

# **LOS ANGELES POLICE DEPARTMENT TECHNICAL INVESTIGATION DIVISION**



## **POLYGRAPH UNIT GUIDELINES**

## **Los Angeles Police Department Mission Statement**

It is the mission of the Los Angeles Police Department (LAPD) to safeguard the lives and property of the people we serve, to reduce the incidence and fear of crime, and to enhance public safety while working with the diverse communities to improve their quality of life. Our mandate is to do so with honor and integrity, while at all times conducting ourselves with the highest ethical standards to maintain public confidence.

### **Technical Investigation Division (TID) Polygraph Unit**

The mission of the Polygraph Unit is to:

- Assist the Department in achieving its goals and support the Department's mission.
- Provide expert services in the field of forensic psychophysiology using validated polygraph techniques.
- Perform our duty with the highest degree of compassion, professionalism, ethical standards and integrity.
- Determine the truth while maintaining the dignity of all those we serve.

### **Polygraph Law Enforcement Accreditation Program (PLEA)**



The Polygraph Law Enforcement Accreditation (PLEA) program was created to serve as an oversight body for state and local law enforcement polygraph programs throughout the nation. The National Center for Credibility Assessment (NCCA), in collaboration with LAPD and other federal, state and local agencies, was the driving force behind PLEA.

The PLEA program is designed to be managed by polygraph experts from federal, state and local law enforcement (LE) agencies. The PLEA inspection process involves a comprehensive review of a LE agency's polygraph program by polygraph subject matter experts to ensure accredited agencies have developed and implemented polygraph standards that represent the best polygraph practices in the LE community. The polygraph standards adopted by PLEA are detailed in the Polygraph Guide for Standards and Practices (Guide) and form the basis to accredit federal, state and local LE polygraph programs.

The polygraph standards and practices implemented by agencies accredited by PLEA were developed by senior polygraph personnel from LE agencies, are based on credible research, are consistent with the National Center for Credibility Assessment (NCCA) curriculum and mirror polygraph practices adopted by federal polygraph programs. The inspection process adopted by PLEA represents the best practices available at this time for LE polygraph procedures and

was developed through the partnership of federal, state and local LE agencies that participate in the PLEA.

It is the goal of the PLEA program to standardize polygraph practices to the extent possible within the LE polygraph community. To achieve this goal, the PLEA has dedicated itself to initially adopting a set of standards that fully serve the polygraph missions of each department and are credible to the practitioner, our customer and the research community. These standards have been used with great success over the last nine years by various polygraph units such as the Los Angeles Police Department, the Houston Police Department, the Pennsylvania State Police and LE agencies within the federal government.

On May 27, 2010, the LAPD was distinguished as the first local law enforcement Polygraph Unit in the country to achieve accreditation.

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## 1. PURPOSE

Polygraph is a scientifically validated aid for criminal investigations and for assisting the Department in the police/fire applicant and internal screening process. Through its proper use, many investigations can be resolved and may result in saving investigative resources, equipment and money. This guide establishes standard procedures concerning the utilization of polygraph examinations by verifying the truth or deception of suspects, witnesses, informants and/or victims in criminal cases. It is also used to assist in the Department's internal screening process and as a component in the City's police/fire applicant hiring process.

Polygraph is intended to enhance a thorough investigation and is one element of the applicant hiring process or criminal investigation. This policy provides guidelines for the administration of the polygraph examination.

Stringent adherence to these policies will ensure that the LAPD polygraph program is effective, consistent, cost efficient and accurate. It will further ensure that the program is being conducted within the guidelines of PLEA, the LAPD's Polygraph Unit Examiner's Reference Guide and is consistent with Department policies as well as state and federal laws.

