

STANDARDS AND PRINCIPLES OF PRACTICE

In order to provide for the continued welfare and protection of the general public, all examinations by polygraph must be conducted in a professional and ethical manner. They must be objective and unbiased. To achieve unity and purpose and to ensure a clear concept of professional examinations, all members of the Florida Polygraph Association have agreed to abide by the following Ethics, Standards and Principles of Practice.

- I. Ethics
 - A. A member shall treat each examinee with impartiality.
 - B. A member shall not conduct a polygraph examination when there is reason to believe the examination is intended to circumvent or defy the law.
 - C. A member shall not solicit or accept fees, gratuities, or gifts that are intended to influence his or her opinion, decision, or report. No member shall set any fee for polygraph services which is contingent upon the findings or results of such services.
 - D. A member shall not knowingly issue or permit any employee to issue a polygraph examination report which is misleading, biased or falsified in any way. Each polygraph report shall be a factual, impartial and objective account of the pertinent information developed during the examination and the examiner's professional conclusion based upon the analysis of the polygraph charts.
 - E. A member shall not knowingly make, publish, or cause to be published, any false or misleading statements or advertisements relating to the Association or the polygraph profession. No member shall make any false representation as to their category of membership in the Association, their credentials, their licensure, and/or their certification status. All advertisements making reference to membership in the FPA shall also list the category of membership.
 - F. A member shall refrain from express or implied public criticism of the FPA and/or any member of the FPA, except as may be required by due process of law, placing the welfare and advancement of the FPA and the polygraph profession above personal desires and ambitions.
 - G. A member should decline to knowingly represent both sides of an issue, except by express permission of those concerned, given after a full disclosure of the facts.
 - H. A member shall not disclose any irrelevant personal information gained during the course of a polygraph examination which has no connection to the relevant issue and which may embarrass or tend to embarrass the examinee, except where such disclosure is required by law.
 - I. A member shall not include in any polygraph examination, questions intended to inquire into or develop information on activities, affiliations, or beliefs on sexual

orientation, gender identity, religion, politics, and/or race, except where there is relevancy to a specific issue.

- J. A member who has multiple types of credentials should avoid dual roles with examinees, and should limit their involvement to one professional role with each examinee.

II. Standards of Practice

- A. An examiner shall recognize the primary responsibility must be to the person who has volunteered for a polygraph examination, regardless of the circumstances which created the need for the examination.
- B. Recognizing that a polygraph examination cannot be conducted on persons without their consent, no examiner shall attempt to conduct an examination if there is reason to believe that the examinee has been subject to undue duress or coercion.
- C. Members should use industry standard best practices when conducting polygraph examinations.
 - 1. Polygraph examinations shall be conducted with properly functioning instrumentation, maintained according to the manufacturer's recommendations. At a minimum, the following physiological data shall be recorded:
 - a. Respiration patterns which are recorded by pneumograph components. Thoracic and abdominal patterns shall be recorded separately using two pneumograph components;
 - b. Electrodermal activity reflecting relative changes in the conductance or resistance of electrical current by the epidermal tissue;
 - c. Cardiovascular activity including changes in relative blood pressure, pulse rate, and pulse amplitude;
 - d. ~~An activity sensor-seat activity sensor.~~
 - 2. Other physiological data may also be recorded during testing, but may not be used to formulate probabilistic or categorical conclusions unless their validity is supported by replicated and published research.
 - 3. No examiner shall record any physiological or psychological phenomena with an instrument or any part of an instrument without the examinee being made aware that psychological and physiological phenomena are being recorded.
 - 4. The testing environment should be reasonably free from distractions.
 - 5. The examination consists of an interview phase, a test data collection phase, a test data analysis phase, and a post test phase where an examinee may be given an opportunity to explain any physiological responses and resolve any remaining inconsistencies.

