

# HOW IS THE POST-CONVICTION POLYGRAPH EXAMINATION USED IN ADULT SEX OFFENDER MANAGEMENT ACTIVITIES?

## THE SECOND NATIONAL TELEPHONE SURVEY OF PROBATION AND PAROLE SUPERVISORS

Report Prepared for the National Institute of Justice

By  
Diane Patrick  
Diane Pasini-Hill  
Linda Jones  
Sydney Cooley-Towell  
Kim English

**December 2000**

Colorado Department of Public Safety  
Division of Criminal Justice  
Office of Research & Statistics



700 Kipling Street, Suite 1000  
Denver, CO 80215  
Tel 303-239-4442  
Fax 303-239-4491  
[www.cdpsweb.state.co.us/dcj](http://www.cdpsweb.state.co.us/dcj)

*The views presented in this report represent those of the authors and do not necessarily reflect the position of the National Institute of Justice or the U.S. Department of Justice.*

*Supported by NIJ Grant Number D97LBVX0034*



# ACKNOWLEDGEMENTS

Many people participated and supported the research reported here. First, we want to thank our colleagues at the Division of Criminal Justice. William R. Woodward, the director of the Division from 1980 to 1998, continues working in this area of public safety, training and facilitating jurisdictions in the implementation of the containment approach. We are grateful for his support over many years. We thank Bill's successor, Raymond Slaughter, and the Division's deputy director, Carol Poole, for supporting our work on challenging studies with national scope. Suzanne Gonzales Woodburn, Linda Swolfs and Erica Boyce assisted in the challenging file data collection process in multiple states, making sense out of many complicated documents and reading many stories of abuse. Telephone surveyors, Kell Straits, Justin Molis, and Patti Rochin worked hard to contact hundreds of respondents during the summer of 1998. John Patzman has edited and designed numerous reports and presentations, helping us communicate this information to many audiences. Barbara Krauth, our faithful editor in Boulder, has improved every piece of writing we have given her. Thanks to all of you.

A multitude of thanks goes to the more than 700 probation and parole supervisors who patiently answered our telephone survey questions and helped us understand the struggles and successes of agencies managing adult sex offenders in the community. Those who used the post-conviction polygraph spent between 45 and 75 minutes with us, and many told us that they hoped the information provided would assist other jurisdictions.

In particular, we thank the hundreds of probation and parole officers who, every day, personally carry the weight of these difficult cases. Our study of sex offender management by probation and parole agencies has taught us how essential and difficult your work is to community safety and sex abuse prevention. We are grateful for your good work.



# TABLE OF CONTENTS

---

7	INTRODUCTION
---	--------------

---

9	1998 TELEPHONE SURVEY METHODS
---	-------------------------------

---

11	1998 TELEPHONE SURVEY FINDINGS
11	A. AGENCY STRUCTURE AND SELECTED PRACTICES IN THE MANAGEMENT OF SEX OFFENDERS
16	B. BARRIERS TO POLYGRAPH IMPLEMENTATION
22	C. HOW THE POLYGRAPH IS USED, PERCEIVED BENEFITS AND OTHER ISSUES SURROUNDING THE USE OF THE POST-CONVICTION POLYGRAPH WITH SEX OFFENDERS
23	Policies and Procedures
29	Time and Resource Issues
31	Implementation Issues
35	Polygraph Examiners
37	Communication
39	Consequences
41	Benefits of the Polygraph
44	Areas for Improvement with Polygraph Services

---

45	ATTACHMENT: TELEPHONE SURVEY INSTRUMENT
----	---



# INTRODUCTION

As part of this research, we built on an earlier study funded by NIJ in 1992. That study focused specifically on presenting descriptions of (1) how sex offenders were being managed in community settings, and (2) how they could best be managed. Those findings were reported in English, Pullen, Jones and Colling-Chadwick (1995) and English, Pullen, and Jones (1996). Below we provide a brief overview of the methods undertaken in the earlier study because parts of that approach were replicated in the current study.

In 1994 we conducted the first national telephone survey of probation and parole supervisors inquiring about sex offender management. Probation and parole supervisors were selected because of their familiarity with day-to-day office operations. The survey represented a national sample, stratified by population and geography, of 732 probation and parole supervisors. The telephone survey was part of a two-year investigation that included an extensive literature review on victim trauma and sex offender treatment and a systematic document review of scores of material ranging from agency memoranda and protocols to legislation and administrative orders. The study included field research involving site visits to 13 jurisdictions in six states (Arizona, Colorado, Louisiana, Texas, Ohio, and Oregon). During the field research, interviews were conducted with probation and parole officers and administrators, victim advocates, polygraph examiners, parole board members, treatment providers, prosecuting and defense attorneys, social service workers, sex offenders, judges, law enforcement officers, and prison treatment staff and administrators. The current research built on this study and methodology.

The current research was also multi-faceted and included another national telephone survey of probation and parole supervisors, a literature review, a review of the legal and ethical issues associated with the use of the polygraph, a review of case law, and a review of agency documents and protocols. Also, we collected data out of 232 offender case files in four states. Field research involved visiting 14 jurisdictions in 7 states (California, Colorado, Massachusetts, New York, Oregon, Texas and Wisconsin), and face-to-face interviews were conducted with treatment providers, parole and probation officers, polygraph examiners, prosecuting attorneys, and sex offenders. The telephone survey and case file review methods are described below.



# 1998 TELEPHONE SURVEY METHODS

In 1998 a second national telephone survey was completed. The sampling frame consisted of the original 732 probation and parole supervisors who responded to the 1994 telephone survey (the response rate was over 95%). The sampling approach was not revised because of the complexity and resources that would be required for re-design. The survey covered 49 states and the District of Columbia (South Dakota was not included due to a lack of information required for the sampling process). The 1994 sample was drawn to represent probation and parole agencies across the nation and was stratified based on geographic location and population density. Specifically, each state was divided into four (generally equal) geographic quadrants and, using population figures from the 1990 Census, one respondent was selected for every 500,000 or fewer people in each quadrant. To obtain the names of supervisors, state administrators were telephoned and asked to provide a list of probation and parole offices within the corresponding jurisdiction.<sup>1</sup> Using this method, a sample of 873 probation and parole supervisors were randomly selected from the quadrant office lists. Of these, 83.3 percent (758) were contacted by interviewers. Of these, 732 supervisors agreed to participate, resulting in an overall response rate in 1994 of 96.6 percent.

In 1998, our intent was to re-contact all 1994 telephone survey participants to focus on a number of questions related specifically to the use of the polygraph as a management and supervision tool for sex offenders. We recreated the list of respondents for the purpose of contacting them again. We sent a letter to each agency supervisor that described the project and the purpose of contacting individual supervisors. We asked them to fax back certain pieces of information, specifically, the name and phone number of a contact person. Trained telephone surveyors first called respondents to identify a convenient time when they could answer the survey questions. The time required ranged from five to 10 minutes (if they *rarely or never* used the post-conviction polygraph with adult sex offenders) to, on average, one hour if they *sometimes, often, almost always or always* used the post-conviction polygraph with sex offenders. Interviewers faxed reminders to the respondents regarding the agreed-upon time of the interview. Many of the respondents remembered the 1994 survey. Of the original sample of 732, 33 surveys were not completed (we were unable to contact 18 potential respondents, 9 supervisors refused, the office did not currently supervise sex offenders in 4 instances, and we obtained 2 incomplete questionnaires). A total of 699 surveys were completed, generating a response rate of 95.5 percent.