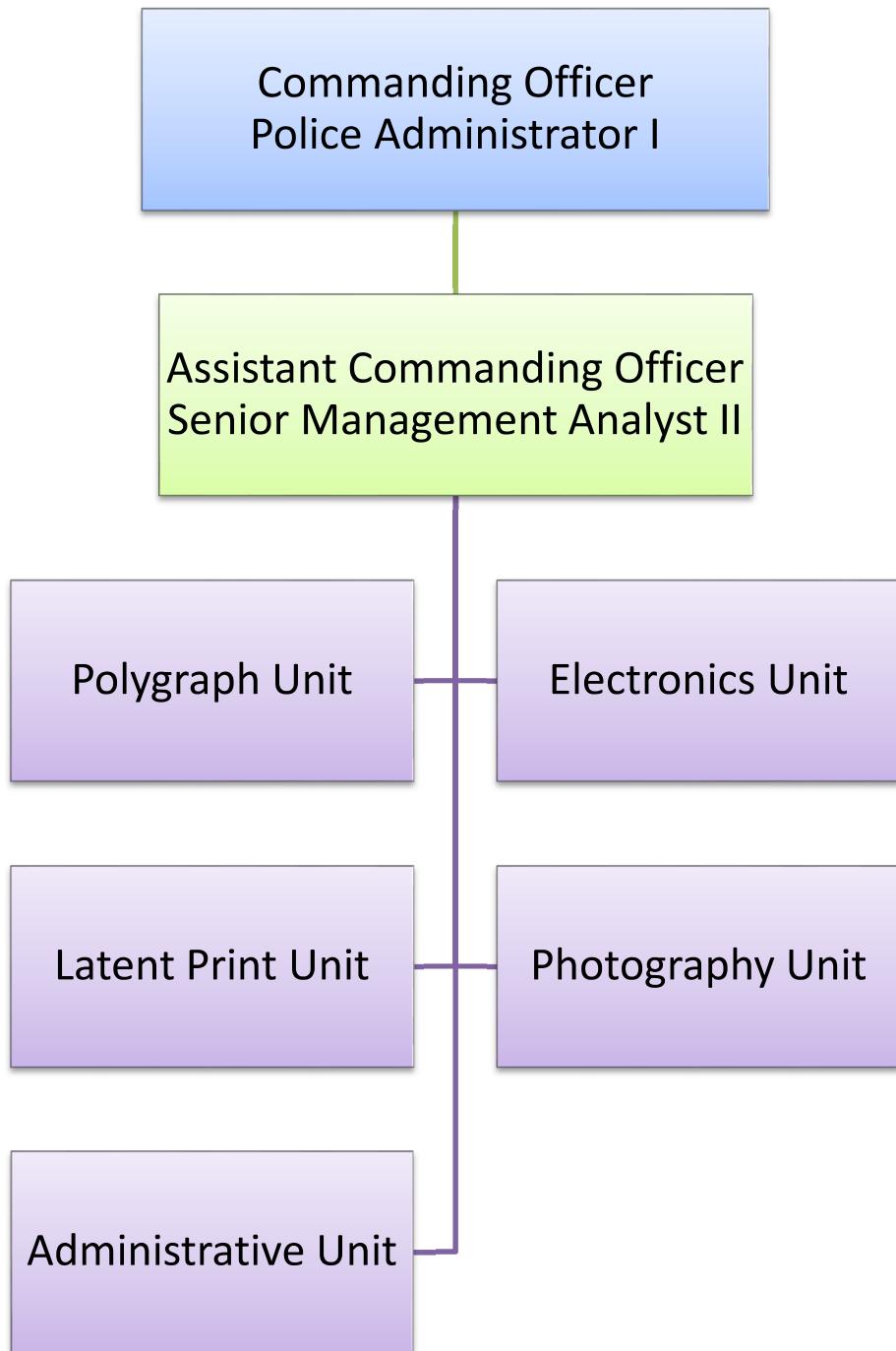
## 2. ORGANIZATION AND FUNCTIONS

### 2.1 ORGANIZATION AND MANAGEMENT STRUCTURE

#### 2.1.1 TECHNICAL INVESTIGATION DIVISION

The Commanding Officer (C/O) is in charge of the Technical Investigation Division (TID). There are five units within TID: Polygraph, Administrative, Latent Print, Photography and Electronics Units.

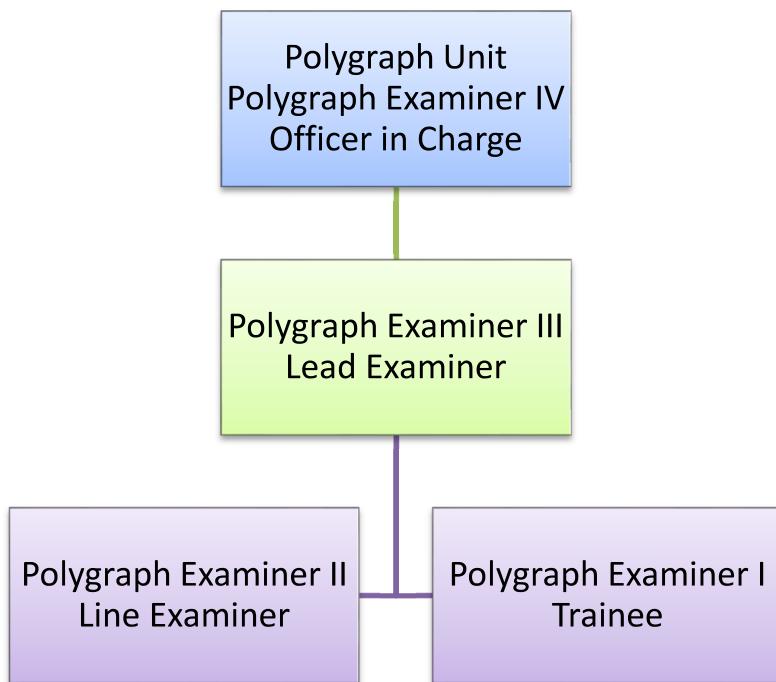
The Assistant Commanding Officer (ACO) is responsible for oversight of the Polygraph Unit and staff and reports directly to the Commanding Officer of TID. The Administrative, Electronics, Latent Prints and Photography Units are separate from the Polygraph Unit and not subject to the requirements detailed in these guidelines.



