



**Supreme Court**  
STATE OF ARIZONA  
ADMINISTRATIVE OFFICE OF THE COURTS

Robert Brutinel  
Chief Justice

David K. Byers  
Administrative Director  
of the Courts

March 5, 2021

Northland Investigations, LLC  
Dan Caputo, President  
2700 S. Woodlands Village Blvd., Ste. 300-345  
Flagstaff, AZ 86001

Dear Mr. Caputo,

Enclosed please find the Contract Compliance Evaluation Report (CCE) from the Administrative Office of the Courts (AOC) which includes a review of the *Clinical Polygraph for Post-Conviction Sex Offender Testing* services under contract with the AOC. The CCE is one of several monitoring methods utilized to verify contract compliance with the AOC Standard Terms & Conditions, related special conditions, and applicable service specifications.

On February 2, 2021 Mr. Caputo of Northland Investigations, LLC provided the AOC with 60 days termination notice to discontinue his contracted services. The CCE Report is a summary of findings based on the review conducted prior to knowing the services would be terminated. This report was modified from its original form based on the contract being terminated by Mr. Caputo. Please note that a **full** Plan of Correction is not required at this time, but items noted in this report as "out of compliance and requiring action" must be addressed **prior** to the provider entering into a new AOC Contract. There are several items which **do** require action in the *Billing Section* of the report.

Please review the enclosed Contract Compliance Evaluation Report and submit a Plan of Correction that addresses the areas identified as non-compliant and requiring action *in the Billing Section of the report*. Please submit supporting documentation as requested in the *Billing Section* of the monitoring report with your Plan of Correction.

Attached to the email, you will find a **Technical Assistance/Plan of Correction** template, which is optional but may assist in your submission of a Plan of Correction that is comprehensive and prompts responding to various required action items. Each Key Standard area in the report provides the "**References**" which give contract and program details and should be consulted in the formation of the Plan of Correction. Again, it is JJSD's goal to work with AOC Contractors toward a shared goal of contract compliance and provision of quality services to the youth and families of Arizona, and to that end, we encourage those responsible for contract compliance to contact our compliance staff for any questions or clarification.

Please submit your Plan of Correction as required in the *Billing Section* of the report by no later than **March 30, 2021** to the Arizona Supreme Court, Administrative Office of the Courts, Juvenile Justice Services Division, Attention: DeAnna Faltz, 1501 W. Washington, Suite 337, Phoenix, Arizona 85007-3231. You can also submit these items via secured/encrypted email at [dfaltz@courts.az.gov](mailto:dfaltz@courts.az.gov)



# Supreme Court

STATE OF ARIZONA  
ADMINISTRATIVE OFFICE OF THE COURTS

Robert Brutinel  
Chief Justice

David K. Byers  
Administrative Director  
of the Courts

Thank you for your cooperation during the monitoring process and for your continued service to the youth of Arizona. If you have any questions pertaining to this review or the contract monitoring process, please contact me at (602) 452-3214 or [dfaltz@courts.az.gov](mailto:dfaltz@courts.az.gov) or Holli Sanger-Alarco, Contracts & Monitoring Program Manager at (602) 452-3246 or [halarco@courts.az.gov](mailto:halarco@courts.az.gov).

Sincerely,

*DeAnna Faltz*

DeAnna Faltz  
Contract Compliance Specialist  
Juvenile Justice Services Division  
Administrative Office of the Court

## Attachments (3)

cc: Brandi Teso, Cochise County Juvenile Probation  
Celeste Erickson, Cochise County Juvenile Probation  
Cydney Boyer, Coconino County Juvenile Probation  
Herman Andrews Jr, Graham County Juvenile Probation  
Jessica LaRue, Graham County Juvenile Probation  
John Armstrong, Greenlee County Juvenile Probation  
Joseph Montez, Greenlee County Juvenile Probation  
Arcenio Garcia, Maricopa County Juvenile Probation  
Marina Lantsman-Waugh, Maricopa County Juvenile Probation  
Olivia Omotinughbon, Maricopa County Juvenile Probation  
Charlotte Shrum, Maricopa County Juvenile Probation  
Chad Williams, Maricopa County Juvenile Probation  
Kristine Younger, Maricopa County Juvenile Probation  
Doneica Shapiro, Yavapai County Juvenile Probation  
Ben Rowe Jr., Yuma County Juvenile Probation  
Ignacio Galindo, Yuma County Juvenile Probation  
Holli Sanger-Alarco, JJSD Program Manager



# Supreme Court

STATE OF ARIZONA  
ADMINISTRATIVE OFFICE OF THE COURTS

Robert Brutinel  
Chief Justice

David K. Byers  
Administrative Director  
of the Courts

April 1, 2021

Northland Investigations, LLC  
Dan Caputo, President  
2700 S. Woodlands Village Blvd., Ste. 300-345  
Flagstaff, AZ 86001

Dear Mr. Caputo,

Thank you for your *first* Plan of Correction resulting from the Contract Compliance Evaluation (CCE) report from the Administrative Office of the Courts (AOC) which included a review of the *Clinical Polygraph for Post-Conviction Sex Offender Testing* services under contract with the AOC. A review of your Plan of Correction addressing the *Billing Section* of the report and supporting documents indicates you are in substantial compliance with the *Billing Section* of the report.

