rules.

8.4.1 **Maintenance exam - scheduling.** It is recommended that Maintenance Exams be completed every four to six months, or every 12 months at a minimum. Community supervision team members should consider the possible deterrent benefits of randomly scheduled maintenance exams for some examinees.

8.4.2. **Maintenance exam - examination targets.** Investigation targets for the Maintenance Exam should bear operational relevance to an examinee’s stability of functioning and any changes in dynamic risk level as indicated by compliance or non-compliance with the terms and conditions of the supervision and treatment contracts. Any of the terms and conditions of the
probation or treatment may be selected as examination targets. Investigation targets for Maintenance Exams should emphasize the development or verification of information that would add incremental validity to the early detection of an escalating level of threat or to the community or to potential victims.

8.4.2.1. **Unknown allegations.** Maintenance Exams should not address known allegations or known incidents, which are properly investigated in the context of an event-specific polygraph exam.

8.4.2.2. **Compliance focus.** Maintenance Exams should be limited to questions about compliance or non-compliance with supervision and treatment rules. Questions about unlawful sex acts or re-offense behaviors may be included in the examination as long as circumstances related to rights against self incrimination as listed in the section dealing with Sex Offense Monitoring examinations do not exist. An elevated level of concern regarding reoffense would warrant a Sex Offense Monitoring Exam (SOME) – not a Maintenance Exam. Examiners should exercise caution to ensure they do not violate any rights of an examinee regarding the answering of questions about new criminal behaviors.

8.4.2.3. **Examination targets.** Examination targets should include, but are not limited to the following:

A. **Sexual contact with unreported persons of any age,** including any form of rubbing or touching of the sexual organs (i.e., breasts, buttocks, or genitalia) of any person not already known or reported to the supervision and treatment team, either over or under clothing, for the purpose of sexual arousal/stimulation, sexual gratification, or sexual “curiosity.” It also includes causing or allowing others to touch or rub one’s own private parts either over or under clothing, for the purpose of sexual arousal/stimulation, sexual gratification, or sexual “curiosity”; and sexual hugging and kissing activities.

B. **Use of pornography,** refers to viewing or using X-rated (or “XXX”), nude, or pornographic images or materials (e.g., pornographic magazines, pornographic movies on cable television, including scrambled television programming, pornographic movie theaters, pornographic video arcades, videotape, CD/DVD, or other recorded media including pornographic images or materials via computer or the Internet, iPod, cell phone, video games, or any electronic messaging system). It may also include using non-pornographic erotica (nude or non-nude) images or materials for sexual stimulation or masturbation purposes (e.g., sexually objectifying entertainment magazines, bikini or car magazines, nudity or erotic scenes in non-pornographic movies, sexually oriented stories in magazines, novels, or Internet/computer resources, and/or anything at all on television). This target may be restricted to using pornographic or sexually stimulating materials for masturbation purposes when the examinee admits to incidental contact with pornographic images.

C. **Masturbation activities and masturbatory fantasies,** which may refer to any involvement in masturbation activities when the examinee is prohibited from those activities, or it may refer to problematic forms of masturbation such as masturbating in a public location or where one could view or be viewed by others. It may also include voluntary or involuntary/intrusive thoughts or fantasies of a minor or past victim while masturbating or masturbation due to stress, boredom, anger, or other negative mood.

D. **Unauthorized contact with underage persons,** which refers to prohibited physical or other contact with underage persons, or to being completely alone or unsupervised with underage persons if the examinee has reported or admitted to incidental contact.

