



POLYGRAPH TESTING 101

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There are quite a few misunderstandings when it comes to Polygraph Tests.

This handy guide was written to keep you fully informed on what polygraph tests are, whom they are intended for, and their potential uses.

Keep in mind that regardless of your reason for needing a polygraph test, you should always be sure that the company you choose holds the appropriate certifications in their specialty (when the state requires it).

All polygraph partners should be considered and recognized as expert forensics investigators.

THE BASICS

A polygraph test is used to indicate whether a person is telling the truth about an event, experience, or past action. The test is able to measure various physiological processes during a session in question/answer format.

It's common to feel nervous leading up to and during a polygraph test. As humans, we are each controlled by an autonomic nervous system, which is responsible for the routine bodily functions like breathing, heartbeat, and body temperature. We don't have much control over these functions, so they react situationally.

For example, when telling a lie, a person's sweat glands will activate, digestive system will slow down, breathing pattern fluctuates, and the body releases more adrenaline. Sensors placed on your body prior to the start of the exam will measure these changes, which will produce the results of your exam.

Keep reading for a step-by-step breakdown of the polygraph testing process...





STEP 1: The examiner will begin by asking a few personal questions to get to know a little about you and why you're taking the exam. The examiner will then create a list of questions, all of which are yes or no, or true or false questions.

- The questions being asked will be read to you prior to the start of the exam.
- There are no trick questions.
- You must fully understand the questions prior to the start of the exam.
- You will be asked to sign some release forms & receive instructions on how the procedure and equipment works.

STEP 2: After the explanation of the testing process, the examiner will begin to connect the previously mentioned devices to your body: A sensor to your upper chest, around your belly, and your fingertips. A blood pressure cuff will also be placed on your upper arm.

STEP 3: While sitting still, the examiner will ask you the same questions you were asked during the pre-test.

STEP 4: Reviewing your results. There are three potential outcomes to your polygraph test:

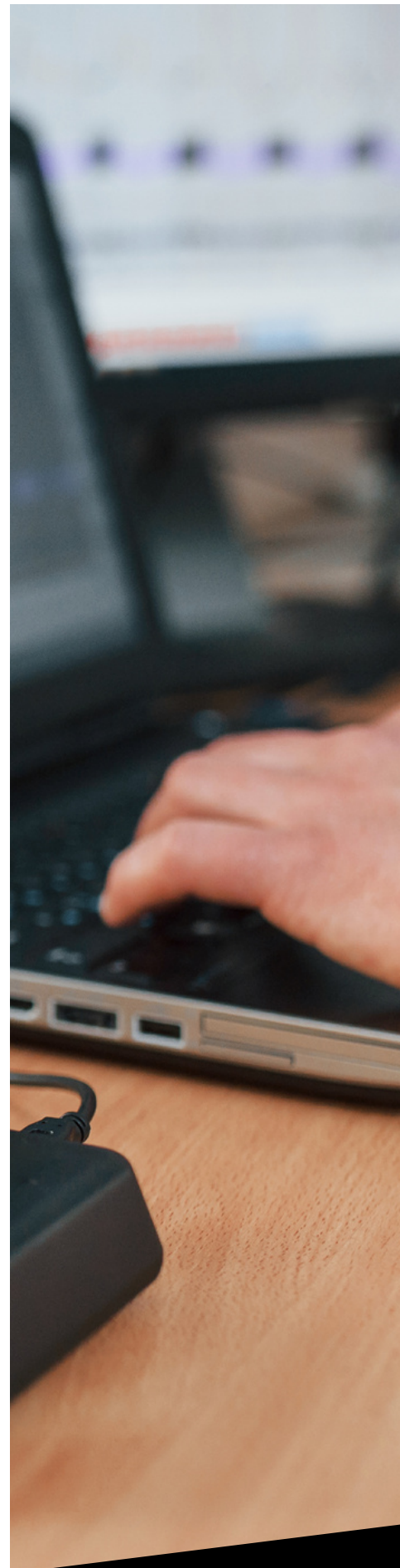
1. Pass: If the test was a success, the examiner may inform you that you passed and say that you are free to leave.
2. Fail: If you failed, the examiner may inquire as to why you think you failed, and oftentimes gives you a chance to confess.
3. Inconclusive: If the exam is inconclusive, you'll most likely be given a new set of questions in order to collect more data in hopes of getting a more conclusive result.