Upon the Contractor's request, the contracted services will be terminated on April 3, 2021. Please note that the remaining sections noted as "requiring action" in the original CCE Report dated March 5, 2021 must be addressed if the contractor decides to enter into a new AOC Contract.

Thank you for your cooperation during the monitoring process and for your service to the youth of Arizona. If you have any questions pertaining to this review or the contract monitoring process, please contact me at (602) 452-3214 or [dfaltz@courts.az.gov](mailto:dfaltz@courts.az.gov) or Holli Sanger-Alarco, Contracts & Monitoring Program Manager at (602) 452-3246 or [halarco@courts.az.gov](mailto:halarco@courts.az.gov).

Sincerely,

*DeAnna Faltz*

DeAnna Faltz  
Contract Compliance Specialist  
Juvenile Justice Services Division  
Administrative Office of the Court

## Attachments (2)

cc: Brandi Teso, Cochise County Juvenile Probation  
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Doneica Shapiro, Yavapai County Juvenile Probation  
Ben Rowe Jr., Yuma County Juvenile Probation  
Ignacio Galindo, Yuma County Juvenile Probation  
Holli Sanger-Alarco, JJSD Program Manager

**ARIZONA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS  
JUVENILE JUSTICE SERVICES DIVISION**

**Contract Compliance Evaluation  
1<sup>st</sup> Plan of Correction Report**

<b>Contracted Vendor:</b>	Northland Investigations, LLC	<b>Dates of CCE Review:</b>	January 7, 2021
<b>Executive Director:</b>	Dan Caputo, President	<b>Date of 1<sup>st</sup> POC CCE Report:</b>	March 31, 2021
<b>Services Reviewed:</b>	Clinical Polygraph for Post-Conviction Sex Offender Testing	<b>JJSD Specialists:</b>	DeAnna Faltz
<b>Business Address:</b>	2700 S. Woodlands Village Blvd., Ste. 300-345 Flagstaff, AZ 86001		

The following represents the AOC's findings based on a review of the contracted vendor's *first* Plan of Correction of the billing section resulting from the Contract Compliance Evaluation Report. The Plan of Correction for the billing section submitted was reviewed for completeness and compliance with the AOC Standard Terms & Conditions for Independent Practitioners, July 1, 2019 through June 30, 2021, and the applicable 2019-2021 AOC *Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specifications*.

**On February 2, 2021 Dan Caputo of Northland Investigations, LLC provided the AOC with 60 days termination notice to discontinue his contracted services. The contract termination date is effective April 3, 2021. The following is a summary of findings based on the review conducted prior to knowing the services would be terminated. Mr. Caputo was asked to address the billing section of the report prior to the termination of the contract. This report has been modified from its original form based on the contract being terminated by Mr. Caputo. Please note that items noted in original report as "out of compliance and requiring action" must be addressed prior to the provider entering into a new AOC Contract.**

■Billing/Financial Review■

Service/Billing Key Standards	Compliance	CCE Required Action	Compliance	1 <sup>st</sup> Plan of Corrections Findings & Required Action
Dates of services billed are within SAF authorized periods	N	<b>Reference:</b> AOC Standard Terms & Conditions, Paragraph 7 and page 3 of the AOC <u>Invoice Billing Manual</u>  <b>Findings:</b> As noted in the SAF section of the report, the AOC requested SAFs from Mr. Caputo that were not originally submitted. The following client files were still missing an SAF (s) for the specific polygraph report and/or missing a polygraph report for an SAF provided: <ul style="list-style-type: none"> <li>• Client █████ was missing an SAF for polygraph conducted on 2/28/20</li> <li>• Client █████ was missing SAFs for polygraphs conducted on 3/19/19, 8/19/19 and 2/21/20</li> <li>• Client █████ was missing an SAF for polygraph conducted on 8/29/19</li> <li>• Client █████ was missing an SAF for polygraph conducted on 6/14/19</li> <li>• Client █████ was missing SAF for polygraph conducted on and 7/30/19</li> <li>• Client █████ was missing SAF for polygraph conducted on 8/5/20 and was missing a polygraph report for 10/29/19</li> <li>• Client █████ was missing an SAF for polygraph conducted in October 2020 and was missing a polygraph report for October 2020</li> <li>• Client █████ was missing an SAF for polygraph conducted in September and December 2020 and</li> </ul>	Y	<b>Reference:</b> AOC Standard Terms & Conditions, Paragraph 50
Services billed correlate with authorized services	N		Y	<b>Findings:</b> Mr. Caputo forwarded the requested SAFs and Polygraph reports for the juveniles listed on the left with the following exceptions:  He reported that “I show the test for █████ on June 12, 2019 being paid for by the treatment provider.”  The SAFs for client █████ (SAF dated 7/29/19) and client █████ (SAF dated 8/29/19) had the Family Counseling Fund marked rather than JTSF Fund by the probation department. This explains why the billing invoices were not included in the JTX system.
File contains documentation to support services billed	N		Y	Mr. Caputo also indicated “I show the tests for █████ and █████ conducted in February of 2020 being paid for by AOC via invoice #415813.” However, those client names did not appear in the AOC JTX system for the month of February 2020. Upon further review with AOC Finance, it appears the clients █████ and █████ names/id numbers (for February 2020 invoice) were entered into JTX incorrectly which explains why they were not on the original JTX Report. The error has been corrected and are now reflected in the system. It should also be noted that Mr. Caputo re-sent the same SAF for January 2020 for client █████