E. **Sexual offenses while under supervision,** including forced, coerced or violent sexual offenses, sexual offenses against underage persons, incest offenses, or sexual contact with unconscious persons. It may also include sexual deviancy/compulsivity/ preoccupation behaviors such as voyeurism, exhibitionism, theft of undergarments, public masturbation or other behaviors.
F. **Use of alcohol, illegal drugs or controlled substances**, including tasting or consuming any beverage containing alcohol (if prohibited), or consuming any product containing alcohol for the purpose of becoming intoxicated, inebriated, drunk, “buzzed,” or “relaxed.” It also includes any use of marijuana (whether inhaled or not) or any other illegal drugs. This target also includes any misuse of controlled prescription medications, whether borrowing, sharing, trading, loaning, giving away, or selling one’s own or another person’s prescription medications or using any medication in a manner that is inconsistent with the directions of the prescribing physician.

8.4.3. **Maintenance exam - time of reference.** Maintenance Exams should address a time of reference subsequent to the date of conviction or the previous Maintenance Exam, generally not exceeding one year and only exceeding two years in rare circumstances. The time of reference may be described generally as the six-month period preceding the examination; although, there may be reasons for lengthening or shortening the time of reference for some exams. All investigation targets in a test series should have a common time of reference.

8.4.4. **Maintenance exam - testing approach.** Examiners should conduct this examination as a multi-issue (mixed-issue) exploratory examination. However, nothing in this Model Policy should be construed as to prohibit the completion of the Maintenance Exam in a series of more narrowly focused exams when that approach will lend to more accurate or satisfactory resolution of the investigation targets.

8.5. **Sex offense monitoring exam.** Examiners should conduct the Sex Offense Monitoring Exam to explore the possibility the examinee may have been involved in unlawful sexual behaviors including a sexual re-offense during a specified period of time. Other relevant questions dealing with behaviors related to probation and treatment compliance should not be included.

8.5.1. **Sex offense monitoring exam - scheduling.** Sex Offense Monitoring Exams should be completed whenever there is a specific request from a supervision or treatment professional to investigate the possibility of a new offense while under supervision. Alternatively, this exam may be used when 1) the likelihood of sexual offense or other sexual crime is elevated because of information received by any member of the team to include the examiner, or 2) following a previously unresolved maintenance examination that included a relevant question about sexual offense behavior. Whenever the results of a maintenance exam indicated the need for further testing to obtain a more diagnostic conclusion, a single-issue test format will be utilized. A single-issue Sex Offense Monitoring Exam can be expected to have improved diagnostic accuracy over a multi-issue (mixed issue) exam. However, this approach is still an exploratory exam, which should not be regarded as a sole basis for action (such as probable cause for arrest, revocation or removal from a treatment program).

8.5.2. **Sex offense monitoring exam - examination targets.** Examiners should select investigation targets for the Sex Offense Monitoring Examination that pertain to new sex crimes while under supervision based on concerns expressed by the supervision and treatment team.

8.5.3. **Sex offense monitoring exam - time of reference.** Sex Offense Monitoring Exams should refer to a time of reference generally following the date of conviction or a previous Monitoring Examination. The time of reference should be clearly stated in the test questions and may include all or any part of the time that the examinee is under supervision or in treatment, including a specific date or restricted period of time. The time of reference should emphasize the investigation of possible unlawful sexual acts or sexual re-offense during the most recent period of months prior to the Sex Offense Monitoring Exam.

8.5.4. **Sex offense monitoring exam - testing approach.** Examiners should conduct the Sex Offense Monitoring Exam as a multi-issue (mixed-issue) exploratory examination. However, nothing in this Model Policy should be construed as to prohibit the completion of the Sex Offense Monitoring Exam as a narrowly focused exam when that approach will lend to more accurate or satisfactory resolution of the investigation targets. Examiners should use a single-issue technique when the Sex Offense Monitoring Exam is used to follow-up on a previously unresolved Maintenance Exam.

9. **Suitability for testing.** Suitable examinees should, at a minimum, be expected to have a capacity for...

A. **Abstract thinking:**
B. **Insight into their own and others' motivation**;
C. **Understand right from wrong**;
D. **Tell the basic difference between truth and lies**;
E. **Anticipate rewards and consequences for behavior**; and
F. **Maintain consistent orientation to date, time, and location**.