6. An examiner shall use a validated polygraph technique for which there exists at least two published empirical studies, original and replicated.
 - a. A diagnostic examination is a known issue, event specific polygraph technique to assist in determining the veracity of an examinee regarding his or her knowledge of or involvement in a reported issue or allegation. This should address a single aspect of an event. Testing techniques for this type of examination shall have an unweighted accuracy rate of 80% or greater, excluding inconclusive results, which shall not exceed 20%.
 - b. A screening examination may be conducted as a single issue or multiple issue exam.
7. Scoring –
 - a. An examiner shall render an opinion based solely on the use of a validated scoring method and decision rules.
 - b. An examiner shall not render an opinion or report the results of an examination until an analysis has been completed.
 - c. An examiner's notes shall have sufficient clarity so that another examiner can read them and replicate the analysis.
 - d. An examiner shall not conclude that an examinee is deceptive to one or more investigative targets and non-deceptive to one or more investigative targets within the same examination.
 - e. Diagnostic opinions with conclusive results can be described in terms of statistical significance in which the examination data produces a minimum question total which equals or exceeds the requirement as set forth by the validated method to support a decision.
 - 1) For Evidentiary and Diagnostic Examinations this is known as deception indicated or no deception indicated.
 - 2) For Screening Examinations this is known as significant responses indicated or no significant responses indicated.
 - 3) For Recognition Examinations this is known as recognition indicated or no recognition indicated.
 - f. When the data does not produce a minimum question total which equals or exceeds the requirements as set forth by the validated method, it is known as inconclusive.
 - g. An examiner shall not render an opinion on any charts produced that are not of sufficient quality and in accordance with the parameters set forth in the validated technique utilized. The No Opinion may result when:
 - 1) Inspection of the recorded physiological data revealed test data of generally unsatisfactory and uninterpretable quality

due to numerous artifacts and uninterpretable segments of data. As a result, these test data could not be analyzed using a validated scoring method.

- 2) The examination was stopped prior to collection of sufficient data such as: the examinee wishing to discontinue, the examinee's health interferes with the examination, pre-test admissions or circumstances lead to a decision to discontinue, etc.
- 3) There is evidence that an examinee has attempted to falsify or manipulate the test results.

D. The examiner shall obtain the voluntary consent of the examinee prior to administering the examination which shall include:

1. An overview of the polygraph process should be presented to include the polygraph instrumentation/components and sensors and the attachment of the components to their person.

2. Audio/video recordings shall ~~be~~ be utilized to include the interview, _____ statements, responses and all interactions, and the issues of the exam _____ (i.e. _____ specific/screening) unless prevented by statute or agency guidelines and in such absence the _____ written report shall contain the reason for which no recording was made.

3. The examinee should be informed of the expectations of their cooperation and that they are free of any mental/physical concern.
4. The examinee shall also be informed that the examination is voluntary, may be terminated at any time and that all information shall be reported to the requesting agent.
5. The signing of any and/or all documents is being done freely and voluntarily.
6. The release/discharge of the polygraph company, examiner, requesting agent of any and all claims or legal action resulting from the taking of this examination.
7. An acknowledgement at the completion of the examination confirming the above and that all questions asked were appropriate to the matter at hand.

E. Examiners should only conduct a polygraph examination on individuals believed to be physically and/or psychologically suitable for the examination.

F. The examiner shall not release any information obtained during a polygraph examination to any unauthorized persons.

G. The examiner shall dedicate sufficient time to identify and discuss the examination issues and potential problem area(s). The examiner must review all test questions with the examinee and the responses prior to the examination to ensure that the examinee/examiner have the same understanding of the questions.

Commented [pk1]: Audio/video recordings shall be utilized to include the interview, statements, responses, all interactions, and the issues of the exam. In the event a recording is not made, the written report shall contain the justification for no recording.

Commented [SW-22]: Suggested change to Shall, unless prevented by statute or agency guidelines and in such absence the written report shall contain the reason for which no recording was made.

- H. An acquaintance test shall be administered prior to the actual examination. All questions shall be reviewed with the examinee as stated above.
- I. A minimum of twenty seconds shall be maintained between stimulus onset and stimulus onset for screening tests and twenty five seconds for diagnostic tests. The examiner shall allow sufficient time for the examinee to return to homeostasis before the next question.
- J. An examiner shall use standardized chart markings. A reasonable attempt shall be made to identify the source of any artifact(s) and notate such on the chart.
- K. All polygraph charts, question sheets, written reports, data sheets, waiver forms, opinion of the examiner from the chart analysis, and other pertinent paperwork, audio/visual recordings shall be retained for a minimum of at least two years from the date of the examination or longer as required by law or agency policy.
- L. An examiner should administer no more than five polygraph examinations in a calendar day.
- M. No examiner should terminate a polygraph examination without affording the examinee a reasonable opportunity to explain and eliminate any responses to the relevant question(s).
- N. An examiner involved in Quality Control and/or the review of another examiner's work must be thoroughly familiar with the validated technique that was utilized by the original examiner.
 1. The reviewing examiner shall make an effort to contact the administering examiner to obtain any supporting documentation prior to the review. Unless prohibited by Federal, State, or local laws, or otherwise prohibited by a release agreement between the administering examiner and the client, this shall include:
 - a. All notes regarding suitability of the examinee to submit to a polygraph,
 - b. A copy of the signed consent form permitting review,
 - c. A copy of all questions asked on the examination including relevant, comparison, introductory/symptomatic, technical, and neutral/irrelevant questions,
 - d. A copy of the examination to include the relevant series, the acquaintance test and the numerical score sheet utilized,
 - e. A copy of the audio and/or video recording.
 2. If the reviewer is unable to obtain all of the above documents, he/she shall note what was not available for review prior to rendering an opinion.
 3. The reviewing examiner shall review the data to ensure that it is of sufficient quality to render a decision and review the original examiner's notes to ensure that the analysis is being replicated based on the original notes and information.
 4. Any opinion rendered by a reviewing examiner shall be confined to the examination reviewed.