Responses were weighted to reflect agencies that had consolidated since the 1994 national telephone survey. All 1998 telephone survey respondents were questioned regarding their current use of the post-conviction polygraph for the treatment and supervision of sex offenders. A total of 699 (weighted) surveys were completed. Of these, 533 (weighted n=544) reflect responses to surveys where the polygraph was *never or rarely used*. Another 146 (weighted n=155) reflect responses to surveys where the *polygraph was used, at least sometimes*.

Those who responded that they never or rarely used the polygraph were asked to describe barriers to the use of the polygraph with sex offenders. Respondents who indicated that their agencies used the post-conviction polygraph for the treatment and supervision of sex offenders sometimes, often, almost

---

<sup>1</sup> Names of state probation and parole administrators were obtained from the American Correctional Association Probation and Parole Directory and the American Probation and Parole Association member list.

always or always were asked a different series of questions. These included when and how the polygraph was used, consequences for deceptive results or new information revealed, changes in the management of sex offenders attributed to the use of the polygraph, and perceived benefits of the post-conviction polygraph as a tool for the management and supervision of sex offenders.

Survey questions for these groups included those with both closed-ended and open-end responses. A team that included telephone interviewers, supervisors, and other project researchers coded open-end responses. Coding for open-ended responses was done in team meetings, and a consensus process was used to develop answer codes and to determine how to categorize responses. When possible, this telephone survey report presents many of these open-ended responses verbatim. Please remember that the open-ended responses, even after they were placed in categories for descriptive purposes, represent qualitative data.

This technical report contains findings from the 1998 national telephone survey and includes the following:

- A. Comparisons of agency structure and special practices with sex offenders between agencies that used the polygraph (at least sometimes) and agencies that never or rarely used the post-conviction polygraph with sex offenders.
- B. For agencies contemplating use of the post-conviction polygraph with sex offender, descriptions of barriers to implementation.
- C. Descriptions of how the polygraph is used, perceived benefits, and other issues surrounding use of the post-conviction polygraph with sex offenders drawn from responses from agencies where the polygraph was used at least sometimes.

Brief summaries in the form of bulleted comments accompany each table. A copy of the telephone questionnaire is attached to the end of this document.

# 1998 TELEPHONE SURVEY FINDINGS

## A. Agency Structure and Selected Practices in the Management of Sex Offenders

Responses of all agencies participating in the 1998 telephone survey (those that used the post-conviction polygraph with sex offenders and those that did not<sup>2</sup>) are included in these findings. Comparisons of agency structure, population supervised, and other agency practices regarding the management of sex offenders are made between those that use the polygraph and those that do not.

### SUMMARY OF SURVEY FINDINGS

**Special practices for the management of sex offenders often occur together. Agencies that used the polygraph were also more likely to have employed specialized caseloads and special risk assessments with sex offenders. Agencies that reported the use of specialized caseloads were also more likely to use a special risk assessment for sex offenders, regardless of whether they also used the polygraph.**

**Agency structure or type of caseload was not related to use of the polygraph and is not consistently related to the use of specialized caseloads or risk assessments with sex offenders.**

1. *Did the way the agency is administered, i.e., whether probation and parole is administered separately or by a single agency, impact use of the polygraph?*
  - The way the agency was administered did not affect the use of the polygraph. The majority of respondents reported that probation and parole were administered by different agencies.

**TABLE I. STRUCTURE OF PROBATION AND PAROLE AND USE OF THE POLYGRAPH**

<b>Use of the Polygraph</b>	<b>Yes</b> (Sometimes, Often, Almost Always, Always) Weighted n=155	<b>No</b> (Never, Rarely) Weighted n=544
Probation and parole administered by the same agency	40.0%	39.2%
Probation and parole administered by different agencies	60.0%	60.8%
Total	100%	100%

<sup>2</sup> Agencies using the polygraph report use as *sometimes, often, almost always or always*. Agencies not using the polygraph report use as *never or rarely*.

2. *Did the population of sex offenders supervised by the agency, i.e., probationers, parolees or both, affect the use of the polygraph?*

- The percentages of agencies that reported supervising both probationers and parolees are similar for those that used and did not use the post-conviction polygraph (approximately 39%). Fewer agencies that used the polygraph supervised only parolees (15.7%) compared to agencies not using the polygraph (23%), but this difference was not statistically significant.

**TABLE 2. ARE SEX OFFENDERS (SUPERVISED BY YOUR AGENCY/OFFICE) PROBATIONERS OR PAROLEES?**

Type of sex offender supervised by agency/office	Use of the Polygraph	
	Yes (Sometimes, Often, Almost Always, Always) Weighted n=153	No (Never, Rarely) Weighted n=544
Both Probationers and Parolees	39.2%	38.9%
Probation Only	45.1%	38.1%
Parolees Only	15.7%	23.0%
Total	100%	100%

3. *Did agencies that used the polygraph also employ special practices relating to the management of sex offenders, such as specialized sex offender caseloads, use of a special risk assessment for sex offenders or a requirement for sex offenders to undergo mental health treatment?*

- Agencies that used the polygraph were much more likely to have specialized caseloads (78.6% compared to 46.1%).
- Agencies that used the polygraph were more likely to also use a special risk assessment instrument for sex offenders (39.0% compared to 19.4%).
- Although the requirement for mental health treatment for sex offenders was widely reported, agencies that used the polygraph were statistically more likely to also require mental health treatment.<sup>3</sup> Every agency that used the polygraph also required sex offenders to undergo treatment, at least in some cases, compared to 93% of agencies that did not use the polygraph.

<sup>3</sup> Since the practice of requiring sex offenders to undergo mental health treatment was reported by most of the respondents to the short survey, little variation exists in the data, and no relationship was found between this and other variables in the survey. Thus, results of cross-tabulations of mental health treatment and other variables indicate distributions that are generally similar to the frequency reported in Table 6. In an effort to simplify presentation of the data, these results will not be displayed elsewhere in the report.

**TABLE 3. DOES YOUR AGENCY HAVE SPECIALIZED SEX OFFENDER CASELOADS OR SITUATIONS WHERE ONE OR MORE PEOPLE HANDLE ALL THE SEX OFFENDER CASELOADS?**

Agency has specialized caseloads	Use of the Polygraph (a)	
	Yes (Sometimes, Often, Almost Always, Always) <i>Weighted n=154</i>	No (Never, Rarely) <i>Weighted n=544</i>
Yes	78.6%	46.1%
No	21.4%	53.9%
Total	100%	100%

(a) Chi-Square table significant at <.05

**TABLE 4. DOES YOUR AGENCY/OFFICE USE A RISK ASSESSMENT INSTRUMENT FOR SEX OFFENDERS?**

Agency uses special risk assessment for sex offenders	Use of the Polygraph (a)	
	Yes (Sometimes, Often, Almost Always, Always) <i>Weighted n=154</i>	No (Never, Rarely) <i>Weighted n=541</i>
Yes	39.0%	19.4%
No	61.0%	80.6%
Total	100%	100%

(a) Chi-Square table significant at <.05

**TABLE 5. ARE SEX OFFENDERS THAT YOUR AGENCY/OFFICE SUPERVISES REQUIRED TO UNDERGO MENTAL HEALTH TREATMENT?**

Agency requires sex offender to undergo mental health treatment	Use of the Polygraph (a)	
	Yes (Sometimes, Often, Almost Always, Always) <i>Weighted n=153</i>	No (Never, Rarely) <i>Weighted n=543</i>
Yes or Sometimes	100%	93.0%
No	0%	7.0%
Total	100%	100%

(a) Chi-Square table significant at <.05

4. *Are agencies with specialized caseloads also more likely to use special risk assessments for sex offenders?*

- Agencies reporting specialized caseloads or situations where one or more people are assigned to handle sex offenders were also somewhat more likely to use a special risk assessment for sex offenders. This was true whether or not the agency used the polygraph.