9.1. **Medications.** Examiners should obtain and note in the examination report a list of the examinee's prescription medication(s), any medical or psychiatric conditions, and any diagnosed acute or chronic medical health conditions.

9.2. **Unsuitable examinees.** Examiners should not test examinees who present as clearly unsuitable for polygraph testing at the time of the examination.

9.2.1. **Psychosis.** Persons who are acutely psychotic, suicidal, or have un-stabilized or severe mental health conditions, including dementia, should not be tested.

9.2.2. **Age.** Persons whose chronological age is 12 years or greater should be considered suitable for polygraph testing unless they are substantially impaired. Polygraph testing should not be attempted with persons whose Mean Age Equivalency (MAE) or Standard Age Score (SAS) is below 12 years as determined by standardized psychometric testing (e.g., IQ testing, and adaptive functioning).

9.2.3. **Level of functioning.** Persons whose level of functioning is deemed profoundly impaired and warranting continuous supervision or assistance may not be suitable for polygraph testing.

9.2.4. **Acute injury or illness.** Persons suffering from an acute serious injury or illness involving acute pain or distress should not be tested.

9.2.5. **Controlled substances.** Persons whose functioning is observably impaired due to the influence of non-prescribed or controlled substances should not be tested.

9.3. **Team approach.** Examiners should consult with other professional members of the multi-systemic containment team, prior to the examination, when there is doubt about an examinee's suitability for polygraph testing.

9.4. **Incremental validity.** When there are concerns about an examinee’s marginal suitability for testing, examiners should proceed with testing only when multi-disciplinary team determines that such testing would add incremental validity to risk assessment, risk management, and treatment planning decisions through the disclosure, detection, or deterrence of problem behaviors.

10. **Testing procedures.** Examiners who engage in PCSOT activities should adhere to all generally accepted polygraph testing protocols and validated principles.

10.1. **Case background information.** The examiner should request and review all pertinent and available case facts within a time frame sufficient to prepare for the examination.

10.2. **Audio-visual or audio recording.** Examiners should record all PCSOT polygraph examinations. The recording should include the entire examination from the beginning of the pretest interview to the completion of the posttest review. The recording should be maintained for a minimum of three years. The recording documents the quality of the conduct of the testing protocol; documents the content and authenticity of the content of the information provided by the examinee, thus precluding possible future denials; and facilitates a comprehensive quality assurance review when necessary.

10.3. **Pre-test phase.** Examiners should conduct a thorough pre-test interview before proceeding to the test phase of any examination. A thorough pretest interview will consist of the following:

10.3.1. **Greeting and introduction.** Examiners should introduce themselves by their names and orient examinee to the examination room.
10.3.2. **Brief explanation of procedure.** Examiners should ensure examinees have some information about the ensuing procedure and scope of testing prior to obtaining the authorization and release to complete the exam.

10.3.3. **Authorization and release.** Examiners should obtain an examinee's agreement, in writing and/or on the audio/video recording, to a waiver/release statement. The language of the statement should minimally include 1) the examinee's voluntary consent to take the test, 2) that the examination may be terminated at any time, 3) a statement regarding the examinee's assessment of his or her mental and physical health at the time of the examination, 4) that all information and results will be released to professional members of the community supervision team, 5) an advisement that admission of involvement in unlawful activities will not be concealed from the referring professionals and 6) a statement regarding the requirement for audio/video recording of each examination.

10.3.4. **Biographical data/determination of suitability for testing.** Examiners should obtain information about the examinee's background including marital/family status, children, employment, and current living situation in addition to a brief review of the reason for conviction and length/type of sentence. Examiners should obtain, prior to and at the time of the examination, information pertaining to the examinee's suitability for polygraph testing.

10.3.5. **Explanation of polygraph instrumentation and testing procedures.** The testing process should be explained to the examinee, including an explanation of the instrumentation used and the physiological and psychological basis of response. Nothing in this Model Policy should be construed as favoring a particular explanation of polygraph science. In general, an integrated explanation involving emotional attributions, cognitive theory and behavioral learning theory may be the best approach.