	<p>was missing a polygraph report for September</p> <ul style="list-style-type: none"><li>• Client [REDACTED] had two polygraphs and only one SAF that had a second date highlighted but was signed by PO on the same day as the 1<sup>st</sup> SAF, therefore missing a separate SAF for the second polygraph</li><li>• Client [REDACTED] had SAFs for May and July 2019 but were missing both polygraph reports</li><li>• Client [REDACTED] was missing an SAF-for polygraph conducted in November 2019 and the report was missing</li></ul> <p>It should also be noted that two client files (client [REDACTED] report dated February 28, 2020 and client [REDACTED] report dated February 21, 2020-both Maricopa County juveniles) included a report completed by the provider but was missing SAFs for the polygraph exam. Also, those reports do not appear to have been billed according to the AOC JTX Utilization report indicating that they were not paid out of JPSF funds.</p> <p><b>Immediate Required Action:</b> Please provide a copy of the missing SAF and/or polygraph report for each client noted above or remit a <b>credit memo totaling \$4,400.00</b> (\$275.00 for each missing polygraph and/or SAF). Instructions for a credit memo are on page 19 of the AOC Invoice Billing Manual. Credit memos can be requested from Amy Winney, AOC Administrative Assistant</p>	<p>rather than an SAF for February 2020.</p> <p><b>Required Action:</b> Although a further response is not required, please ensure that SAFs and billing invoices correspond for services provided by the contractor.</p>
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	<p>at <a href="mailto:awinney@courts.az.gov">awinney@courts.az.gov</a> Please describe how the provider was paid for polygraph exams dated in February 2020 for clients [REDACTED] and [REDACTED]</p> <p>Please note a plan of correction will need to address how you will ensure compliance with each "N" noted to the left prior to renewal of a contract</p>		
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(End of Report)

ARIZONA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS  
JUVENILE JUSTICE SERVICES DIVISION

## Contract Compliance Evaluation Report

<b>Contracted Vendor:</b>	Northland Investigations, LLC	<b>Dates of CCE Review:</b>	January 7, 2021
<b>Executive Director:</b>	Dan Caputo, President	<b>Date of CCE Report:</b>	March 3, 2021
<b>Services Reviewed:</b>	Clinical Polygraph for Post-Conviction Sex Offender Testing	<b>JJSD Specialists:</b>	DeAnna Faltz
<b>Business Address:</b>	2700 S. Woodlands Village Blvd., Ste. 300-345 Flagstaff, AZ 86001		

### Introduction:

Dan Caputo is the President of Northland Investigation, LLC and conducts Clinical Polygraphs for Post-Conviction Sex Offender Testing for youth in Arizona. He has been contracted with the AOC for more than 10 years. This is the first time this service has been reviewed.

### Methodology & Scope:

The following administrative and program areas were reviewed through the Contract Compliance Evaluation process to assess the independent practitioner's compliance with standards set forth in the AOC Standard Terms & Conditions for Independent Practitioners, Contract Year July 1, 2019 through June 30, 2021, and the *Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specifications*:

- Client Files
- Personnel File
- Policies & Procedures
- Billing/Financial Review



### **Program Description:**

Clinical Polygraph examination means the employment of any instrumentation used to measure and record physiological responses (blood pressure, pulse, respiration, and skin conductivity) while a person is asked and answers a series of questions. Clinical polygraph examination is specifically intended to assist in the treatment and probation supervision of juveniles who have been adjudicated delinquent or convicted of an ARS Title 13, Chapter 14 or 35.1, a sexual offense. The use of a polygraph with juveniles is governed by the American Polygraph Association (APA) Model Policy for Post-Conviction Sex Offender Testing (PCSOT), and by the most current Association for the Treatment of Sexual Abusers (ATSA) Practice Guidelines.

The following represents the AOC's findings based on a review of client records and personnel documentation.