**TABLE 6. SPECIALIZED CASELOADS COMPARED TO USE OF SPECIAL RISK ASSESSMENTS FOR SEX OFFENDERS**

Specialized caseloads	Agencies NOT using the polygraph			Agencies using the polygraph		
	Special risk assessments for sex offenders (a) Weighted n=541			Special risk assessments for sex offenders (a) Weighted n=153		
	% Yes	% No	Total	%Yes	% No	Total
Yes	27.3%	72.7%	100%	44.6%	55.4%	100%
No	12.7%	87.3%	100%	18.8%	81.3%	100%

(a) Chi-Square table significant at <.05

5. *Did agency structure impact the use of specialized caseloads or risk assessment with sex offenders?*

- Most often, agency structure did not appear to impact the practices of specialized caseloads or the use of special risk assessments for sex offenders. There is one exception. When probation and parole were administered by different agencies and not using the polygraph, they were somewhat more likely to have specialized caseloads (49.5%) than agencies not using the polygraph where probation and parole are administered together (40.8%).

**TABLE 7. AGENCY STRUCTURE AND OTHER AGENCY PRACTICES**

Agency Structure	Agencies NOT using the polygraph					
	Specialized Caseloads for Sex Offenders (a) Weighted n=544			Special Risk Assessment for Sex Offenders Weighted n=541		
	% Yes	% No	Total	% Yes	% No	Total
Prob & Parole Administered by Same Agency	40.8%	59.2%	100%	19.2%	80.8%	100%
Prob & Parole Administered by Different Agencies	49.5%	50.5%	100%	19.5%	80.5%	100%
	Agencies using the polygraph					
	Specialized Caseloads for Sex Offenders Weighted n=154			Special Risk Assessment for Sex Offenders Weighted n=154		
Prob & Parole Administered by Same Agency	71.0%	29.0%	100%	41.0%	59.0%	100%
Prob & Parole Administered by Different Agencies	83.7%	16.3%	100%	37.6%	62.4%	100%

(a) Chi-Square table significant at < .05

6. *Did the type of client supervised (probationer, parolee, or both) impact other practices regarding the management of sex offenders?*

- Agencies that did not use the polygraph and that supervised only parolees were somewhat more likely to also report specialized caseloads for sex offenders than agencies that supervised only those on probation or that supervise both probation and parole clients (55.2% compared to 46.9% and 39.8%, respectively).
- There was no statistical difference in the type of offender supervised (probationer, parolee or both) and the use of a special risk assessment instrument for sex offenders in agencies where the polygraph was not used.
- Use of specialized caseloads was not statistically related to the type of caseload managed (probation, parole or both) for agencies currently using the polygraph.<sup>4</sup>

**TABLE 8. PROBATION/PAROLE SEX OFFENDER CASELOAD BY AGENCY PRACTICES**

Sex offender caseload	Agencies NOT using the polygraph (short form)					
	Specialized Caseloads for Sex Offenders (*) Weighted n=544			Special Risk Assessment for Sex Offenders Weighted n=541		
	% Yes	% No	Total	% Yes	% No	Total
Both	40.1%	59.9%	100%	18.9%	81.1%	100%
Probation	46.9%	53.1%	100%	17.1%	82.9%	100%
Parole	55.2%	44.8%	100%	24.2%	75.8%	100%
Agencies using the polygraph (long form)						
	Specialized Caseloads for Sex Offenders Weighted n=152			Special Risk Assessment for Sex Offenders (*) Weighted n=154		
	% Yes	% No	Total	% Yes	% No	Total
	Both	73.3%	26.7%	100%	41.7%	58.3%
Probation	79.7%	20.3%	100%	44.9%	55.1%	100%
Parole	95.7%	4.3% (**)	100%	16.7% (**)	83.3%	100%

(\*) Chi-Square table significant at < .05.

(\*\*) Significance may be impacted by <5 cases in this cell.

<sup>4</sup> Although agencies that used the polygraph and managed only parolees appeared somewhat less likely to use a special risk assessment (16.7%) than agencies managing only those on probation (44.9%) or both (41.7%), this difference is not statistically significant, as sample sizes are not adequate within cells for valid statistical tests.

## B. Barriers to Polygraph Implementation

These findings are based on responses from agencies that did not use the polygraph. Interviewers questioned these agencies about whether they had considered using the post-conviction polygraph with sex offenders and explored their reasons for not doing so.

### SUMMARY OF SURVEY FINDINGS

**More than half (54.9%) of the agencies that did not use the post-conviction polygraph with sex offenders had no plans for future implementation. Agencies with practices that included both specialized sex offender caseloads and special risk assessments for sex offenders were more likely to consider implementation.**

**The biggest barrier to implementation of the polygraph was a lack of resources (noted by 45% of all those not using the polygraph). Lack of resources refers to inadequate funds and/or personnel. However, perceived barriers to polygraph use varied by region. Respondents from the northeast and central regions were more likely to report a lack of polygraph examiners and ethical and legal considerations than were respondents from the southern and western regions.**

**Different barriers were emphasized, depending on whether the agency supervised parolees, probationers, or both. Agencies supervising parolees were the least likely to report a lack of polygraph examiners as a barrier to post-conviction polygraph implementation. Agencies that supervised only probationers were the most likely to report ethical and legal considerations as barriers.**

**A lack of resources and a lack of polygraph examiners were more frequently reported by agencies that considered use of the post-conviction polygraph compared to agencies that had not considered its use. Agencies considering use of the polygraph generally did not see ethical, legal or other considerations as primary barriers to implementation. Agencies that had implemented special practices for sex offenders such as special caseloads and risk assessments were somewhat less likely to view either ethical or other issues as barriers. It may be that implementing these practices have allowed agencies the opportunity to work through many legal and ethical issues.**

**These findings suggest that some agencies might be poised to implement the polygraph if adequate resources and professionals to administer the polygraph were available. Three out of five (60.6%) of 46 agencies that considered use of the polygraph and also employed both specialized caseloads and risk assessments for sex offenders reported the lack of resources as the primary barrier to implementation of the polygraph. For this group, in particular, removal of the resource barrier might provide the impetus to implement the post-conviction polygraph for the management and supervision of sex offenders.**

1. *Were agencies that did not use polygraph with sex offenders considering implementation?*

- More than half (54.9%) of the agencies not using the post-conviction polygraph with sex offenders also *have not* considered its use.<sup>5</sup>

---

<sup>5</sup> There is no statistical difference in consideration of use of the polygraph and agency structure or type of client supervised.