## 2.1.2 THE POLYGRAPH UNIT

### **Polygraph Examiner IV (PE IV):**

The Polygraph Unit Officer in Charge (OIC) is a Polygraph Examiner IV who manages the Unit. The OIC is the administrative supervisor of the Polygraph Unit and is an advanced subject matter expert. The OIC's responsibilities include establishing operational policy, monitoring procedural applications, reviewing requests for polygraph examinations and assigning them to the appropriate examiners, and serving as a Department instructor in the investigative use of polygraph examinations.



### **Polygraph Examiner III (PE III):**

The PE III is an advanced subject matter expert who is designated as a technical lead employee who oversees the work of several pay grade I and II positions. They assign, monitor, review and evaluate work and are an integral part of the daily operations of the Unit. Some of the PE III responsibilities include:

- Conduct Quality Control (QC), Quality Control Review (QCR) and authorize the exam results as the official decision of the LAPD Polygraph Unit.
- Randomly monitor examinations, prioritizing criminal exams.
- Administer polygraph examinations using computerized polygraph instruments.
- Authorize the administration of polygraph examinations conducted by Polygraph Unit personnel.

- Serve as a Training Officer for newly hired polygraph examiners.
- One PE III shall be assigned as the Polygraph Unit's Training Coordinator and will be responsible for the following:
  - Maintain training records for Polygraph Unit Personnel and monitor their training hours to ensure that minimum PLEA requirements are met (30 hours every two years).
  - Identify training needs of Unit personnel and schedule training as needed.
  - Report any deficiencies observed to the OIC.
- Make recommendations to the OIC regarding any Polygraph Unit personnel issues.
- Ensures that timely Probationary Polygraph Examiner Evaluations are being completed for probationary employees (PE I and PE II).
- Write annual evaluations for subordinate employees as directed by OIC.
- Serve as an instructor regarding the investigative use of polygraph at Department schools, Police Academies, Area roll call training and outside requests for presentations.
  - All requests for public presentations and the presentation material(s) are required to be approved by the Commanding Officer of TID or designee.
- Maintain polygraph equipment and supplies.
- Assist the OIC in the development and evaluation of Polygraph Unit policies and technical procedures.
- Complete a Daily Log to include:
  - Exams monitored shall include the time of the exam, name of the examinee, the PF File Number (e.g., John Doe, #19-0000) and any relevant comments regarding observations made during the exam.
  - Number of exams reviewed for QC and/or QCR.
  - QCR examiner will perform an additional re-score of randomly selected exams to ensure compliance with approved test data analysis rules.
  - When performing QCR on an Police Candidate exam the entry shall include the PF File Number, name of the examinee, name of the examiner, name of the employee performing QC, and if the Lead performing the QCR concurs or does not concur with the results as submitted. These entries shall be in the following format:
    - 19-0000, Jane Doe (Examiner's name/QC's name) – Concur
  - Any noteworthy events involving examiners, Police Candidates, City employees, unusual events, etc.
  - Any training received, attended or provided.
  - Upon its completion, the Daily Log shall be converted to a PDF format and emailed daily to the Unit OIC.

- The designated PE III will arrange parking in front of Piper Tech for examinees involved in criminal investigations through General Services Division (GSD).
  - GSD may be contacted at (213) 978-2227 or via email at [gsd.visitorpark@lacity.org](mailto:gsd.visitorpark@lacity.org).
- In the absence of the OIC, a designated PE III will serve as the Acting OIC.
- Complete administrative duties assigned by the OIC, Commanding Officer or Assistant Commanding Officer.

**Polygraph Examiner II (PE II):**

The PE II is responsible for the proper administration of polygraph examinations in accordance with Polygraph Unit's policies. The PE II will comply with accreditation standards as stated in the PLEA Guide and will adhere to current Departmental and legal guidelines regarding the administration of polygraph examinations and accepted interview and interrogation practices.

The PE II is a journey-level employee who administers polygraph examinations using computerized polygraph instruments to police candidates, officers and civilian employees seeking assignment to specialized units, and to suspects/witnesses in criminal investigations. As appropriate, the PE II interviews and interrogates suspects, victims, witnesses, and other persons involved in City-related investigations.

When administering criminal exams, the PE II shall evaluate the case facts based on information received from investigating officers, written reports and on information obtained during the pretest interview. The PE II shall determine which test format is best suited for the examination and shall formulate all test questions to be asked during the exam. Collaboration with other PE II and PE III employees is encouraged when formulating questions, however the PE II shall be held accountable for the accuracy of their own work.

Additional responsibilities include:

- Determine if subjects to be tested are suitable candidates for polygraph examinations.
- Obtain written consent from Police Candidates and Internal Screen examinees prior to administering the polygraph examination; administer Beheler admonishment for criminal exams, establishing voluntary participation in the polygraph process.
- Complete the polygraph report and associated documents for all polygraph examinations conducted.
- Attend polygraph continuing education to maintain proficiency for the conduct of polygraph examinations.
- Perform preventive polygraph instrument maintenance and perform manufacturer's suggested functionality checks.

- Complete administrative duties assigned by the OIC or Lead Examiners.
- Conduct QC and/or QCR as needed.