10.3.6. **Structured interview.** The examiner should conduct a thorough structured or semi-structured pre-test interview, including a detailed review of the examinee's background and personal information, any applicable case facts and background, a detailed review of each issue of concern, and an opportunity for the examinee to provide his or her version of all issues under investigation. For event-specific diagnostic/investigative polygraphs of known allegations or known incidents, a free-narrative interview is used instead of a structured or semi-structured interview.

10.3.7. **Review of test questions.** Before proceeding to the test phase of an examination, the examiner should review and explain all test questions to the examinee. The examiner should not proceed until satisfied with the examinee's understanding of and response to each issue of concern.

10.4 **In-test operations.** Examiners should adhere to all generally accepted standards and protocols for test operations.

10.4.1 **Environment.** All examinations should be administered in an environment that is free from distractions that would interfere with the examinee’s ability to adequately focus on the issues being addressed.

10.4.2 **Instrumentation.** Examiners should use an instrument that is properly functioning in accordance with the manufacturer's specifications.

10.4.2.1. **Component sensors.** The instrument should continuously record the following during the test: thoracic and abdominal movement associated with respiratory activity by using two pneumograph components; electrodermal activity reflecting relative changes in the conductance or resistance of current by the epidermal tissue; and cardiovascular activity to record relative changes in pulse rate and blood pressure. A channel that detects vasomotor responses or other validated data channels may also be recorded.

10.4.2.2. **Activity sensors.** A motion sensor is recommended and will be required for use by APA members effective January 1, 2012.

10.4.3 **Data acquisition.** The conduct of testing should conform to all professional standards concerning the data quality and quantity.

10.4.3.1. **Number of presentations.** Examiners employing a comparison question technique should conduct a minimum of three presentations of each relevant question. It is
acceptable to conduct a fourth or fifth presentation in order to obtain a sufficient volume of interpretable test data.

10.4.3.2. **Question intervals.** Question intervals should allow a reasonable time for recovery. For comparison question techniques, question intervals from stimulus onset to stimulus onset should not be less than 20 seconds. It is suggested that a time period between 25 and 30 seconds would be superior to the minimum time of 20 seconds.

10.4.3.3. **Acquaintance test.** An acquaintance test should be administered during the first examination of each examinee by each examiner. Examiners are encouraged to use an acquaintance test during the conduct of other tests as appropriate.

10.5. **Test data analysis.** The examiner should render an empirically-based interpretation of the examinee’s responses to the relevant questions based on all information gathered during the examination process.

10.5.1. **Scoring methods.** Examiners should employ quantitative or numerical scoring for each examination using a scoring method for which there is known validity and reliability, which has been published and replicated.

10.5.2. **Results – diagnostic exams.** Test results for event-specific diagnostic/investigative tests should be reported as Deception Indicated (DI), No Deception Indicated (NDI) or Inconclusive (INC) / No Opinion (NO).

10.5.3. **Results – exploratory exams.** Test results of exploratory tests should be reported as Significant Response (SR), No Significant Response (NSR) or No Opinion (NO).

10.5.4. **No opinion/inconclusive.** Examiners should render No Opinion (NO) whenever test results produce inconclusive numerical scores or whenever the overall set of test data do not allow the examiner to render an empirically-based opinion regarding the relevant test questions. (i.e., when test results are “inconclusive,” an examiner should render “no opinion” concerning the truthfulness of the examinee.) “No opinion” concerning the truthfulness of the examinee should be reported when an examination was stopped prior to collection of sufficient data to arrive at an empirically-based opinion.

10.5.5. **Professional opinions and test results.** Examiners should render an opinion that the examinee was deceptive when the test results are SR or DI for any of the investigation targets. Examiners should render an opinion that the examinee was truthful when the test results are NSR or NDI for all of the investigation targets. Examiners should not render an opinion that the examinee was truthful when the test results are SR or DI for any of the investigation targets. Examiners should not conclude an examinee is deceptive in responses to one or more investigation targets and non-deceptive in responses to other investigation targets within the same examination.