**TABLE 9. HAS THERE BEEN ANY CONSIDERATION OF USING THIS TYPE (TREATMENT AND SUPERVISION) OF POLYGRAPH WITH SEX OFFENDERS IN YOUR AGENCY?** *Weighted n=544*

<b>No</b>	54.9%
<b>Yes</b>	38.7%
<b>Don t Know</b>	6.4%
<b>Total</b>	100%

2. *Were agencies considering the use of the polygraph more likely to use other special practices for the supervision and management of sex offenders?*

- Agencies that considered using the polygraph in the management and supervision of sex offenders were also more likely to have agency practices that included specialized caseloads (61%) and special risk assessments for sex offenders (29.3%).

**TABLE 10. CONSIDERATION OF THE POLYGRAPH BY SPECIALIZED CASELOAD AND RISK ASSESSMENTS FOR SEX OFFENDERS**

<b>Considered using the polygraph with sex offenders</b>	<b>Specialized Caseloads for Sex Offenders</b> (a) <i>Weighted n=508</i>			<b>Special Risk Assessment for Sex Offenders</b> (a) <i>Weighted n=505</i>		
	% Yes	% No	Total	% Yes	% No	Total
Yes	61.0%	39.0%	100%	29.3%	70.7%	100%
No	37.6%	62.4%	100%	12.5%	87.5%	100%

(a) Chi-Square table significant at < .05.

3. *What were the barriers to implementing the polygraph? Did these barriers differ by geographic region, type of offender supervised, and agency structure?*

- Agencies perceived a number of barriers to using the polygraph with sex offenders. The primary barrier to implementation, reported by almost half (45%) of the respondents from agencies not using the polygraph, was a lack of resources.

**TABLE 11. WHAT ARE THE BARRIERS TO USING THE POLYGRAPH AT THIS TIME?**

*Weighted n=544*

<b>Lack of resources</b>	45.0%
<b>No serious consideration</b>	30.0%
<b>Other</b> (e.g., lack of knowledge, confidence, familiarity, accessibility, policies, support regarding polygraph; no perceived need or utility; controversial and individual rights issues)	29.2%
<b>No polygraph examiners</b>	18.4%
<b>Legal and/or ethical issues</b>	18.2%

Note: respondents could provide more than one answer; thus, percentages do not total 100.

- Regional<sup>6</sup> differences were found in the types of barriers reported.
- The northeast and central regions were more likely to report the lack of polygraph examiners as a barrier to implementation.
- The northeast and central regions were also more likely to report ethical and legal considerations as barriers to implementation.
- The northeast was somewhat less likely than other regions to report "other" considerations as a barrier to implementation. Other considerations include a lack of knowledge, information, or familiarity with the post-conviction polygraph with sex offenders, a lack of confidence in the polygraph process, and a lack of polices or internal or external support for use of the polygraph in their organizations.

**TABLE 12. BARRIERS TO USING THE POLYGRAPH BY GEOGRAPHIC REGION**

Region (b)	Lack of Resources			No Polygraph Examiners (a)			Ethical/Legal Considerations (a)			Other Considerations (a) (c)		
	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total
Northeast	46.0%	54.0%	100%	22.1%	77.9%	100%	24.5%	75.5%	100%	18.4%	81.6%	100%
South	41.1%	58.9%	100%	15.5%	84.5%	100%	10.1%	89.9%	100%	28.7%	71.3%	100%
Central	51.5%	48.5%	100%	27.2%	72.8%	100%	21.4%	78.6%	100%	35.9%	64.1%	100%
West	43.0%	57.0%	100%	10.7%	89.3%	100%	16.1%	83.9%	100%	36.9%	63.1%	100%

(a) Chi-Square table significant at < .05.

(b) Percentages for each region based on the following *weighted n*: Northeast 163, South 129, Central 103, West 149.

(c) Other Considerations (*e.g., lack of knowledge, confidence, familiarity, accessibility, policies, support regarding polygraph; no perceived need or utility; controversial and individual rights issues*)

- Agencies that supervised parolees were less likely to report a lack of polygraph examiners as a barrier to implementation (11.2%) than agencies that supervised either probationers or both probationers and parolees (18.8% and 22.2%, respectively).
- Ethical and legal considerations were more likely to be a barrier for agencies that supervised probationers (24.2%) than for agencies that supervised parolees or both probationers and parolees (14.4% and 14.6%, respectively).

<sup>6</sup> Northeast (CT,DC,DE,MA,MD,ME,NH,NJ,NY,OH,PA,RI,VT); South (AL,AR,FL,GA,KY,LA,MS,NC,SC,TN,VA,WV); Central (IA,IL,IN,KS,MI,MN,MO,ND,NE,WI); West (AK,AZ,CA,CO,HI,MT,NM,NV,OK,TX,UT,WY)

**TABLE 13. TYPE OF SEX OFFENDER SUPERVISED BY BARRIERS TO USING THE POLYGRAPH**

Client (b)	Lack of Resources			No Polygraph Examiners (a)			Ethical/Legal Considerations (a)			Other Considerations (c)		
	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total
Both	50.0%	50.0%	100%	22.2%	77.8%	100%	14.6%	85.4%	100%	26.4%	73.6%	100%
Probation	43.0%	57.0%	100%	18.8%	81.2%	100%	24.2%	75.8%	100%	30.9%	69.1%	100%
Parole	40.0%	60.0%	100%	11.2%	88.8%	100%	14.4%	85.6%	100%	31.2%	68.8%	100%

(a) Chi-Square table significant at < .05.

(b) Percentages for each type of supervised person are based on the following *weighted n*: Both 212, Probation Only 207, Parole Only 125.

(c) Other (e.g., lack of knowledge, confidence, familiarity, accessibility, policies, support regarding polygraph; no perceived need or utility; controversial and individual rights issues)

- Agency structure bore some relation to the type of barrier reported. Respondents from agencies in which parole and probation were administered by the same agency (compared to administration by different agencies) were more likely to report a lack of resources and polygraph examiners as barriers to implementation.

**TABLE 14. AGENCY STRUCTURE BY BARRIERS TO USING THE POLYGRAPH**

(a) (c)	Lack of Resources (b)			No Polygraph Examiners (b)			Ethical/Legal Considerations			Other Considerations (d)		
	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total
Same	50.7%	49.3%	100%	23.0%	77.0%	100%	14.6%	85.4%	100%	25.8%	74.2%	100%
Different	41.4%	58.6%	100%	15.4%	84.6%	100%	20.5%	79.5%	100%	31.4%	68.6%	100%

(a) Same means probation and parole administered by the same agency. Different means probation and parole administered by different agencies.

(b) Chi-Square table significant at < .05.

(c) Percentages for each type of agency structure based on the following *weighted n*: Same 213, Different 331.

(d) Other (e.g., lack of knowledge, confidence, familiarity, accessibility, policies, support regarding polygraph; no perceived need or utility; controversial and individual rights issues)

4. *What were barriers to implementation for those considering using the polygraph to manage and supervise sex offenders?*

- Agencies that reported considering use of the polygraph were more likely than those not considering its use to report lack of resources (57.1% to 38.9%) and no polygraph examiners (24.4% to 15.1%) as barriers.

**TABLE 15. CONSIDERATION OF USE OF THE POLYGRAPH BY BARRIERS TO IMPLEMENTATION**

Cons. Use of Poly (b)	Lack of Resources (a)			No Polygraph Examiners (a)			Ethical/Legal Considerations			Other Considerations (c)		
	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total
Yes	57.1%	42.9%	100%	24.3%	75.7%	100%	21.0%	79.0%	100%	29.0%	71.0%	100%
No	38.9%	61.1%	100%	15.1%	84.9%	100%	17.1%	82.9%	100%	31.2%	68.8%	100%

(a) Chi-Square table significant at <.05.