#### **Polygraph Examiner I (PE I):**

The Polygraph Examiner I is the Trainee position in the class. The PE I will be assigned to a PE III Training Officer who will train and monitor their progress.

Each PE I will serve as a Trainee for a period not to exceed eighteen (18) months and will conduct the examinations under the guidance of a Training Officer(s). Before completing their training period, the PE I must satisfactorily complete a minimum of:

- 200 Police Candidate examinations
- 10 Criminal examinations
- 5 Internal Screen examinations

The Training Officer shall document observations in their Daily Log and provide the PE I with verbal feedback and remedial training, as needed. The Training Officer will provide an written feedback to the probationary employee bimonthly, or as deemed necessary by the Training Officer and OIC.

The PE I and Training Officer will carefully review all regulations and internal policy directives established for personnel administering polygraph examinations. All potential examination questions will be reviewed with the Training Officer, Lead or OIC prior to the administration of an examination. The results of each examination will be discussed with the Training Officer. Until instructed otherwise, the PE I shall have all reports reviewed by the Training Officer or PE III prior to submitting them to Quality Control Review. The Training Officer will keep the Unit OIC apprised of the progress of the trainee.

Additional responsibilities include:

- With the assistance of the Training Officer, determine if subjects to be tested are suitable candidates for polygraph examinations and that they have voluntarily consented.
- Complete the polygraph report and associated documents for all polygraph examinations conducted.
- Attend polygraph continuing education to maintain proficiency for the conduct of polygraph examinations.
- Perform preventative polygraph instrument maintenance, and manufacturer's suggested functionality checks.

## 2.2 TRAINING PERIOD

Upon successful completion of a polygraph school that meets the American Polygraph Association (APA) accreditation standards, the PE I shall undergo the Department's internship. Refer to the City's Position Description 2240 (Polygraph Examiner) for additional information. Employees at this level must qualify for appointment to paygrade II within eighteen months of employment by successful completion of the training program.

## 3. DUTIES AND RESPONSIBILITIES

### 3.1 AUTHORIZING PERSONNEL

The following personnel may authorize the administration of a polygraph examination:

- The Chief of Police.
- The Commanding Officer of TID or designated representative.
- The Assistant Commanding Officer of TID.
- The Polygraph Unit OIC or designated representative.
- A Polygraph Examiner III or designee.

### 3.2 POLYGRAPH UNIT RESPONSIBILITIES

Polygraph Unit personnel are responsible for the proper administration of all polygraph examinations. In addition, Polygraph Unit personnel are responsible for providing polygraph related training to Department personnel when requested.

### 3.3 INVESTIGATING OFFICERS AND DETECTIVE COORDINATORS RESPONSIBILITIES

#### 3.3.1 INVESTIGATING OFFICERS – CRIMINAL EXAMINATIONS

Expectations of Investigating Officers:

- Provide a written copy of the investigative report(s) to the polygraph examiner, in advance of the scheduled date of the exam.
- Conduct a physical search of the examinee to ensure that no weapons or other personal property (including cell phones, hats, sunglasses, etc.) are brought into the Unit. All personal property shall be secured in the designated lockers.
- Ensure that examinee is NOT subjected to interrogation immediately prior to their polygraph examination.

- Continuously monitor the examinee while in the Polygraph Unit.
- Provide for the examinee's physiological needs (restroom, food, etc.).
- When required (in-custody suspect), the I/O shall administer the Miranda Admonishment. The examiner will reaffirm that the suspect is willing to discuss the case with the examiner.
- Monitor the polygraph examination in its entirety, answer questions, and assist in post-test interviews.
- The I/O should notify the Polygraph Unit if the subject to be tested appears to be physically or mentally ill, suffering from injuries, or under the influence of drugs or alcohol immediately prior to the polygraph appointment.
  - The Polygraph Unit has the authority to make the final determination regarding the subject's suitability to take the examination.
- The I/O shall not advise an examinee to refrain from taking any prescribed medication.

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### 3.3.2 DEPARTMENT COORDINATORS – INTERNAL SCREENING EXAMINATIONS

- The designated coordinator will review candidate information with the polygraph examiner and provide any pertinent information.
- The coordinator shall review the polygraph process with the candidate; however, they shall not discuss any of the questions that are going to be asked during the examination.
- The coordinator shall monitor the polygraph examination in its entirety. It shall be the responsibility of the coordinator to notify their chain of command of any admissions of criminal misconduct or violation of Department policies.

## 4. ON-CALL PROCEDURES

PE III and PEII examiners who have successfully completed their probationary period are required to alternate on-call status on weekends and holidays and must respond to the Polygraph Unit within a reasonable amount of time upon request. A current on-call roster shall be routinely distributed to the Real time Analysis and Critical Response (RACR) Unit for each upcoming Deployment Period (DP).

All callouts shall be approved by the OIC or his/her designee prior to responding. The OIC may also respond if appropriate.