### **FINDINGS:**

#### **■Contract Compliance Evaluation Requirements Confirmation ■**

On September 28, 2020 the Contractor submitted an *Annual Confirmation of Contract Requirements* rather than the *Contract Compliance Evaluation Requirements* document that was sent to him for this review, therefore the information below *cannot be confirmed*:

- The Contractor representative identified above has the authority to complete and submit this **Contract Compliance Evaluation Requirements** form and represent the Contractor in this contract monitoring process.
- The information provided is true and accurate to the best knowledge of the Contractor.
- The Contractor confirms that information recorded on the **CCE Supplemental Information** form is accurate and represents all personnel (regardless of position or employment status) who do or may provide services under AOC contract.
- All personnel providing AOC funded services have been provided orientation/training, or if an Independent Practitioner that the Contractor understands each of the following:
  - AOC Standard Terms & Conditions;
  - Applicable AOC Service Specifications; and
  - AOC Incident Reporting Requirements
- All personnel providing AOC funded services received orientation and is receiving training that meets or exceeds requirements as set forth in the AOC Standard Terms & Conditions, Paragraph 37 (IP).
- All personnel not independently licensed and providing AOC funded services have been determined to be competent by a qualified staff in each required competency area as set forth in the AOC Standard Terms & Conditions, Paragraph 37 (IP).
- All personnel not independently licensed and providing AOC funded services are receiving supervision from a qualified staff that meets or exceeds requirements as set forth in the AOC Standard Terms & Conditions, Paragraphs 36 (IP).
- Policies identified on the **Policies & Procedures Identification** form and remitted for review are the most current policies implemented by the Contractor.
- Each qualifying person who provides professional services under AOC contract and who also has professional licensure does not have a complaint pending with the licensing authority and is not working under a Consent or other Board Agreement and if such a complaint exists the AOC has been notified.
- If the agency is licensed by the Arizona Department of Health Services/Division of Licensing or the Arizona Department of Child Safety/Office of Licensing & Regulation, the Contractor does not have a complaint or investigation pending and is not now or in the preceding twelve months been operating under licensing enforcement action or received a monetary sanction or if such has occurred the ASC/AOC has been notified.

■ **Licensing Status** ■

Mr. Caputo submitted certification from the Arizona School of Polygraph Science, dated March 16, 2007. He is a member of the American Polygraph Association (APA) since August 27, 2007, he completed training requirements for the APA Sex Offender Treatment and Monitoring Programs on September 28, 2007.

**On February 2, 2021 Dan Caputo of Northland Investigations, LLC provided the AOC with 60 days termination notice to discontinue his contracted services. The following is a summary of findings based on the review conducted prior to knowing the services would be terminated. This report will be modified from its original form based on the contract being terminated by Mr. Caputo. Please note that items noted in this report as “out of compliance and requiring action” must be addressed prior to the provider entering into a new AOC Contract.**

■ **General Provisions** ■

General Provisions Key Standards	Compliance	CCE Findings & Required Action
The Contractor shall maintain original versions or secure electronic records, not photocopies, of client records in a locked storage location	N	<p><b>Reference:</b> AOC Standard Terms &amp; Conditions, Paragraphs 45, 46 &amp; <i>Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specification</i></p>
The Contractor shall have a system of identifying, organizing, and filing of client records, hardcopy and if applicable electronically, to ensure information is maintained properly and for rapid location and retrieval at all times.	N	<p><b>Findings:</b> At the on-set of the CCE Review, the provider reported that he did not keep Service Authorization Forms (SAFs) in the client file and said “...Once I am paid for the service, I do not keep the SAF.” He also noted that “...I do not have it documented how they (reports) were disseminated. Some of them were by email and some of them were via the treatment provider.” The provider later sent copies of the client’s SAF for most of the client files.</p>
The Contractor shall retain complete client records according to Paragraph 14 of these AOC Standard Terms & Conditions	N	<p>The client files were also missing a “Referral form and summary, if applicable, including the reason for referral, presenting problem and medications and dosage at the time of referral.” It should be noted that numerous clients indicated during their polygraph exam that they were taking psychotropic medication. However, it was never clear in the polygraph examination report as to why the juveniles were on specific psychotropic medications. Also, in a polygraph examination for client [REDACTED] it was reported [REDACTED] stated he has “been diagnosed with Schizophrenia and Obsessive-Compulsive Disorders... and does not suffer from any significant medical conditions and that he felt “good” in terms of his overall health.”</p>
Referral form and summary, if applicable, including the reason for referral, presenting problem and medications and dosage at the time of referral; <i>Per Clinical Polygraph for Post-</i>	N	<p><b>Required Action:</b> Although a Plan of Correction is not required, please ensure that there is a process</p>

<p><b>Conviction Sex Offender Testing Service Specification:</b> Report the result of the examination either verbally (phone call) or in writing (encrypted email, fax or letter) to the referring probation department, within 24 hours of the examination.</p>		<p>in place to ensure that the items marked “N” on the left are documented and retained in the client files.</p>
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■ **Client Files** ■

Twenty client files (clients [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], and [redacted]) were reviewed for completeness and compliance with the AOC Standard Terms & Conditions, the AOC Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specification and the American Polygraph Association Model Policy for Post-conviction Sex Offender Testing (APA PCSOT). The bulleted **Client File** section below are areas determined to be in compliance and *do not require* action. The tables within this report section address areas determined *not* to be in compliance and will require a Plan of Correction.