(b) Percentages for consideration of use of the polygraph or not are based on the following *weighted n*: No 298, Yes 210

(c) Other (e.g., lack of knowledge, confidence, familiarity, accessibility, policies, support regarding polygraph; no perceived need or utility; controversial and individual rights issues)

5. *Did agencies with specialized sex offender caseloads report different barriers than agencies without specialized sex offender caseloads?*

- Agencies with specialized sex offender caseloads were *less likely* to report "other" considerations as a barrier to implementation of the polygraph (23.9% compared to 33.8%).

**TABLE 16. SPECIALIZED SEX OFFENDER CASELOADS BY BARRIERS TO IMPLEMENTATION**

Spec. SO Case-loads (b)	Lack of Resources			No Polygraph Examiners			Ethical/Legal Considerations			Other Considerations (a)(c)		
	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total
Yes	49.4%	50.6%	100%	16.7%	83.3%	100%	19.1%	80.9%	100%	23.9%	76.1%	100%
No	41.3%	58.7%	100%	19.8%	80.2%	100%	17.4%	82.6%	100%	33.8%	66.2%	100%

(a) Chi-Square table significant at < .05.

(b) Percentages for specialized caseloads are based on the following *weighted n*: No 293, Yes 251

(c) Other (e.g., a lack of knowledge, confidence, familiarity, accessibility, policies, support regarding polygraph; no perceived need or utility; controversial and individual rights issues)

6. *Did agencies that used special risk assessments for sex offenders report different barriers than agencies that do not use special risk assessments?*

- Agencies that used a special risk assessment for sex offenders were less likely to report ethical considerations as barriers to use of the polygraph (9.5% compared to 20.4%).

**TABLE 17. USE OF SPECIAL RISK ASSESSMENTS FOR SEX OFFENDERS BY BARRIERS TO IMPLEMENTATION**

Special Risk Assess. for Sex Offenders (b)	Lack of Resources			No Polygraph Examiners			Ethical/Legal Considerations (a)			Other Considerations		
	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total
Yes	49.5%	50.5%	100%	22.9%	77.1%	100%	9.5%	90.5%	100%	29.5%	70.5%	100%
No	43.8%	56.2%	100%	17.4%	82.6%	100%	20.4%	79.6%	100%	29.1%	70.9%	100%

(a) Chi-Square table significant at < .05.

(b) Percentages for special risk assessment are based on the following *weighted n*: No 436, Yes 105

(c) Other (*e.g., a lack of knowledge, confidence, familiarity, accessibility, policies, support regarding polygraph; no perceived need or utility; controversial and individual rights issues*)

7. *Agencies that employed specialized caseloads and used special risk assessments for sex offenders, which were also considering use of the polygraph, might be "poised" to implement the polygraph if barriers to implementation were removed. What were these barriers?*

A small number of agencies (weighted n=46) that used both specialized caseloads and risk assessments for sex offenders also reported that they were considering using the post-conviction polygraph as a management and supervision tool for sex offenders. The barriers to implementation for this group, described as “ready,” were compared to other agencies that were not using the post-conviction polygraph.

- Almost two-thirds (60.9%) of the group of 46 agencies described as “ready” to implement the polygraph reported a lack of resources as a barrier.
- Almost a third of this group (30.4%) reported the lack of polygraph examiners to be a barrier to implementation of the post-conviction polygraph.

**TABLE 18. READINESS TO IMPLEMENT THE POLYGRAPH BY BARRIERS TO IMPLEMENTATION**

Readiness For Poly (b)	Lack of Resources (a)			No Polygraph Examiners (a)			Ethical/Legal Considerations			Other Considerations (c)		
	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total	% Yes	% No	Total
Ready	60.9%	39.1%	100%	30.4%	69.6%	100%	13.0%	87.0%	100%	26.1%	73.9%	100%
Other	43.6%	56.4%	100%	17.3%	82.7%	100%	18.7%	81.3%	100%	29.5%	70.5%	100%

(a) Chi-Square table significant at < .05.

(b) Percentages for ready for implementation are based on the following *weighted n*: Others 498, Ready 46

(c) Other (*e.g., a lack of knowledge, confidence, familiarity, accessibility, policies, support regarding polygraph; no perceived need or utility; controversial and individual rights issues*)

## C. How the Polygraph Is Used, Perceived Benefits and Other Issues Surrounding the Use of the Post-Conviction Polygraph with Sex Offenders

This section includes telephone survey responses from agencies that reported using the post-conviction polygraph with convicted sex offenders, at least sometimes.<sup>7</sup> The survey covered a number of topics such as policies and procedures, time and resources issues, implementation issues, perceived benefits and/or changes in management practices, and a number of other topics related to the use of the polygraph.

### SUMMARY OF SURVEY RESPONSES

**One in three (35.5%) of the respondents representing agencies that used the post-conviction polygraph with sex offenders indicated that the idea of using the polygraph originated with treatment providers. Use of the post-conviction polygraph with convicted sex offenders is not new; nearly half (45.2%) of the respondents reported their agencies had used the polygraph for five or more years.**

**Almost two-thirds (63.9%) of the respondents indicated their agencies used the polygraph regularly to determine compliance. The polygraph was frequently (52.2%) used to obtain sexual history and information on past offenses and also when an offender was in denial of the current conviction (45.8%). The polygraph was often (54.2%) used in "other" circumstances, such as to investigate suspicions or critical incidents or to address specific issues.**

**Generally (in 83.2% of the agencies responding), the sex offender was aware that the polygraph was part of the supervision and treatment process, and most of the time (92.3%), the offender was required to waive confidentiality among the agent, treatment provider, and polygraph examiner.**

**Many agencies experienced difficulties when implementing the polygraph. One in three respondents (34.8%) mentioned opposition from a variety of sources, such the criminal justice system, treatment providers, and offenders. Legal and immunity issues (17.4%) as well as a lack of polygraph examiners (12.3%) were also problematic. Most commonly these concerns were addressed by educating stakeholders (38.7%) and developing ways to locate and screen additional polygraph examiners (32.9%).**

**The choice of a polygraph examiner appeared to be crucial in determining the success of program implementation. Respondents advised developing interviews, screening and background checks, and ensuring that the polygraph examiner was qualified and experienced with sex offenders. Most of the respondents (91%) indicated that they were satisfied with services provided by polygraph examiners. Factors such as excellent communication and polygraph skills, professionalism, and timeliness of reports and results were critical to satisfaction.**

**Sanctions and consequences played an important role in the post-conviction polygraph process. Many agencies (61.9%) reported the ability to arrest and temporarily jail an offender without going to court. Agencies used a variety of consequences or actions depending on the polygraph result. The most common consequence reported for a deceptive polygraph was increased supervision (46.5%), including more surveillance, electronic monitoring, or home visits. When offenses before the current conviction were uncovered, often there were no consequences (44.5%). Investigations were common (52.6%) when offenses occurring after the current conviction were revealed. When violations of supervision were found, the agencies frequently responded with an increase in supervision (56.1%).**

**There is no question that most respondents perceived benefits to using the post-conviction polygraph with convicted sex offenders. The overarching theme that appeared was best conveyed in the words of**

<sup>7</sup> Unless otherwise indicated, percentages for all tables are based on a weighted n of 155. There were 146 responses to the long survey that resulted in 155 weighted cases. Cases were weighted to reflect instances where the agencies surveyed in 1994 were consolidated at the time of the 1998 interview. (See Methods section in this report).

a respondent who noted "You know more about what the issues are so you can provide better treatment and supervision to reduce risk." More than three out of four (76.1%) indicated that the polygraph enhanced disclosure and knowledge of the offender's behavior. Use of the polygraph led to better management and supervision of the offender, according to two-thirds (66.5%) of the respondents. More than half remarked that the polygraph helped prevent offenses (58.1%).