10.5.6. **Non-cooperation.** Examiners should note in the examination report whenever there is evidence that an examinee has attempted to falsify or manipulate the test results and whether the examinee was forthcoming in explaining his or her behavior during the test. An opinion that the examinee was Purposefully Non-Cooperative (PNC) is appropriate when there is evidence that an examinee was attempting to alter his or her physiological response data. Examiners reporting an examinee was PNC are not precluded from rendering an opinion that the examinee was deceptive (SR/DI) when the numerical scores support a conclusion that there were significant reactions to one or more relevant questions. Examiners should not render an opinion of truthfulness (NSR/NDI) when there is evidence that an examinee has attempted to falsify or manipulate the test results.

10.5.7. **Data quality.** Examiners should not render a conclusive opinion when there is insufficient data of adequate quality and clarity to allow a minimum of three interpretable presentations of each of the investigation targets.

10.5.8. **Computer algorithms.** Computer scoring algorithms should not be used to score examination data that is of insufficient quality for manual scoring, and computer algorithms should never be the sole determining factor in any examination decision.

10.6. **Posttest review.** The examiner should review the test results with the examinee, advise the examinee of any significant responses to any of the test questions, and provide the examinee an opportunity to explain or resolve any reactions or inconsistencies.
11. Examination report. Examiners should issue a written report containing factual and objective accounts of all pertinent information developed during the examination, including case background information, test questions, answers, results, and statements made by the examinee during the pre-test and post-test interviews.

11.1. Dissemination of test results and information. The polygraph examination report should be provided to the professional members of the community supervision team who are involved in risk assessment, risk management, and treatment/intervention planning activities.

11.1.1. Dissemination to other authorities. Reports and related work products should be released to the court, parole board or other releasing agency, or other professionals at the discretion of the community supervision team or as required by law.

11.1.2. Communication after the exam. Following the completion of the posttest review, examiners should not communicate with the examinee or examinee’s family members regarding the examination results except in the context of a formal case staffing.

11.2. Scope of expertise. Examiners should not attempt to render any opinion concerning the truthfulness of the examinee prior to the completing the test phase and test-data-analysis. Examiners should not attempt to render any opinion regarding the medical or psychological condition of the examinee beyond the requirement to determine suitability for testing at the time of the examination. Post-test recommendations should be limited to needs for further polygraph testing and the resolution of the behavioral targets of the examination.

12. Records retention. Examiners should retain all documentation, data, and the recording of each examination for a period of at least three years or as required by law.

13. Quality control. To ensure examiner compliance with these recommendations and other field practice requirements and to sustain the quality of the testing process, an independent quality control peer-review of a portion of each examiner’s work product should take place annually.

14. Examiner qualifications. Examiners whose work is to be considered consistent with the requirements of this Model Policy shall have completed a basic course of polygraph training at a polygraph school accredited by the APA or meet other training, experience and competency requirements for professional membership in the APA.

14.1. Specialized training. Examiners shall have successfully completed a minimum of forty (40) hours of specialized post-conviction sex offender training that adheres to the standards established by the APA.

14.2. Continuing education. Examiners shall successfully complete a minimum of thirty (30) continuing education hours every two (2) years. Fifteen of those hours shall pertain to specialized sex offender polygraph training.

14.3. Professional experience. Examiners shall complete a minimum number of examinations in accordance with APA standards prior to undertaking PCSOT examinations unsupervised. Examiners who have conducted fewer than 10 PCSOT exams shall conduct PCSOT exams under the supervision of an APA recognized PCSOT examiner until 10 exams have been completed in accordance with APA standards. Supervision shall include a thorough review of the examination including target selection, question construction, data quality, test data evaluation, record keeping and reporting procedures.

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