



GREENVILLE COUNTY
SHERIFF'S OFFICE

GO - 214

GENERAL ORDERS

POLYGRAPH EXAMINATIONS

PURPOSE:

The polygraph is a very useful investigative aid for criminal investigations and in assisting the Sheriff's Office in the applicant screening process. This guidance establishes standard procedures concerning the utilization of polygraph examinations when providing:

- 1) A general consideration for suspects.
- 2) Verification of suspect involvement in a criminal act.
- 3) Elimination of innocent persons.
- 4) As a component in the Sheriff's Office applicant process.

It is not designed or intended to replace thorough investigations and is only used as one element of the Sheriff's Office applicant process. This policy details standardized polygraph procedures for use within the Sheriff's Office and provides guidelines for the use of the polygraph.

POLYGRAPH EXAMINATIONS:

Only certified and licensed polygraph examiners approved by the Sheriff shall administer polygraph examinations conducted under the authority of the Sheriff's Office involving either administrative or criminal issues.

Types of tests:

1. Criminal Specific Issue Examinations - Tests are administered as needed for criminal investigations supporting any law enforcement agency in the county or as special needs arise for agencies outside the county.
2. Administrative Examinations - Tests supporting investigations involving Sheriff's Office personnel and/or the complainant/victim in an internal investigation are not administered by Sheriff's Office examiners, but are referred to an independent certified examiner unless specifically ordered by the Sheriff. Sheriff's Office examiners may conduct administrative examinations in support of outside agencies with approval from the Sheriff or his designee.
3. Applicant Screening Examinations - Test conducted in support of personnel applying for law enforcement sensitive positions within the Sheriff's Office. Applicant screening examinations may be conducted for outside agencies with approval from the Sheriff or his designee.

**POLYGRAPH
SERVICES:****Guidelines for requesting polygraph services:**

1. Once the investigating Deputy has determined that a polygraph examination will further her/his investigation, the investigating Deputy will contact a Sheriff's Office Polygraph Examiner either directly, via telephone, or through email. Patrol Deputies will confer with their Sergeant prior to requesting a polygraph examination due to the extended amount of time that the Patrol Deputy will be unavailable for call for service. It is recommended patrol deputies confer with area investigators prior to requesting an examination to eliminate duplicated efforts.

Pre-examination requirements:

1. The investigating deputy is to brief the polygraph examiner on all details of the case, and have the updated case file and any background information on the examinee available for the examiner. The investigating Deputy will also provide for the examiner a color photograph of the subject (if available), a copy of the written report, any written statements provided by the subject and witnesses, and a criminal history of the subject.
2. Unless it is detrimental to the investigation, the investigating deputy is to make certain the subject is questioned concerning the specific offense and he/she agrees to a polygraph examination prior to scheduling an examination.
3. When an investigating deputy is attempting to verify a statement made by a complainant or suspect, the statement is to be reduced to writing before scheduling an examination.
4. In cases where the investigating deputy is attempting to verify a crime and check a suspect, both the victim and the suspect should be administered polygraph examinations.
5. The investigating deputy is responsible for arranging for the polygraph examination.
6. The investigating deputy is to make certain the subject will be available at the appointed time and place.
7. The investigating deputy is to attempt to ascertain that each subject to be examined is not physically or mentally ill, suffering from injuries, or under the influence of drugs or alcoholic beverages. *Never advise or recommend an examinee to refrain from taking their medication, but note any medications and advise the examiner.*
8. If a subject is seventeen years old or younger, the investigating deputy is to obtain the subject's consent to the polygraph examination and seek written permission from a parent(s) or guardian(s). If neither a parent(s) nor guardian(s)

can be present for the examination, the juvenile waiver form is to be signed and witnessed prior to testing or written authorization from a Family Court judge is to be presented to the polygraph examiner. A subject under the age of seventeen will not be considered for testing unless the examination is essential to resolve a primary issue and only at the discretion of the examiner.

9. In all cases, investigating deputies should withhold from suspects all information believed to be known only to the victim or persons with guilty knowledge; for example, the exact amount of money stolen, the point of entry by the criminal, or the type and caliber weapon used.
10. The polygraph examiner will deal with only one crime or specific issue during any one examination.