## POLICES AND PROCEDURES

### 1. Where did the idea [to use the polygraph] originate?

- The idea most often came from treatment providers or as a result of general exposure to the concept.

**TABLE 19. WHERE DID THE IDEA TO USE THE POLYGRAPH ORIGINATE? <sup>8</sup>**

Weighted n=155

<b>Treatment Providers</b>	35.5%
<b>Exposed to Idea</b> (exposed to training, information, other states' programs, or gathered information about the polygraph)	21.3%
<b>Probation /parole office</b> (including respondent or other personnel in the office)	10.3%
<b>Criminal Justice</b>	6.5%
<b>PE, Board, Legislation</b>	5.8%
<b>Don't Know</b>	31.0%

Respondent may have more than one response. Thus, percentages do not add to 100.

### 2. How long has the polygraph been used?

- Use of the polygraph with convicted sex offenders is not a new idea. Nearly half (45.2%) of the agencies reported using the polygraph for five or more years, and 16.8% reported using it for 10 years or more.

**TABLE 20. LENGTH OF TIME POLYGRAPH IN USE** Weighted n=155

<b>&lt; 1 year</b>	9.0%
<b>1-2 years</b>	24.5%
<b>3-4 years</b>	18.7%
<b>5-9 years</b>	28.4%
<b>10+ years</b>	16.8%
<b>Don't Know</b>	2.6%
<b>Total</b>	100%

<sup>8</sup> Note that table headings in this section typically describe the question asked of the polygraph. In some cases the wording was changed somewhat or shortened to be more reflective of a table heading.

3. *Did state laws or local policies require use of the polygraph with sex offenders?*

- About half (51.6%) of the probation and parole officers participating in the long survey reported the existence of state or local policies that required polygraphs for sex offenders.
- Fewer than one in three reported using the polygraph before these laws or policies were effected.

**TABLE 21. STATE LAW OR LOCAL POLICY REQUIRING POLYGRAPH?** *Weighted n=155*

<b>No</b>	43.2%
<b>Yes</b>	51.6%
<b>Don't Know</b>	5.2%
<b>Total</b>	100%

**TABLE 22. WAS THE POLYGRAPH USED BEFORE STATE LAW OR LOCAL POLICY WENT INTO EFFECT?** *Weighted n=80*

<b>No</b>	60.0%
<b>Yes</b>	33.8%
<b>Don't Know</b>	6.3%
<b>Total</b>	100%

4. *Did staff receive training specifically on the use of the polygraph with sex offenders?*

- Somewhat more than half (56.1%) of the respondents reported that staff had been specifically trained on the use of the polygraph with sex offenders.
- Training occurred on an ongoing basis for many (46.0%) of those who received training.
- Anecdotal comments regarding training described a variety of experiences, including formal conferences and special sex offender training programs. Training was often received from polygraph examiners, either by specific programs, or by talking with and observing the examiners at work. Regular networking with sex offender providers, obtaining information on how the polygraph was used in other states, and receiving polygraph-specific information, such as understanding interviewing techniques and skills required of the examiner, were also mentioned as training methods.

**TABLE 23. HAS YOUR STAFF HAD TRAINING SPECIFICALLY ON THE USE OF THE POLYGRAPH WITH SEX OFFENDERS?** *Weighted n=155*

No	43.2%
Yes, staff or some staff	56.1%
Don't Know	.6%
Total	100%
<b>When was training received?</b> <i>Weighted n=88</i>	
Training is ongoing	46.0%
Training received less than two years ago	44.8%
Training received more than two years ago	6.9%
Other (e.g., at least quarterly)	2.3%
Total	100%

5. *Who does and does not receive a polygraph?*

- Most of the time, polygraphs *were not required for every sex offender* supervised by the agency or office. Only one in four of probation and parole officers representing offices that used the polygraph reported that *all* sex offenders supervised by their agency received a polygraph.

**TABLE 24. WHAT PERCENT OF SEX OFFENDERS RECEIVE THE POLYGRAPH?**  
*Weighted n=155*

<b>Everyone (100%)</b>	25.8%
<b>95% to 99%</b>	15.5%
<b>Less than 95%</b>	56.1%
<b>Don't Know</b>	2.6%
<b>Total</b>	100%

*Respondents representing the small number of agencies (15.5%) that use the polygraph with almost all sex offenders (between 95% and 99%) were asked to describe the unique circumstances in which a sex offender does not receive a polygraph.*

- Over one-half of this small group (weighted n=24) reported that sex offenders may not receive the polygraph for reasons such as "slipping through the cracks" or participation in another program that does not require the polygraph.
- Offenders with health or mental health issues or those who use psychotropic medications may not receive a polygraph.

Respondents representing agencies that polygraph less than 95% of sex offenders they supervise (56.1%, weighted n=87) were asked to describe the circumstances that determine who receives and who does not receive the polygraph.

- The decision to use the polygraph was often linked to either the therapist or treatment. The therapist may be the driving force in determining who receives the polygraph, or all those in treatment may receive a polygraph. Use of the polygraph may be related to decisions regarding treatment progress, failure or level, and receptivity to treatment.
- The court, probation, or parole sometimes determined who received the polygraph.
- Crime type and level of offender risk also played a role in the decision to use the polygraph, but less frequently than the above considerations.

**TABLE 25. WHO GETS THE POLYGRAPH AND WHO DOES NOT?**

Summary of respondents comments	Fewer than 95% of sex offenders get the polygraph	Most sex offenders (95% to 99%) get the polygraph
<b>Who Gets the Polygraph?</b>	% based on weighted n=87	% based on weighted n=24
Therapist involved in the decision, e.g., depends on the therapist, therapist requires or may mandate even for some misdemeanors. Discussion of case with therapist or recommendation of treatment agencies.	32.2%	
Ordered by court, probation or parole. Court determines who does and does not get polygraph. Those on long-term parole.	26.4%	
Severe or violent crimes, e.g., rape/sodomy, all felonies, predatory offenses, and crimes against children.	13.8%	
Depends on the degree of risk, e.g., multiple offenses, high risk offender, criminal history, or level of deception	12.6%	
All in treatment	12.6%	
Depends on the treatment level or if no progress in treatment or fails treatment. Also, if receptive to treatment.	10.3%	
Other, e.g., up to the polygraph examiner, random selection or legislation determines, or to terminate from treatment	8.0%	
Denial group	8.0%	
<b>Who Does Not Get the Polygraph</b>		
May not receive a polygraph for a variety of reasons, e.g., some slip through the cracks. It is not court ordered or mandatory. Small percentage may be in another type of sex offender treatment program [that does not require it]. Offender is not yet in treatment or has not completed the evaluation required for the polygraph. Offender may not be complying [with program]. Offender is transferred from another jurisdiction. There may be legal issues, grandfathered, offender is not on probation or cannot be located. Offender is on lifetime probation and doing well.	3.4%	54.2%
Health reasons, e.g., heart condition, mental health condition or person is using psychotropic medications	4.6%	25.0%
Short timers or prison bound		8.3%
Language or cultural barrier		8.3%
Lack of resources or polygraph examiners	1.1%	4.2%
Low risk offenders		4.2%

Respondent may have more than one response. Thus, percentages do not add to 100.