### 4.1 ON-CALL EXAMINER RESPONSIBILITIES

- Polygraph examinations may be administered at other secure locations, other than Piper Tech, with the approval of the OIC, Assistant Commanding Officer or the Commanding Officer of TID.
- If the on-call examiner cannot be contacted, a Lead Examiner or the Unit OIC shall be notified.
- If the on-call examiner cannot respond, it is his/her responsibility to notify a Lead Examiner or the OIC.
- The examiner shall obtain all the pertinent case facts from the I/O and, prior to responding, the On-Call Examiner shall notify the OIC and give the OIC a summary of the case facts. The OIC will make the determination if there is a need for the examiner to respond or if the examination can be scheduled for the next business day.

## 5. POLYGRAPH EXAMINATIONS

### 5.1 TYPES OF POLYGRAPH OF EXAMINATIONS

- **Criminal 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.
- **Asset Forfeiture** – Tests may be administered to assist the I/O in finding hidden assets.
- **Administrative Examinations** - Tests are conducted to support investigations involving Department personnel and/or a complaint resulting in internal investigations.
- **Internal Screening Examinations** - Tests are conducted in support of Department personnel applying for LE sensitive positions within the Department.
- **Police/Fire, and Arson Investigator Candidate Examinations** – Tests are conducted in support of the Police and Personnel Department hiring process.

### 5.2 REQUEST OF POLYGRAPH EXAMINATIONS

- **Criminal Examinations** – The I/O will confer with PE III or the Unit's OIC before requesting a polygraph examination. They will review the information and ascertain if there is a testable issue. Once a determination has been made, the PE III or the OIC will approve the examination.
- **Priority Scheduling of Criminal Polygraph Requests**

- Criminal polygraph exams have the highest priority; other exams shall be canceled or rescheduled when necessary to accommodate criminal exams. Refer to TID Divisional Order No. 1 for scheduling procedures.
  - Outside agencies may request a polygraph examination; such requests will need to be approved by the TID Commanding Officer or their designee.
- **Internal Screening Examinations** – The concerned division will call the Polygraph Unit to schedule the internal screening examination. These exams are pre-approved by the Polygraph Unit OIC and do not require additional approval prior to scheduling.
- **Police/Fire, and Arson Investigator Candidate Examinations** – Police and Fire Candidates are authorized and scheduled by the City Personnel Department and have blanket approval by Personnel.
  - The PE IIs and the OIC, however, have the final approval authority (refer to Section 6.7 of this guide for approval criteria).

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#### 5.2.1 OUTSIDE AGENCY REQUESTS FOR POLYGRAPH EXAMINATIONS

On occasion, the Polygraph Unit receives requests for polygraph examinations from outside agencies. The Commanding Officer of TID will be notified of such requests.

It is recommended that, whenever possible, a representative of the requesting agency be present during the administration of the polygraph examination to monitor the examination.

Polygraph services may also be provided to City and County entities. Such entities would include:

- City Attorney's Office
- District Attorney's Office
- Los Angeles City Fire Department
- Personnel Department
- Outside agencies

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#### 5.2.2 DEFENSE ATTORNEYS

At times defense attorneys may request to monitor a live examination of their client. This decision should be deferred to the I/O and/or the District Attorney's Office.

If the defense attorney is granted permission to view the examination, the following procedures shall be followed:

- The defense attorney shall not have any input in the question formulation. Question formulation is the sole responsibility of the examiner and Unit supervision.
- The defense attorney shall be advised that once the examinee is inside the polygraph suite and the examination begins, the attorney may not interfere with the examination. If the attorney insists on speaking with the examinee during the examination, the examination shall be terminated.
- The defense attorney shall not be allowed inside the polygraph suite during the examination.
- It will be the responsibility of the I/O that the defense attorney(s) not have access to any unauthorized, secured areas within the Polygraph Unit.

### 5.3 CRIMINAL EXAMINATION REQUIREMENTS

- Reports related to an investigation should be sent to the Polygraph Unit as soon as possible after the appointment is made to allow the assigned examiner ample time to prepare for examination.
- The I/O is to brief the polygraph examiner on details of the case and have the updated case file and any background information on the examinee available for the examiner, if needed.

#### 5.3.1 JUVENILE EXAMINATIONS

When administering polygraph examinations to juveniles, the Polygraph Unit shall be guided by federal and state laws, the LAPD Juvenile Manual Section addressing Juvenile Polygraph Examinations, and professional standards.

A Gladys R. questionnaire shall be completed by the I/O for any examinee who is 14 years old. If the I/O feels that a juvenile examinee is immature (regardless of age) a Gladys R. questionnaire shall also be completed prior to the examination and before arriving at the Polygraph Unit. The Examiner shall also complete a Gladys R. admonition as part of the pre-test interview. It is ultimately the decision of the Unit OIC or designee to determine if the examinee is a suitable candidate for a polygraph examination.

The I/O shall document the name of the person granting permission, the time and date of consent. A copy of the documentation will be electronically stored within the completed polygraph file (PF File).