- Incident Reporting Key Standards ~ AOC Paragraph 62 ~ *Compliance met; no action required*

Service Authorization Key Standards	Compliance	CCE Findings & Required Action
File contains an initial SAF	N	<p><b>Reference:</b> AOC <u>Standard Terms &amp; Conditions</u>, Paragraph 45 and page 2 of the AOC <u>Invoice Billing Manual</u>, <u>AOC Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specification</u> and <u>American Polygraph Association Model Policy for Post-conviction Sex Offender Testing (APA PCSOT)</u></p> <p><b>Findings:</b> As noted in the General Provisions section, Mr. Caputo did not keep SAFs in his client files/records. Upon request from the AOC Mr. Caputo requested copies of SAFs from the probation department and later submitted them to the AOC. None of the SAFs were signed by the provider acknowledging the review of the SAF for completeness and accuracy.</p>
File contains a subsequent SAF (where applicable)	N	
SAFs are signed by the Contracted Vendor acknowledging review of SAF for completeness and accuracy	N	
Services not performed without first receiving a SAF	Y	
SAF include Delinquency Risk Level	N	
<p><b>Per Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specification:</b> Limitations on the number of Polygraphs per juvenile are governed by the most current APA Model Policy and ATSA Practice Guidelines. Also <b>per APA Model for PCSOT 5.7.2.</b> Number of exams</p>	N	

<p>per examinee. Examiners should <b>not conduct more than four separate examinations per year</b> on the same examinee except where unavoidable or required by law or local regulation. This does not include retesting due to a lack of resolution during an initial or earlier examination. Are there less than four (4) separate exams per year?</p>		<p>policy 5.7.2 as noted “N” on the left:</p> <p>The AOC requested SAFs from Mr. Caputo that were not originally submitted. The following client files were still missing an SAF(s) for the specific polygraph report and/or missing a polygraph report for an SAF provided:</p> <ul style="list-style-type: none"> <li>• Client █████ was missing an SAF for polygraph conducted on 2/28/20</li> <li>• Client █████ was missing SAFs for polygraphs conducted on 3/19/19, 8/19/19 and 2/21/20</li> <li>• Client █████ was missing an SAF for polygraph conducted on 8/29/19</li> <li>• Client █████ was missing an SAF for polygraph conducted on 6/14/19</li> <li>• Client █████ was missing SAFs for polygraphs conducted on 6/14/19 and 7/30/19</li> <li>• Client █████ was missing SAF for polygraph conducted on 8/5/20 and was missing a polygraph report for 10/29/19</li> <li>• Client █████ was missing an SAF for polygraph conducted in October 2020 and was missing a polygraph report for October 2020</li> <li>• Client █████ was missing an SAF for polygraph conducted in September and December 2020 and was missing a polygraph report for September and December 2020</li> <li>• Client █████ had two polygraphs and only one SAF that had a second date highlighted but was signed by PO on the same day as the 1<sup>st</sup> SAF, therefore missing a separate SAF for the second polygraph</li> <li>• Client █████ had SAFs for May and July 2019 but were missing both polygraph reports</li> <li>• Client █████ was missing an SAF for polygraph conducted in November 2019 and the report was missing</li> </ul>
<p><b>Per Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specification:</b> Each authorization is for one (1) Clinical Polygraph only</p>	<p>N</p>	<p><b>Required Action:</b> Although a Plan of Correction is not required, please ensure that each client file contains and SAF prior to the polygraph examination and that the polygraph report in the client file corresponds with the SAF and that they include all of the required standards noted “N” on the left. Also describe a process to ensure that juveniles will not be polygraphed more than four times in a year (excluding re-tests).</p>

<p><b>Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specification</b></p>	<p><b>Compliance</b></p>	<p><b>CCE Findings &amp; Required Action</b></p>
<p>Obtain in writing from the treatment provider the reason for the examination and specific issues related to treatment to be addressed prior to completing the polygraph</p>	<p>N</p>	<p><b>Reference:</b> AOC <i>Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specification and the American Polygraph Association Model Policy for Post-Conviction Sex Offender Testing</i></p> <p><b>Findings:</b> All of the polygraph reports submitted for each client were missing the items noted “N” on</p>