USE CASES

If you think that polygraph exams are used strictly on those who are being charged with a crime, you're not alone. This is a common misconception but in reality, there are many instances when a polygraph test is needed.

- Employers will use polygraph tests to do background checks, pre-screen job applicants, and also to help determine who's stealing from the company, sharing company secrets, or using drugs.
- A spouse accused of cheating might take a polygraph test to help prove their innocence. On the flip side, refusing to take a polygraph exam can be viewed as an admission of marital infidelity.
- Someone wrongfully accused of a crime would be eager to take a polygraph test to provide evidence if they're innocent. A district attorney is also less likely to try someone who passes a polygraph test.
- Law enforcement agencies will commonly use polygraph tests to help ensure an applicant is able to meet the high standards of employment. Polygraph tests may also be used to test a sex offender after they've been convicted.
- Passing a polygraph test can help exempt someone from "guilt by association" situations, such as college hazing incidents.

Regardless of the specific circumstance, simply asking someone to take a polygraph exam will often reveal the person's intent and trustworthiness.





ACCURACY & COURT ADMISSIBILITY

According to Raymon Nelson, the president of the American Polygraph Association the accuracy rating on polygraph tests is higher than 80%. The National Academy of Sciences also conducted a review that concluded polygraph testing is better than chance, even if it isn't 100% accurate.

Because human reactions are never standardized, the accuracy of polygraph testing remains a hotly debated subject. It is possible that a deceptive person could remain calm during a test, while an honest person might act nervously. It also hasn't been determined whether or not the accuracy of a test is influenced by outside forces such as education or intelligence level.

Some courts allow the introduction of polygraph testing while others don't. Every jurisdiction must be checked in advance to determine admissibility standards. One potential objection to polygraph testing is the way it may influence the mind of a jury. Some courts even fear that polygraph testing might have more influence on the mind of a jury than equally important evidence may point the other way.

Because of these issues, polygraph evidence is more commonly used in pre-trial negotiations, administrative hearings, and during sentencing rather than during the trial itself.

FREQUENTLY ASKED QUESTIONS

Can an employee be forced to take a polygraph test?

– For suspected employee thefts, see the requirements of the Employee Polygraph Protection Act (EPPA) of 1988: On December 27, 1988, the Employee Polygraph Protection Act (EPPA) became law. This federal law established guidelines for polygraph testing and imposed restrictions on most private employers.

How does a polygraph instrument work?

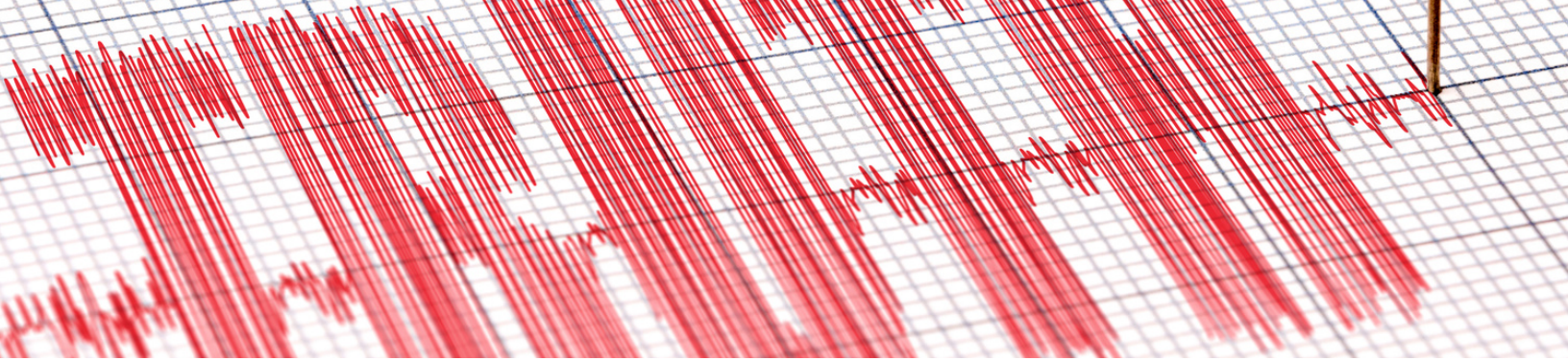
– A polygraph instrument records changes in a person's blood pressure, pulse rate and strength, galvanic skin response (sweat gland activity), and upper and lower breathing patterns. It does not matter if the person being tested becomes "nervous" during the examination – that is very common. The polygraph records significant changes from the subject when specific issue questions are answered. A person intending deception to a particular question will activate his/her Sympathetic Nervous System (SNS) as a "self defense" mechanism when that specific issue question (threat) is asked on the test. The SNS activation will cause recognizable changes in one or more of the physiological responses.

