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			Distribution: All
Title: POLYGRAPH EXAMINATIONS-CRIMINAL INVESTIGATIONS		Section: Investigations	
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I. Purpose

It is the purpose of this General Order to provide investigative officers and others with general knowledge of, guidance and procedures for the use of polygraph examinations.

II. Policy

The polygraph examination is a valuable investigative aid as used in conjunction with, but not as a substitute for, a thorough investigation. The polygraph may be employed, consistent with this policy, to verify, corroborate or refute statements; obtain additional investigative leads; and narrow or focus criminal investigations.

III. Definitions

A. Polygraph: The polygraph is an instrument that records certain physiological changes in a person undergoing questioning in an effort to determine truth or deception. A polygraph simultaneously records a minimum of respiratory activity, galvanic skin resistance or conductivity, and cardiovascular activity.

IV. Regulations

A. In accordance with KSA 22-4614, no member of this agency shall request or require any person who is alleged to be a victim of a sexual offense to submit to polygraph examination or similar truth telling device as a condition for proceeding with an investigation of the alleged offense (C).

V. Procedures

A. Requesting Polygraph Examinations

- Following approval by the Investigations Section Commander, officers of this agency may request a polygraph examination from a polygraphist who has satisfactorily completed a course approved by an institution accredited by the American Polygraph Association (APA) or the American Association of Police Polygraphers (AAPP) and who is a member in good standing with the APA or AAPP, or has completed approved APA or AAPP training and is an intern



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polygraphist under the direction of a polygraphist who is a member in good standing with the APA or AAPP.

2. Approval for polygraph examinations will be based on a thorough review of the facts of the case, the completeness of the investigation, and the need and appropriateness for such an examination.
3. Situations in which authorization may be requested and approved include, but may not be limited to:
 - a. Requests from the office of the prosecutor as part of an agreement with the defense attorney or for other investigative purposes;
 - b. Attempts to verify or reconcile statements of parents or guardians (e.g. in suspicious cases of missing or abused children) as well as witnesses or other individuals when alternative investigative means have been exhausted;
 - c. Efforts to confirm or refute an allegation(s) that cannot be verified or disproved by other evidence; or
 - d. Efforts to establish probable cause to seek a search warrant.
4. The polygraph should not be used to verify a victim's allegation without sufficient grounds for suspecting that the victim has given false or misleading statements, and at no time will a polygraph be used to verify allegations made by a victim of an alleged sexual offense.
5. Submission to a polygraph examination must be a voluntary action. Polygraph examinations shall not be administered without the subject's written approval, waiver, or other instrument required by law.

B. Preparing for Polygraph Administration

1. The requesting officer is responsible for providing the examiner with all pertinent information concerning the case and for reviewing, clarifying or elaborating on that information as the examiner may deem necessary. This includes, but may not be limited to:
 - a. Information obtained in the investigation that supports and justifies the use of the polygraph;
 - b. Copies of crime/offense reports and investigative reports;
 - c. Evidence available and withheld from the subject;
 - d. Background information on the subject to be examined, to include criminal record and possible motivation;
 - e. Any statements made by the subject, complainants and witnesses to include alibis; and
 - f. Newspaper articles or other general information concerning the case.
2. If the subject is hearing impaired or does not speak English, the officer will help make arrangements for a sign language interpreter or translator as determined by the polygraph examiner.
3. In any interrogation of a subject who has agreed or who may reasonably be asked to agree to a polygraph, officers shall not divulge information that may

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reveal information only the perpetrator could know. This includes, but is not limited to:

- a. Method of entry;
 - b. Property taken;
 - c. Weapons or type of force used to commit the crime;
 - d. Evidence left at the scene;
 - e. Clothing worn by the subject during the crime;
 - f. Unusual acts of the suspect during the crime; or
 - g. Location from which property was taken.
4. Officers shall not attempt to explain procedures that will be used in the examination but shall advise subjects that these will be explained fully by the examiner. Subjects may be advised of the following:
 - a. The examination is voluntary;
 - b. Results of the examination are not acceptable in a court of law unless all parties agree in advance; and
 - c. Results of the polygraph examination, taken alone, do not provide substantiation for a criminal charge.
 5. Should the subject be late for or cancel the appointment, the requesting officer shall immediately notify the polygraph examiner.
 6. If possible, the requesting officer shall report with the subject and any other authorized persons such as attorneys, parents, or legal guardians to the examination location and shall remain on hand until completion of the test. The polygraph examiner shall be solely responsible for authorizing any persons inside the examination or observation rooms.
 7. The polygraph examiner will make the final determination as to the fitness of the subject for examination.

C. Documenting Polygraph Information

1. Upon conclusion of the polygraph process, the requesting officer or the officer witnessing the polygraph will complete a supplemental report regarding the information, or lack of information, obtained during the polygraph.
2. The requesting officer will also obtain a copy of the polygraphist's report for the case file.