<p>Conduct the polygraph in accordance with the most current protocols and requirements for Testing Technique Procedures as outlined in the <i>APA PCSOT</i></p>	<p>Y</p>	<p>the left. All of the polygraph reports were also missing the following information as required for each client:</p> <ul style="list-style-type: none"> <li>• Type of court supervision</li> <li>• Client’s level of functioning</li> <li>• Any reported trauma history</li> </ul>
<p>Report the result of the examination either verbally (phone call) or in writing (encrypted email, fax or letter) to the referring probation department, within 24 hours of the examination</p>	<p>N</p>	<p>All of the client files were missing documentation that the reports were disseminated to the Court, probation department and/or treatment provider within 30 days of the referral. The client files were also missing documentation that results of the examination either verbally (phone call) or in writing (encrypted email, fax or letter) to the referring probation department, within 24 hours of the examination.</p>
<p>The report must address the following:        i. juvenile's current level of functioning,        ii. medications and any mental health diagnosis        iii. how those may relate to the polygraph results, Does report address items ii and iii noted above?</p>	<p>Y</p>	<p>There was no documentation in the client files of the reason for the examination and specific issues related to treatment to be addressed prior to completing the polygraph. Most reports included the client’s opinion of their level of functioning such as “He relayed that he does not suffer from any significant medical conditions and that he felt “good” in terms of his overall health.” It was rare to see a diagnosis of the client based on professional information. Some polygraph reports for some clients in 2020 had the statement “Based on Psychiatric Progress Note conducted by YDI and the suitability assessment conducted by this examiner, there are no identified contraindications for use of polygraph examinations for this client.”</p>
<p>A written report containing a factual and objective account of all pertinent information developed during the examination shall be submitted within thirty (30) business days of the referral to the probation department.</p>	<p>N</p>	<p>It should also be noted that <i>per APA PCSOT-8.4.1-Maintenance Exams</i> should be completed approximately each six to 12 months. Examiners should discuss with multidisciplinary team members the possible deterrent benefits of randomly scheduled maintenance exams for some examinees. It appeared that the following juveniles had maintenance exams completed less than six months apart and no documentation that the examiner met with the multidisciplinary team members to discuss the possible deterrent benefit of randomly scheduled maintenance exams for some examinees:</p>
<p>Written reports are intended for treatment and supervision purposes only. Record the dissemination of the report in the juvenile’s file. Is their documentation of dissemination of the report?</p>	<p>N</p>	<p>It should also be noted that <i>per APA PCSOT-8.4.1-Maintenance Exams</i> should be completed approximately each six to 12 months. Examiners should discuss with multidisciplinary team members the possible deterrent benefits of randomly scheduled maintenance exams for some examinees. It appeared that the following juveniles had maintenance exams completed less than six months apart and no documentation that the examiner met with the multidisciplinary team members to discuss the possible deterrent benefit of randomly scheduled maintenance exams for some examinees:</p>
<p>Does the Report include the following info:        i. The date of the examination, including the beginning and ending time        ii. Name of person requesting examination        iii. Reason for referral / issues to be addressed        iv. Name and birthdate of juvenile        v. Type of court supervision        vi. Date of last clinical polygraph examination        vii. The juvenile's current mental health diagnosis, if applicable and the following:</p>	<p>N</p>	<ul style="list-style-type: none"> <li>• Client █████ had 3 maintenance polygraph exam less than 6-12 months apart</li> <li>• Client █████ had 2 maintenance polygraph exam less than 6-12 months apart and it was also noted that he had a previous polygraph exam by a different provider during those 12 months</li> <li>• Client █████ had 3 maintenance polygraph exam less than 6-12 months apart</li> <li>• Client █████ had 3 maintenance polygraph exam less than 6-12 months apart</li> <li>• Client █████ had 2 maintenance polygraph exam less than 6-12 months apart</li> <li>• Client █████ had 3 maintenance polygraph exam less than 6-12 months apart and it was also noted that he had a previous polygraph exam by a different provider during those 12 months</li> <li>• Client █████ had 2 maintenance polygraph exam less than 6-12 months apart</li> <li>• Client █████ had 2 maintenance polygraph exam less than 6-12 months apart</li> <li>• Client █████ had 2 maintenance polygraph exam less than 6-12 months apart</li> </ul>

<p>A. level of functioning                  B. any reported trauma history                  C. current prescribed and non-prescribed medications                  D. the report must address how these factors may affect the polygraph outcome                  viii. Case background information                  ix. Examination questions and answers                  x. Statements made by the examinee during the pre-test and post-test interviews                  Does report include all elements noted above?</p>		<p><b>Required Action:</b> Although a Plan of Correction is not required, please ensure that polygraph reports will include all of the items noted “N” on the left and that maintenance reports are conducted within the required timeframe. Also, the provider should document in the client files that the examiners meets with multidisciplinary teams to discuss the deterrent benefit of randomly scheduled maintenance exams for some examinees.</p>
<p>Does the report include the date it was disseminated to the Court?</p>	<p>N</p>	
<p>Sent corresponding Polygraph video as requested?</p>	<p>Y</p>	
<p>Polygraph video was in accordance with APA PCSOT model?</p>	<p>Y</p>	
<p><i>Per APA PCSOT-8.4.1</i>-Maintenance Exams should be completed approximately each six to 12 months. Examiners should discuss with multidisciplinary team members the possible deterrent benefits of randomly scheduled maintenance exams for some examinees. Was the maintenance exam completed at least 6-12 months from initial exam?</p>	<p>N</p>	
<p><i>Per APA PCSOT-5.7.1.</i> Length of examination. Examiners should not plan to conduct examinations of less than 90 minutes in duration from the start of the pretest interview through the end of the post-test interview. Examiners should not conduct a complete polygraph examination in less than 90 minutes absent exigent circumstances such as when an examinee is not suitable for testing, an examinee refuses to continue with the examination, or when the issue under investigation is resolved</p>	<p>Y</p>	