Commented [pk3]: In the event the examinee was not afforded an opportunity to explain, a justification shall be included in the written report.

Commented [SW-24]: Unless stipulated to be both parties or based upon operational necessity to insure the integrity of the investigation for which the polygraph was conducted.

5. The review shall include:
 - a. The name of the polygraph test technique and whether it was conducted within the parameters established for that individual test technique,
 - b. The test was/was not a validated polygraph technique,
 - c. Test Data Analysis was/was not conducted in accordance with a validated scoring method.
 - d. Agreement or disagreement with the administering examiner's findings.
6. The reviewing examiner shall not comment on the qualifications of the administering examiner.

III. Post-Conviction Sex Offender Testing, hereinafter referred to as PCSOT involves the use of polygraph equipment as defined in standard #II C for the purpose of assisting agencies and other entities involved in the process of the supervision and treatment of those persons convicted by a court of competent jurisdiction and sentenced to a post-conviction sex offender treatment program.

A. Certification - The FPA will certify that those examiners who have successfully met the minimum requirements as set forth herein, will be considered to possess the requisite knowledge to conduct polygraph testing in conjunction with sex offender treatment and monitoring programs. The FPA does not certify the competency of the individual examiner, nor does the FPA guarantee that any person who engages in PCSOT polygraph examinations is following currently approved FPA guidelines.

B. Requirements for Certification:

1. The applicant/examiner must not have been convicted, pled guilty, entered a plea of no contest, had adjudication withheld, or entered into a pre-trial diversion program regarding any felony, or any crime consisting of perjury or making a false statement under oath in an official proceeding, or any misdemeanor regarding a crime of moral turpitude, as established by the State of Florida.
2. Shall be a member in good standing with the FPA at the time of application and remain a member in good standing while conducting PCSOT examinations.
3. Provide proof of completion of the initial basic forty hours of specialized sex offender polygraph training as approved by the national association(s) responsible for establishing training guidelines.

C. Requirements for Maintaining Certification:

1. Shall complete a minimum of ~~twenty~~ twenty ~~thirty~~ four hours of continuing education in _____ areas _____ that pertain to the testing, treatment, or supervision of sex _____ offenders, within a two year period.

Commented [pk5]: Twenty four hours within two years

D. PCSOT Testing Requirements:

1. Maintain a record of the examination for a period of two years from the date of the examination. This record shall consist of a minimum:
 - a. Audio/visual recording of the examination to include Pre-test, In-test, and Post-test sessions,
 - b. Consent form,
 - c. Method of identification of the examinee,
 - d. Test question set,
 - e. All polygraph charts,
 - f. Scoresheet,
 - g. Written report.
 2. Any examiner who also serves as a Therapist or Probation Officer will not be permitted to conduct PCSOT polygraph examinations on those offenders over which they exercise direct or indirect supervision or treatment responsibilities.
- E. Application for Certification:
1. Any FPA Member and or Life Member in good standing who wishes to obtain this certification is responsible for submitting an application to the Board,
 2. Any FPA Associate/Intern Member who wishes to obtain this certification is responsible for submitting an application to the Board along with a letter from their Intern Supervisor attesting to their Supervision of all PCSOT testing performed by the Applicant,
 3. The application form will be made available on the FPA website. Once completed, the application will be submitted to any member of the Board.
- F. Approval
- Qualifications will be verified and designation awarded by the FPA Board at the scheduled meeting following the date of submission.
- G. Revocation
- Once issued, the PCSOT certification may be suspended or revoked by the FPA Board for good and sufficient reasons. Upon notice of suspension/revocation, the member must promptly return the certificate to any member of the Board. Any member who has their certification revoked/suspended shall not purport themselves to have this certification.