Can someone beat the polygraph instrument?

– The polygraph instrument works by recording changes in a person's Sympathetic Nervous System (SNS), part of the Autonomic Nervous System, which operates independently of conscious thought.

For example, your lungs and heart continue to operate even when you are asleep – you don't have to think about it. These systems can be consciously controlled only very slightly, and attempts (countermeasures) to change these systems are usually picked up by the polygraph examiners, who are trained to identify countermeasure techniques. It is highly unlikely that someone can alter the outcome of a polygraph examination, but it is not impossible. A verified accuracy rate as high as 95% attests to this fact.

Use of certain drugs and medications can also affect the polygraph examination, but such use generally results in a "No Opinion" (inconclusive) polygraph examination. It is virtually impossible to change a result from "deceptive" to "truthful" through the use of drugs or medications prior to a polygraph examination.



FREQUENTLY ASKED QUESTIONS

Is the polygraph test admissible in court?

– It depends. Some courts have allowed the introduction of polygraph evidence while others have not. Each jurisdiction must be checked to determine admissibility standards. One of the greatest fears of keeping polygraph evidence out of courts is the fact that such evidence would carry greater weight than other equally-important evidence and would tend to sway a jury in one direction even though other evidence may point the other way. In most cases, polygraph evidence is used during pretrial negotiations, administrative hearings, and during sentencing rather than during the trial itself.

As an attorney, how can a polygraph benefit my client?

– As an attorney, in both criminal and civil actions, it makes sense to use all available tools to assist you in critical strategies. In tort actions, the polygraph is frequently used to test key fact issues that cannot be corroborated by any other means. A polygraph examination can be used to test the reliability of memories and well as the truthfulness of statements.

In appeals cases, polygraph examinations have been a key part of the arguments that have been successful in courts granting new trials.

Successful criminal defense often includes the use of forensic polygraph examinations of suspects and witnesses. Certainly if the prosecution offers a polygraph examination to your client, you should have confidence in your client's ability to pass a law enforcement polygraph examination. A polygraph examination is an excellent predictor of how your client will perform in trial, at depositions even in front of public forums.

Our examiners have the highest standards in forensic polygraph examinations. Our examiners are graduates from an APA accredited school and members of several polygraph organizations. All examiners have met the minimum standard of a Bachelor's degree from accredited Universities. In addition, all examiners have advanced courses of study in interview, interrogation and statement analysis.

FREQUENTLY ASKED QUESTIONS

Is my deposit refundable?

– If the polygraph examiner does not administer your polygraph due to his/her choice or schedule problem, the deposit is refundable. If the client cancels the polygraph examination for any reason, the deposit and additional fees discussed above is forfeited and another deposit must be applied prior to rescheduling.

Can someone under the age of 18 be administered a polygraph test?

– Yes, but the polygraph examiner must first have written consent of a parent or guardian. However, most polygraph examiners will not test anyone under the age of 12 years old barring extraordinary circumstances.

**We hope you've found this information helpful and
look forward to helping you in the near future.**



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