prior to collection of data.		
Dated signature & credentials of preparer	Y	

Consent to Treat Key Standards	Compliance	CCE Findings & Required Action
Informed consent obtained before client received treatment or when there was a change in treatment	Y	<p><b>Reference:</b> AOC Standard Terms &amp; Conditions, Paragraph 50 and <i>American Polygraph Association Model Policy for Post-conviction Sex Offender Testing (APA PCSOT)</i></p> <p><b>Findings:</b> The provider's <i>Consent to Polygraph Examination</i> form was missing items noted on the left including the following:</p> <ul style="list-style-type: none"> <li>• A statement regarding the examinee's assessment of his or her mental and physical health at the time of the examination</li> <li>• An advisement that admission of involvement in unlawful activities will not be concealed from the referring professionals</li> <li>• Did not include the parent/guardian's signature</li> </ul> <p><b>Required Action:</b> Although a Plan of Correction is not required, please ensure that your <i>Consent to Polygraph Examination</i> form includes all of the key standards noted on the left.</p>
Includes client's dated signature	Y	
Includes parent/guardian's dated signature	N	
Documents that verbal explanation of proposed treatment/service, risks, side effects, and any alternatives to the proposed treatment/services was provided to client & parent/guardian	Y	
<p><b>Per APA PCSOT model-10.3.3- an informed consent should include-</b></p> <p>1) the examinee's voluntary consent to take the test, 2) that the examination may be terminated at any time, 3) a statement regarding the examinee's assessment of his or her mental and physical health at the time of the examination, 4) a statement that information will be provided to the examinee about the polygraph test 5) a statement that all information and results will be released to professional members of the community supervision team, 6) an advisement that admission of involvement in unlawful activities will not be concealed from the referring professionals and, 7) a statement regarding the requirement for audio/video recording of each examination. Does Consent form include all APA PCSOT 10.3.3?</p>	N	

Client Rights Key Standards	Compliance	CCE Findings & Required Action
Includes client's dated signature	N	<p><b>Reference:</b> AOC <u>Standard Terms &amp; Conditions</u>, Paragraph 29</p> <p><b>Findings:</b> None of the client files reviewed included documentation that clients received a copy of client rights and that clients received a verbal explanation of their rights.</p> <p><b>Required Action:</b> Although a Plan of Correction is not required, please ensure that client files include documentation that the juvenile received a copy and verbal explanation of client rights.</p>
Confirms client's receipt of copy of Client Rights	N	
Indicates verbal explanation provided to client by Contractor	N	
Indicates client's understanding of Client Rights	N	
Includes client rights set forth in AOC Standards	N	

■ **Personnel Files** ■

Personnel information from Dan Caputo was reviewed for compliance with AOC Standard Terms & Conditions and *Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specification*. The bulleted **Personnel File** section below are areas determined to be in compliance and *do not require* action. The tables within this report section address areas determined *not* to be in compliance and will require a Plan of Correction.

- Fingerprint Clearance Key Standards ~ AOC Paragraphs 27, & 38 ~ **Compliance met; no action required**
- Educational Key Standards ~ AOC Paragraphs 37 & 38 ~ **Compliance met; no action required**
- Professional License Key Standards ~ AOC Paragraphs 4, 37 & 38 ~ **Compliance met; no action required**

Criminal History Affidavit Key Standards	Compliance	CCE Findings & Required Action
AOC Criminal History Affidavit (CHA) form submitted with CCE	Y	<p><b>Reference:</b> AOC <u>Standard Terms &amp; Conditions</u>, Paragraph 27 &amp; 38</p> <p><b>Findings:</b> The AOC Criminal History Affidavit submitted to the AOC by Mr. Caputo was not signed or notarized.</p> <p><b>Required Action:</b> Although a Plan of Correction is not required, please ensure your personnel record includes documentation of a signed and notarized AOC Criminal History Affidavit and is completed within 7 working days of renewed contract.</p>
AOC Criminal History Affidavit form is executed w/in 7 working days of employment & prior to performing services under AOC contract	N	



Training and Continuing Education Key Standards	Compliance	CCE Findings & Required Action
Contractor confirmed that contractor providing AOC funded services have received training that meets or exceeds requirements set forth in AOC Standards	N	<p><b>Reference:</b> AOC Standard Terms &amp; Conditions, Paragraphs 37, 38 and <i>Clinical Polygraph for Post-Conviction Sex Offender Testing Service Specification</i></p> <p><b>Findings:</b> The Contractor did not provide documentation of training or acknowledgement that training has occurred annually as required.</p> <p><b>Required Action:</b> Although a Plan of Correction is not required, please ensure your personnel record includes documentation of recent annual training.</p>

■ **Policies & Procedures** ■

In accordance with Paragraph 31 of the AOC Standard Terms & Conditions, the Contractor shall have written policies that implement the Terms and Conditions of the Contract. The provider did not submit the following policies for review during the CCE and the bullets below in this section address areas determined not to be in compliance and will require a Plan of Correction if the contract is renewed.