Welfare and Institutions Code (WIC) §625.6(a) states *“Prior to a custodial interrogation, and before the waiver of any Miranda rights, a youth 15 years of age or younger shall consult with*

*legal counsel in person, by telephone, or by video conference. The consultation may not be waived."*

To ensure compliance with this statute, this standard shall also apply regarding administration a polygraph exam to a juvenile who is 15 years of age or younger.

#### 5.4 POLYGRAPH EXAMINATIONS INVOLVING VICTIMS

It is a violation of law under **637.4 PC** to require or request any complaining witness, in a case involving the use of force, violence, duress, menace, or threat of great bodily harm in the commission of any sex offense, to submit to a polygraph examination as a prerequisite to filing an accusatory pleading.

#### 5.5 CONSIDERATIONS PRIOR TO THE CONDUCT OF A POLYGRAPH EXAMINATION:

- The polygraph examiner will address one crime or one specific issue during any single series of an examination.
- Additional issues will be addressed in follow-up testing (additional series), when required to resolve all issues required by the I/O.
- Follow-up testing may be scheduled for another day. Polygraph examiners should not conduct more than three examinations in one day unless exigent circumstances exist as determined by the Unit OIC.

#### 5.6 POLYGRAPH LIMITATIONS

Not every subject is suitable for examination due to physical or psychological maladies. PE IIs or the OIC have discretion to determine suitability for testing. It is intended that all examinations be administered in a professional manner reflecting the highest standards of LAPD, as well as a commitment to constitutional policing and the rights of everyone.

#### 5.7 EXAMINEE SUITABILITY

If the examinee is pregnant or thinks she could be pregnant, a doctor's note authorizing the administration of a polygraph examination **is required** prior to the examination. An electronic copy of the doctor's note shall be placed in the PF File.

**A Polygraph examination shall not be administered if any of the following conditions exists:**

- Persons with any physical/mental condition which renders that person unsuitable for testing.

- The examinee is combative or has an obvious propensity for violence.
- The examinee is in severe pain.
- Persons who are intoxicated or under the influence of alcohol or drugs.
- The examinee is under 14 years of age.
- The examinee elects to exercise their Miranda rights.
- The examinee has a serious health issue that jeopardizes the health and/or safety of the examinee or examiner.
- The Unit OIC determines that suitability criteria have not been met.

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#### 5.7.1 PERSONS WHO MAY NOT BE APPROPRIATE TO UNDERGO POLYGRAPH TESTING:

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

#### 5.8 USE OF AN INTERPRETER

If the examinee speaks a foreign language and the Polygraph Unit does not have an Examiner that speaks the same language, it is the I/O's responsibility to provide a Department-approved interpreter. If the I/O does not speak the same language as the examinee, the I/O shall also have an interpreter in the observation room during the examination to translate for the I/O.

The I/O shall arrange for the interpreter to meet with the polygraph examiner in advance of the scheduled exam to coordinate procedures to be followed.

- The examiner should meet with the interpreter prior to the examination and review polygraph procedures. The examiner should request the interpreter write a translation of all test questions and review the translation for any language discrepancies.
- All documents prepared in another language should be scanned and placed in the PF File, with an accurate English translation.
- The translator of a polygraph exam shall be the only other person allowed inside the polygraph suite during the actual examination.

#### 5.9 POLYGRAPH RESTRICTIONS

The polygraph examination will not be administered if it conflicts with:

- Federal, State, or local laws.
- The Polygraph Unit Guidelines or Department Manual.
- Police Officer's Bill of Rights.
- Police Officers Memorandum of Understanding (MOU).

## 6. TEST DATA ANALYSIS (TDA)

Evaluation procedures, test data analysis (TDA) criteria, and opinions based on analysis of polygraph test data will be completed in accordance with the PLEA Guide.

Upon completion of TDA for a series, an examiner must provide a conclusion regarding that series. The optimum result is a conclusive opinion, such as, no deception indicated (NDI), no significant response (NSR), deception indicated (DI), or significant response (SR). When a conclusive opinion cannot be provided based upon the physiological data collected, the examiner must use their judgment to continue testing, reschedule for additional testing or attempt to resolve issues through interview or interrogation.

All polygraph exams will be numerically evaluated to determine the result. Police and fire candidate screening exams and follow up specific issue exams will be evaluated using the seven (7) position scale utilizing standard scoring rules set forth in the PLEA Guide. Specific issue (criminal exams) will be evaluated using the three (3) position scale, utilizing standard scoring rules set forth in the PLEA Guide. Specific issue criminal exams resulting in "No Opinion" may be rescored utilizing the seven (7) position scale to arrive at a conclusive result.

## 7. POLYGRAPH EXAMINATION PROCEDURES

The Polygraph Unit shall only utilize polygraph formats that have been validated through credible research and which comply in the PLEA guidelines.

The following are currently authorized test formats:

- Law Enforcement Pre-Employment Test (LEPET).
- Law Enforcement Modified General Question Test (LEMGQT)
- Air Force Modified General Question Test (AFMGQT).
- Federal You-Phase Zone Comparison Test
- Federal Zone Comparison Test (ZCT).