6. *How were polygraphs used?*

- Almost two-thirds of the respondents reported regular use (i.e., often, always, or almost always) of the polygraph to determine compliance.
- More than half (52.2%) of probation and parole officers reported that a polygraph was regularly used (i.e., often, always or almost always) to obtain sexual history and past offenses.
- Somewhat less than half of the respondents (45.8%) reported that a polygraph was regularly used when a sex offender was in denial of the current conviction.
- A polygraph was not typically administered as part of the pre-sentence investigation. Three of every four probation and parole officers completing the long survey noted that this practice never or rarely occurred.
- A few respondents indicated that polygraphs sometimes served multiple purposes.

**TABLE 26. TYPE AND FREQUENCY OF POLYGRAPH ADMINISTERED** *Weighted n=155*

<b>Polygraph is administered</b>	<b>Never</b>	<b>Rarely</b>	<b>Someti mes</b>	<b>Often</b>	<b>Always or Almost always</b>	<b>Polygraph serves multiple purposes</b>	<b>Don't Know</b>	<b>Total</b>
To determine compliance with the conditions of probation or parole (Weighted n=155)	3.9%	9.0%	19.4%	25.2%	38.7%	1.3%	2.6%	100%
To obtain sexual history and past offenses (Weighted n=155)	9.7%	9.0%	20.6%	13.5%	38.7%	3.9%	4.5%	100%
When offender denies the current conviction (Weighted n=155)	17.4%	11.6%	14.2%	14.2%	31.6%	3.9%	7.1%	100%
As part of pre-sentence investigation (Weighted n=155)	55.5%	19.4%	11.6%	1.3%	5.8%	1.9%	4.4%	100%

More than half the respondents (54.2%) reported use of the polygraph for situations in addition to those noted above.

- Most commonly, polygraphs were used to investigate suspicions (52.4% of the group that reports using polygraphs for other situations).
- Nearly one-third of this group used the polygraph after critical incidents or to address specific issues, for instance, if the offender had contact with children.
- Polygraphs were sometimes used following a violation or to address an offender's progress in treatment or supervision.

**TABLE 27. IS THE POLYGRAPH USED FOR OTHER SITUATIONS, FOR EXAMPLE, AFTER A CRITICAL INCIDENT OR IN PAROLE RELEASE DECISIONS?**

<b>Yes</b>	54.2%
<b>No</b>	41.3%
<b>Don't Know</b>	4.5%
<b>Total</b>	100%

**TABLE 28. OTHER SITUATIONS WHEN POLYGRAPH IS USED** *Weighted n=84 (those that use the polygraph in other situations)*

<b>Summary of respondents' comments</b>	<b>% of weighted n=84 indicating response</b>
When there is a suspicion, e.g., complaint from community, any red flag, suspect violation, suspicion that they are lying, suspect high-risk behavior, re-offending or bad behaviors, hunch from informant, noticeable change in behaviors.	52.4%
Critical incidents or specific issues, drug situations, any time we think an offender needs it, contact with children, sobriety verification, high profile cases.	29.8%
Following a violation, reason to believe they violated parole.	10.7%
To determine offender's progress, e.g., treatment types of questions, to terminate from treatment, to determine reduction in supervision.	9.5%
To determine release from probation/parole	8.3%
Other, i.e., for non-compliance with terms and conditions, following inconclusive or deceptive exams, if defense requests, for family reunification, for long-term monitoring after treatment	8.3%

Respondent may have more than one response. Thus, percentages do not add to 100.

7. *Was the sex offender informed that the polygraph was part of the treatment/supervision process?*

- Most often, sex offenders were informed, at the beginning of their time on probation or parole, that a polygraph was part of the supervision or treatment process.

**TABLE 29. IS THE SEX OFFENDER AWARE FROM THE BEGINNING OF PROBATION OR PAROLE THAT HE/SHE IS LIKELY TO RECEIVE A POLYGRAPH AS PART OF THE SUPERVISION OR TREATMENT PROCESS?**

<b>Yes</b>	83.2%
<b>Sometimes</b>	9.7%
<b>No</b>	7.1%
<b>Total</b>	100%

8. *Were sex offenders required to sign confidentiality waivers?*

- Most of the time sex offenders were required to waive confidentiality among the agent, the treatment provider and the polygraph examiner.

**TABLE 30. DO YOU REQUIRE THE SEX OFFENDER TO WAIVE CONFIDENTIALITY BETWEEN THE AGENT/OFFICER, THE TREATMENT PROVIDER, AND THE POLYGRAPH EXAMINER?**

*Weighted n=155*

<b>Yes</b>	92.3%
<b>No</b>	5.8%
<b>Don't know or missing</b>	1.9%
<b>Total</b>	100%

9. *Were there written policies and procedures for the polygraph?*

- Over two-thirds of the respondents reported an absence of written policies or procedures relating to the polygraph process or results.

**TABLE 31. DO YOU HAVE WRITTEN POLICIES OR PROCEDURES RELATING TO THE POLYGRAPH OR USING THE RESULTS OF THE POLYGRAPH?** *Weighted n=155*

<b>No</b>	67.1%
<b>Yes</b>	28.4%
<b>Missing</b>	4.5%
<b>Total</b>	100%

## TIME AND RESOURCE ISSUES

1. *How long did a polygraph take?*

- Two hours was the most commonly reported length of time for a polygraph exam.
- Over half of the respondents reported one to three hours as the typical length of time for a polygraph exam.

**TABLE 32. HOW LONG DOES A FULL POLYGRAPH EXAM TYPICALLY LAST, INCLUDING THE PRE-TEST AND POST-TEST? Weighted n=102**

Minimum time reported	1/2 hour
Maximum time report	5-1/2 hours
Most frequent time reported	2 hours
Average time overall	2 hours, 5 min.
<b>Average times reported</b>	
30 minutes to 1 hour	12.7%
>1 to 1-1/2 hours	21.6%
>1-1/2 to 2 hours	29.4%
>2 to 3 hours	22.6%
More than 3 hours	13.7%
Total	100%

Based on a weighted n of 102 responses, the remaining responses were "don't know".

2. *How much did a polygraph cost?*

- A typical polygraph exam was most often reported to cost \$150.
- Over two-thirds of the respondents reported that a typical polygraph exam cost between \$100 and \$250.

**TABLE 33. HOW MUCH DOES A TYPICAL EXAM COST? Weighted n=128**

Minimum cost reported	\$75
Maximum cost reported	\$625
Most frequent cost reported	\$150
Average cost overall	\$200
<b>Average costs reported</b>	
\$75 to \$100	10.2%
>\$100 to \$150	28.9%
>\$150 to \$200	20.3%
>\$200 to \$250	21.9%
>\$250 to \$300	12.5%
>\$300	6.2%
Total	100%

Based on weighted n of 128 responses, the remaining responses were "don't know".