- Operating Policies Key Standards ~ AOC Paragraph 31 D & E ~ **Action required:** Provide a copy of the policy prior to entering into an AOC Contract
- Storage Retention & Disposal of Client Records Policy Key Standards ~ AOC Paragraphs 14, 21 & 46 ~ **Action required-** Provide a copy of the policy prior to entering into an AOC Contract
- Client Confidentiality & Dissemination of Client Records Policy Key Standards ~ AOC Paragraphs 21, 45 & 46 ~ **Action required-** Provide a copy of the policy prior to entering into an AOC Contract
- Incident Reporting Policy Key Standards ~ AOC Paragraph 50 ~ **Action required-** Provide a copy of the policy prior to entering into an AOC Contract
- Fingerprinting & Fingerprint Clearance Policy Key Standards ~ AOC Paragraphs 27 & 38~ **Action required-** Provide a copy of the policy prior to entering into an AOC Contract

■ **Billing/Financial Review** ■

In accordance with Paragraph 7 and page 3 of the AOC Invoice Billing Manual, the Contractor must have billing/financial practices that align with these standards. As indicated in the SAF section, 11 of the 20 client files (55%) were missing either an SAF or a polygraph report that was paid for by probation but not included in the file.

Below is a table that includes information that **requires action prior to the termination of the contract.**

Service/Billing Key Standards	Compliance	CCE Findings & Required Action
Dates of services billed are within SAF authorized periods	N	<b>Reference:</b> AOC <u>Standard Terms &amp; Conditions</u> , Paragraph 7 and page 3 of the AOC <u>Invoice Billing Manual</u>
Services billed correlate with authorized services	N	<b>Findings:</b> As noted in the SAF section of the report, the AOC requested SAFs from Mr. Caputo that were not originally submitted. The following client files were still missing an SAF (s) for the specific polygraph report and/or missing a polygraph report for an SAF provided:
File contains documentation to support services billed	N	<ul style="list-style-type: none"> <li>• Client [REDACTED] was missing an SAF for polygraph conducted on 2/28/20</li> <li>• Client [REDACTED] was missing SAFs for polygraphs conducted on 3/19/19, 8/19/19 and 2/21/20</li> <li>• Client [REDACTED] was missing an SAF for polygraph conducted on 8/29/19</li> <li>• Client [REDACTED] was missing an SAF for polygraph conducted on 6/14/19</li> <li>• Client [REDACTED] was missing SAFs for polygraphs conducted on 6/14/19 and 7/30/19</li> <li>• Client [REDACTED] was missing SAF for polygraph conducted on 8/5/20 and was missing a polygraph report for 10/29/19</li> <li>• Client [REDACTED] was missing an SAF for polygraph conducted in October 2020 and was missing a polygraph report for October 2020</li> <li>• Client [REDACTED] was missing an SAF for polygraph conducted in September and December 2020 and was missing a polygraph report for September and December 2020</li> <li>• Client [REDACTED] had two polygraphs and only one SAF that had a second date highlighted but was signed by PO on the same day as the 1<sup>st</sup> SAF, therefore missing a separate SAF for the second polygraph</li> <li>• Client [REDACTED] had SAFs for May and July 2019 but were missing both polygraph reports</li> <li>• Client [REDACTED] was missing an SAF for polygraph conducted in November 2019 and the report was missing</li> </ul> <p>It should also be noted that two client files (client [REDACTED]-report dated February 28, 2020 and client [REDACTED]-report dated February 21, 2020-both Maricopa County juveniles) included a report completed by the provider but was missing SAFs for the polygraph exam. Also, those reports do not appear to have been billed according to the AOC JTX Utilization report indicating that they were not paid out of JPSF funds.</p>

	<p><b>Immediate Required Action:</b> Please provide a copy of the missing SAF and/or polygraph report for each client noted above or remit a <b>credit memo totaling \$4,400.00</b> (\$275.00 for each missing polygraph and/or SAF). Instructions for a credit memo are on page 19 of the AOC Invoice Billing Manual. Credit memos can be requested from Amy Winney, AOC Administrative Assistant at <a href="mailto:awinney@courts.az.gov">awinney@courts.az.gov</a> Please describe how the provider was paid for polygraph exams dated in February 2020 for clients [REDACTED] and [REDACTED].</p> <p>Please note a plan of correction will need to address how you will ensure compliance with each "N" noted to the left <b>prior to renewal of a contract.</b></p>
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(End of Report)