The examiners shall follow proper procedures during the administration of ALL polygraph examinations. A polygraph examination consists of the following three phases:

1. Pre-Test Interview
2. In Test (Data collection and evaluation)
3. Post Test Interview

In police candidate testing, a breakout exam should be administered if the initial screening exam result is SR to one or more relevant questions. In Internal Screen exams, a breakout should be administered if the initial screening exam result is SR or NO to one or more relevant questions. Whenever possible, breakout exams should be administered on the same day following a short break for the examinee.

## 8. ADMINISTRATIVE OPINIONS

Administrative opinions reflect the result of a series or an examination that is not based upon physiological responses to the applied stimuli (i.e. the examinee is deploying countermeasures or the exam is terminated early for any reason). In such instances, administrative opinions are appropriate.

The Polygraph Unit utilizes the following administrative opinions:

- Countermeasures (CMs)
- Interrupt (INT)

## 9. QUALITY CONTROL (QC) AND QUALITY CONTROL REVIEW (QCR)

To develop procedures for the conduct of an independent objective QC and QCR for each examination conducted by the Polygraph Unit, these QC and QCR standards of practice were developed.

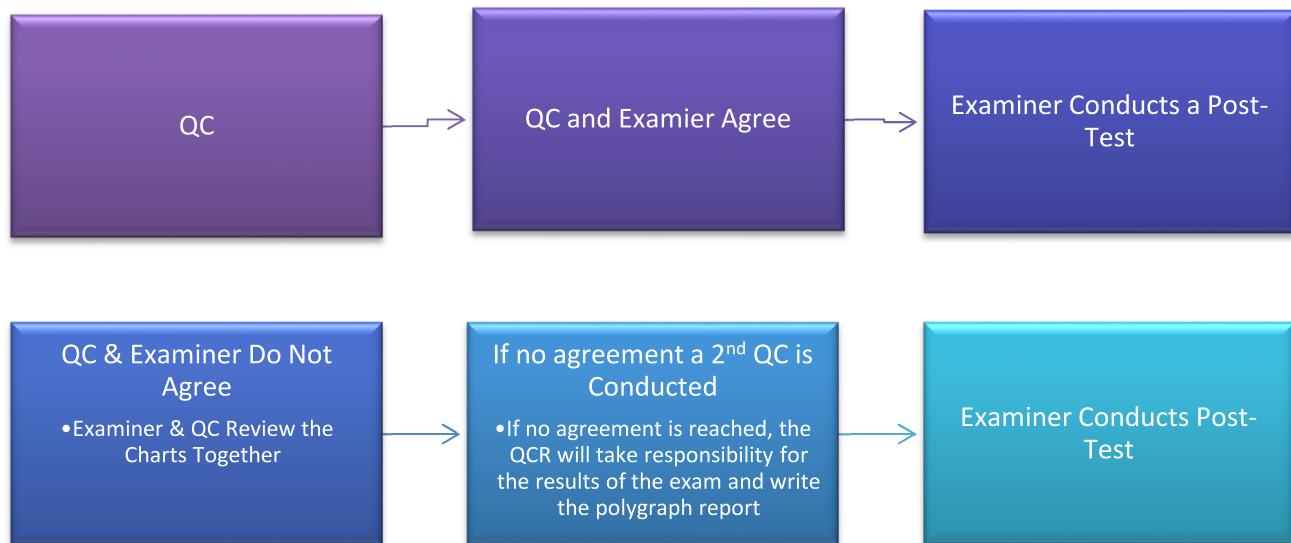
Lead examiners will conduct the QC and QCR of all polygraph examinations. A PE II (in the absence of the Lead Examiner) may conduct the QC and/or QCR. The QCR examiner has the authority to make the final determination of the exam results.

The examiner who conducted the preliminary QC SHALL NOT be the same person conducting the QCR for the same polygraph examination.

## 9.1 QUALITY CONTROL

Once an examiner has completed a polygraph examination, the OIC, a PE III, or a designee will conduct a Quality Control (QC) of the Test Data Analysis. The QC examiner shall not be influenced by the examiner or any other factors. The below protocol shall be followed:

During the QC process, the QC Examiner shall take every opportunity to provide the examiner with **verbal** feedback on his/her exam.



## 9.2 QUALITY CONTROL REVIEW

The examiner shall submit the Polygraph Information Envelope (Form 12.36) to QCR, containing the following:

- Polygraph Report
- Acquaintance Test (ACQT)
- Polygraph Test Information – 12.35 (criminal exams)
- Addenda, if any
- Crime reports (criminal exams)

The QCR Examiner shall do the following:

- Review all charts and supporting documentation (crime report, polygraph report, etc.) for accuracy.
- If the examination is a police candidate re-test, the QCR examiner shall review the LAPD Hiring and Evaluation Section (HES) Recommendation to Administer Re-Test Polygraph request and the included polygraph report to ensure the Examiner tested the correct relevant issue(s).
- If the exam is a criminal, internal screen, or administrative exam, the QCR examiner shall independently analyze the charts to ensure the results are confirmed.
  - Police Candidate exams – perform random analysis of the charts to ensure the results are confirmed (spot check).
- Ensure the Personal History (PH) and Polygraph File (PF) are complete.
- Ensure the electronic score sheets are complete and they support the final exam call.
- Complete the Quality Control Review Checklist (QCR).

