

Model Policy for the Evaluation of Examinee Suitability for Polygraph Testing

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1. Statement of purpose. This Model Policy is intended to assist polygraph examiners, referring professionals, program managers, law enforcement agencies and governmental organizations to make decisions regarding the suitability of potential examinees to undergo polygraph testing which includes the pretest interview, data collection and data analysis. This policy is intended to protect examinees from undergoing examinations for which there is no potential benefit to themselves or their communities, and to avoid expenditure of resources for examinations that may not contribute to the goals of investigation, candidate screening, risk assessment or risk management processes.
2. Scope of authority. Examiners should be responsible for knowing and adhering to all legal and regulatory requirements. In the case of any conflict between the Model Policy and any legal or regulatory requirements, the legal or regulatory requirements prevail. Examiners who work in jurisdictions and programs without legal or regulatory requirements should refer to this Model Policy as a guide.
3. Goals of testing. Polygraph testing is a decision support tool intended to add incremental validity to investigative and evidentiary decisions, screening processes, risk assessment or risk management activities. Polygraph testing and polygraph test results are intended to obtain information and quantify the probabilistic likelihoods and/or margins of error associated with the classifications of deception or truth-telling. Polygraph testing and polygraph test results should not replace or supplant the need for professional decision making. Any or all of the following objectives should be considered a sufficient reason to complete polygraph testing:
 - 3.1. Increased disclosure of information;
 - 3.2. Increased deterrence of problems (e.g., non-compliance or unsuitable persons);
 - 3.3. Increased detection of involvement or non-involvement in problem behaviors or criminal activities.
4. Examinee suitability. Persons who are suitable to undergo polygraph testing should minimally meet the following requirements:
 - 4.1. Capacity to consent to the polygraph examination, as demonstrated by awareness and understanding of the context or reason for the examination referral.
 - 4.2. Possess a basic understanding of right from wrong, and the difference between truth and lies, as demonstrated by an ability to verbalize potential reasons for being honest or

dishonest, and the potential rewards or consequences for dishonesty or truthfulness; and

- 4.3. Maintain consistent orientation to date, time, and location, for example: being able to provide basic identifying information, (i.e., name, address, date, date of birth, etc.) to complete an authorization form.
5. Unsuitability for polygraph. Examiners should not conduct polygraph examinations on individuals determined to be unsuitable, In some cases it may be necessary to delay the test until the issues of unsuitability are resolved: Conditions that may preclude an examinee from suitability for polygraph testing include the following:
 - 5.1. Acute or active psychotic symptoms indicating a lack of contact with reality, such as unmanaged hallucinations or delusional thinking that will interfere with interactions or understanding during the test;
 - 5.2. Severe or profound intellectual disability or developmental disorder, as evident during the pre-test interview or determined through psychological assessment;
 - 5.3. Any diagnosed severe mental health condition with acute symptoms that would interfere with the examination;
 - 5.4. Severe injury or pain, or acute illness that would interfere with the examination; or
 - 5.5. Observable impairment due to the influence of drugs or intoxicants.
6. Special populations. Examiners should conduct all examinations in a manner that is sensitive to any medical, mental health or developmental issues that may affect an examinee's functioning or the quality of the examination data. There is no published research suggesting that any medical, mental health, or developmental issues will result in erroneous examination results. Ethical, professional, and empirical practices suggest that the application of normative data and normative interpretation rules to persons whose functional characteristics are outside the normal range should be regarded with caution.
 - 6.1. Medical. Persons with some acute or chronic medical/physical conditions may be regarded as marginally suitable for polygraph testing, at which times the test results should be accordingly qualified.
 - 6.1.1. Except as precluded by law or regulations, examiners should note in the examination report any diagnosed acute or chronic medical conditions. Medical conditions, including stable injuries, depending on their severity, do not necessarily preclude an individual from being suitable for polygraph testing, but accommodation may need to be made for them, and it may at times be advisable to delay polygraph testing until the prospective examinee's health has improved.

- 6.1.2. Examiners should defer to medical professionals when determining the suitability of prospective examinees who are known to be pregnant. Examiners may require a statement or waiver from a physician, or other medical professional, attesting to the fact that the pregnancy is normal and uncomplicated with no expected reason why polygraph testing would interfere with the pregnancy. Examiners may delay polygraph testing of any individual determined to be experiencing a medically complicated or high-risk pregnancy.
- 6.2. Medications. Consideration should be given to the effects of prescribed medication, and test results accordingly qualified and viewed with caution if necessary. Unless experiencing significant side effects, prescription medications will not usually impair the interpretable quality of the test. Medication effects, however, vary with the types and numbers of medication, dosages, length of time on medications, in addition to the individual's physiology. Some increase in inconclusive results may occur from some medications, but it should be noted that medications do not act differentially among the polygraph test questions, and no known increase in decision errors has been reported associated with the use of medication.
- 6.2.1. Except as precluded by law or regulations, examiners should note in the examination report a list of the examinee's reported prescription medications, and any corresponding acute or general medical health conditions and side effects, including the absence of understanding of the reasons for a prescription medication.
- 6.2.2. Examiners should advise examinees who take prescriptions to take all prescription medications as prescribed by their medical or psychiatric provider.
- 6.3. Developmental. Persons with diagnosed developmental disorders should not be tested unless it can be reasonably expected that the goals of the program, investigation, agency, or individual can be met by the polygraph testing, and that the testing process will not jeopardize the health or safety of the examinee. Testing may proceed when these individuals are viewed as marginally suitable for polygraph testing, and test results should be accordingly qualified and viewed with caution.
- 6.3.1. Examiners should determine suitability on a case-by-case basis for prospective examinees that have diagnosed developmental disorders, such as serious impairment in cognition, learning, language, communication, conceptual functioning, or temporal/organization deficits.
- 6.3.2. Memory impairment. Individuals with severe memory impairment caused by dementia, brain injury or other conditions may not be suitable for testing depending on the severity and extent of impairment.

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