Requesting Deputy Responsibilities:

- 1) Conduct a thorough investigation, including a personal interview of the subject, prior to the date of the polygraph examination.
- 2) Prior to the examination, brief the polygraph examiner on all relevant facts concerning the investigation.
- 3) Provide the examiner a color photograph of the subject (if available), a copy of the written report, any written statements provided by the subject, and a criminal history of the subject as soon as possible after scheduling an examination.
- 4) Be present at the polygraph examinations to answer questions, assist in post-test interviews, and take statements when appropriate.
- 5) Immediately notify polygraph examiners to cancel prescheduled tests if subjects are unable to appear or become unfit to take the polygraph examination.
- 6) Avoid conducting lengthy interrogations on the subjects immediately prior to polygraph examinations.

**POLYGRAPH
EXAMINATION
CONSIDERATIONS:**

The polygraph examiner will not administer tests to the following persons:

- Persons with history of heart attack, stroke, epilepsy, diabetics, or who are or think they could be pregnant unless a signed medical release can be obtained by their medical physician.
- Persons involved in matters of a civil or domestic nature unless there is a resulting criminal matter. Persons under advisement from their lawyers to submit to examination unless investigating deputies and/or solicitors support testing.

- Persons under advisement from individuals not directly affiliated with a law enforcement agency or judicial circuit to submit to examination.
- Persons who are intoxicated.
- Persons with any physical or mental condition which renders such person unsuitable for testing.

Persons who may not be appropriate to undergo polygraph testing:

- 1) Persons who have used alcohol or drugs within 8-12 hours of an examination.
- 2) Persons who have been interrogated for an extended length of time.
- 3) Persons fatigued from being awake all-night or otherwise physically tired.
- 4) Persons upset from traumatic events within moderate periods of time after the events.

Polygraph Examinations Involving Victims:

- 1) Whenever possible, investigators and prosecutors investigating a crime should conduct all other investigative steps before asking a victim to submit to a polygraph examination.
- 2) No law enforcement agency shall require a victim of a crime to submit to a polygraph examination as a sole condition for proceeding with any criminal investigation or prosecution.
- 3) Submission to a polygraph examination shall be voluntary on the part of the victim, and a victim shall be advised they have no obligation to submit to an examination.

Considerations Prior to the Conduct of a Polygraph Examination:

- 1) The polygraph examiner will address one crime or one specific issue during any single series of an examination.
- 2) Additional issues will be addressed in follow-on testing (additional series), when required to resolve all issues required by the investigator.
- 3) No more than two series should be conducted with an examinee during a single day of testing.
- 4) Polygraph examiners will not conduct more than three pre-employment examinations or two criminal specific examinations in one 24 hour period.

Continuing Education: All polygraph examiners will be provided at least 30 hours of training every year from a polygraph conference certified by the American Polygraph Association, the American Association of Police Polygraphists, or the South Carolina Association of Polygraph Examiners. Each polygraph examiner is responsible for sending completed records of polygraph training to the Center for Advanced Training.

APPLICANT TESTING:

Applicant testing polygraph examinations shall be conducted only after approved by the Sheriff's Office Director of Personnel.

- 1) Candidates for employment with the Sheriff's Office shall be provided with a list of areas from which polygraph questions will be drawn prior to the examination.
- 2) A deceptive finding on the pre-employment polygraph examination shall not be utilized as the single determinant of employment status.
- 3) Background Investigators, in coordination with polygraph examiners, shall schedule the date and time for the pre-employment examination.
- 4) Quality control review shall be conducted as soon as possible for each polygraph examination relating to the applicant polygraph screening examination.
- 5) All applicant testing shall be completed in accordance with Sheriff's Office protocol established by the Sheriff's Office and consistent with PLEA standards.
- 6) All applicant polygraph examinations shall be conducted using the standardized LEPET format and those relevant questions determined appropriate by the Sheriff's Office, in consultation with the Director of Personnel.
- 7) Relevant Questions during the standardized LEPET examination shall not be changed for a specific applicant, unless deemed necessary by the polygraph examiner.

The polygraph examiner in consultation with Quality Control (if available) will determine suitability and final say of persons and of matters for resolution by polygraph testing.


Hobart Lewis, Sheriff