If the QCR does not agree with the initial call, the QCR shall do the following:

- Review the charts with the QC examiner.
- If the QC examiner agrees with the QCR analysis, they shall review the charts with the examiner.
- If the examiner agrees, the results shall be considered final.
- If the examiner does not agree, the QCR will assume responsibility for the results of the exam and will be responsible for writing the polygraph report.
- Once the QCR process is complete, the Quality Control Review Checklist shall be saved to the examinee's PF file (in PDF format) using the following format **QCR Doe 19-0000**.
- The QCR examiner shall make a notation in the PF notes of the PF File indicating the QCR was completed.
  - In the event the polygraph report was returned to the examiner for editing, a notation shall be placed in the QCR Checklist.
  - Once the examiner edits the report and is approved by QCR, the QCR examiner shall make a notation indicating the QCR process was completed.

Once all the above steps are completed, the polygraph examination result shall be considered official. Once QCR is complete, the Examiner shall read the comments in the QCR Check List and document in the PF Notes that they have done so.

### 9.3 QUALITY CONTROL REVIEW ADMINISTRATIVE PROCESS

Once all the steps have been completed in Section 11.2, each Police Candidate polygraph report shall be scanned and emailed to the City Personnel Department. This should occur within 2-3 business days from the administration of the exam. For Out of Town (OOT) or Expedited police candidates, follow the Personnel Department's Polygraph Guidelines.

**All results provided at the conclusion of the exam are considered preliminary until a final Quality Control Review process has been completed. The OIC and PE IIs shall periodically check the PF Files (notes) to ensure examiners are reviewing the QCR Checklist and documenting that they have done so.**

## 10. REPORTS EVIDENCE AND RECORD RETENTION

A polygraph examination report will be prepared to correspond with every PF Number assigned. This includes any examination where the pre-test phase of the examination was initiated, but the examination was not administered.

### 10.1 EVIDENCE

At the completion of a criminal polygraph examination, the examiner shall download a copy of the digital recording and burn it to a DVD. The examiner shall book the DVD into evidence with the Electronics Unit. The examiner shall then include in their report that the DVD was booked into evidence.

### 10.2 RECORD STORAGE

All Polygraph Unit records and polygraph exams shall be stored in a secure room or the designated records room. Original polygraph files or records shall not be taken to court or a hearing without a court order or Unit OIC approval.

### 10.3 RECORD RETENTION

All polygraph files, records, and digital recordings shall be retained based on current laws and the City of Los Angeles Approved Department Retention Schedule that can be obtained from the Department's Records and Identification (R&I) Division. Digital recordings of criminal or administrative investigations shall be booked with Electronics Unit as evidence. It is the responsibility of the Electronics Unit to follow the records retention procedures for items that are booked as evidence.

## 11. POLYGRAPH INSTRUMENTATION AND EQUIPMENT

Examiners shall use a polygraph instrument that is properly functioning and maintained in accordance with the manufacturer's specifications.

At a minimum, a polygraph instrument will continuously record the following components:

- Two pneumograph components to document thoracic movement patterns associated with respiration.
- A component to record electrodermal activity reflecting relative changes in the conductance or resistance of current by epidermal tissue.
- A cardiograph component capable of recording pulse rate, pulse amplitude, and blood volume changes.
- A movement sensor device should routinely be used in accordance with Section 10.1 of this Guide.

### 11.1 AUDIO/VIDEO RECORDINGS

All polygraph examinations shall be digitally recorded if recording equipment is available and functioning. For polygraph examinations administered at locations other than in the Polygraph Unit, every attempt shall be made to record the examination with a webcam or, at a minimum, an audio recorder.

### 11.2 PREPARATION

- Functionality checks shall be performed in accordance with the manufacturer's recommendations. A functionality check log shall be maintained for every polygraph instrument.
- Polygraph examiners shall ensure that the polygraph exam suite is free from any potential weapons, safety hazards, or distractions.
- Polygraph examiners shall periodically verify that the polygraph exam suite's alarm system and panic buttons (when applicable) are operational.
- Polygraph Leads and/or the Unit OIC shall ensure that the checks listed above have been performed.

## 12. POLYGRAPH EXAMINER QUALIFICATIONS: INTERNSHIP, PROFICIENCY, AND TRAINING

An examiner must complete initial polygraph training at an APA accredited school.

- Polygraph examiners should possess in-depth knowledge and experience in polygraph to support the Department and the community we serve.
- The examiner should be competent to conduct polygraph examinations in accordance with the practices established in this guide.

#### 12.1 EXAMINER PROFICIENCY

To maintain examiner status with the Department, the examiner must maintain polygraph proficiency. The proficiency of an examiner is determined by the OIC. When an examiner consistently demonstrates an inability or unwillingness to conduct examinations in accordance with the procedures established in this guide, a PE III or the OIC should take appropriate action to retrain the examiner.