3. *Who paid for the polygraph?*

- The offender paid for the polygraph exam in approximately half (51.6%) of the offices represented by the probation and parole officers in the long survey. However, it was not uncommon to assist offenders with the cost of the polygraph, especially if the offender was indigent.

**TABLE 34. WHO PAYS FOR THE EXAM?** *Weighted n=155*

<b>Offender</b>	51.6%
<b>State/County Agency</b>	14.8%
<b>Combination Offender and State/County Agency</b> (including programs to subsidize costs for indigent offenders)	29.7%
<b>Other</b> (e. g., Federal grant, Sex Offender Assessment Fund, Community Punishment Program Act)	2.6%
<b>Don't Know</b>	1.3%
<b>Total</b>	100%

## IMPLEMENTATION ISSUES

1. *What problems were experienced when the polygraph was implemented?*

- Only 9% of survey respondents reported no problems when implementing the polygraph. The most common problem was opposition from a variety of stakeholders, such as public defenders and defense attorneys, courts, the parole board, treatment providers, and the offender.
- Somewhat less than one in five (17.4%) of the probation and parole officers responding noted that legal and immunity issues were areas of concern.
- A wide variety of other issues were addressed as the polygraph process was implemented, including the lack of qualified and accessible polygraph examiners, concerns regarding the validity of the polygraph, resource issues, and availability of information and training regarding the polygraph process.

**TABLE 35. WHAT WERE THE MOST DIFFICULT PROBLEMS YOUR AGENCY FACED WHEN THE POLYGRAPH WAS FIRST IMPLEMENTED?** *Weighted n=155*

Summary of respondents comments	% indicating response
<b>No problems</b>	9.0%
<b>Opposition</b> , e.g., public defenders, defense attorneys, courts, judges, parole board, administration, department of corrections, treatment providers, and offenders (e.g., getting the offender to cooperate, complaints about infringement of rights, misunderstanding regarding the polygraph procedure).	34.8%
<b>Legal and immunity issues</b> , i.e., results not admissible in court, wanted to use it for investigation, types of sanctions to impose, concern about information used against offender, possibility to subpoena files and historical information, sex predator laws, what to do with the information.	17.4%
<b>Lack of polygraph examiners</b> , i.e., no or not enough examiners, no funding for good examiners, unable to find quality examiners, educating the polygraph examiner about sex offenders, lack of Spanish speaking examiners, long distance to the examiner..	12.3%
<b>Validity of polygraph</b> , e.g., accepting the validity of test in court, no scientific verification of results, convincing prosecuting attorneys of polygraph results, accuracy, inconclusive tests.	11.0%
<b>Offenders can't pay</b>	10.3%
<b>Resource issues</b> , e.g., funding of program, trained probation officers, less time for caseload, costs, who will pay for the polygraph.	10.3%
<b>Lack of information, education, and training</b> . Also, learning how to ask the right questions for polygraph.	7.7%
<b>Other</b> e.g., learning how far back to go, scheduling, no shows, timeliness of reports, getting the truth from the offender, inconsistent PO referrals.	4.5%
<b>Viewed as treatment provider problem</b>	1.3%
<b>Don't know or too new to know</b>	10.9%

Respondent may have more than one response. Thus, percentages do not add to 100.

- In answer to a specific question regarding sources of opposition to the polygraph, almost half (47.7%) of the respondents noted that offenders and/or their families opposed use of the polygraph.
- Defense attorneys were also a major source of opposition, according to a third of the respondents.

**TABLE 36. ARE YOU AWARE OF ANY OPPOSITION TO THE POLYGRAPH?** *Weighted n=155*

<b>No</b>	26.5%
<b>Offenders and/or their families</b>	47.7%
<b>Public defenders, attorneys, legal opposition</b>	33.5%
<b>Judges</b>	7.7%
<b>Treatment providers</b>	7.1%
<b>Probation or parole officers or lack of administrative support</b>	3.2%
<b>Don't Know</b>	5.2%

Respondent may have more than one response. Thus, percentages do not add to 100.

2. *How did agencies overcome these problems, and what was their advice to those considering implementation?*

- Education was important to address concerns surrounding the polygraph. Almost forty percent (38.7%) of respondents recommended education for all stakeholders, including the legal system, the offender and staff. Those involved in the actual polygraph process should receive specific training and skill development. Above all, it is important for those involved to understand that the polygraph is a "must for the treatment of sex offenders."
- The importance of experienced, qualified, and certified polygraph examiners was emphasized by nearly one in three (32.9%) respondents. Interview and screening processes to select examiners can be developed. Polygraph examiners must be willing to follow sex offender guidelines. Training "in house" examiners about the use of the polygraph with sex offenders may be possible, if the examiner is willing to branch into this area of expertise. However the polygraph examiner was selected, it was clear that the s/he should be familiar with the sex offender thought process, the types of questions to ask, and the agency's sex offender program.
- We were reminded that implementing the polygraph is often an ongoing process, and the value of the program will evolve over time.
- Implementation may be accomplished through persistence and by insisting that the polygraph is an expectation, according to one in five respondents. Those interested in implementing the polygraph should "just do it."
- Establishing policies and procedures to be used in the polygraph process or for determining what happens with the information received through the process was useful. Recommendations included resolving issues through legal and legislative avenues, reporting new offenses to law enforcement, and developing other policies, procedures, and sanctions. Policies should also address offenders who avoid taking the polygraph.
- Formalizing the polygraph process by making it a condition of probation, parole, or treatment, with sanctions for non-participation, was helpful.
- According to some respondents, it was important to understand the limitations of the polygraph, i.e., it is only one tool, but a valuable one, to monitor. Some exams may be inconclusive, and some offenders may be "untestable."
- Once limitations are understood, however, the polygraph should be used within that context. Probation and parole officers advised that results could be used to help break down denial, to confront the offender, or even as leverage. Respondents also cautioned that you should be prepared for the information that is disclosed.

**TABLE 37. HOW TO OVERCOME IMPLEMENTATION PROBLEMS AND BEST ADVICE**

Weighted n=155

Summary of respondents' comments	% indicating response
<b>Educate</b> courts, judges, attorneys, the legislature, probation officers, offenders, and provide specific training and skill development for staff. Be prepared [to address concerns], and provide good support and statistics [to help educate]. Use the internet to locate information. Other suggestions include providing the legal community with existing case law, and having attorneys sit in on the pre-test and receive copies of the report. Educate judges and attorneys regarding use of the polygraph only for treatment and supervision. Educate attorneys regarding use of polygraph before sentencing. Get feedback from other agencies using the polygraph and requirements. [Have those involved] "understand that the polygraph is a must in the treatment of sex offenders."	38.7%
<b>Find excellent polygraph examiners</b> , including developing an interview, screening process to select examiners. Search for a polygraph examiner (can be in house) willing to branch into this area and follow sex offender guidelines, and educate him/her about sex offenders (providing articles, books, etc.). Find examiners who ask good questions, check the background of the offender, do a good pre-test and understand the sex offender thought process. Examiners should be educated, certified, qualified, experienced, and competent. Use alternate polygraph examiners to avoid "habituation." Make sure the examiner understands your program. Schedule enough time, and focus on one or two basic questions that are predatory/victim related. Find examiners without bias. Develop a sex offender team to develop reporting requirements for the results.	32.9%
<b>Recognize that it is a process</b> that comes in time, and the value is proved in time. Some agencies are still in process of overcoming problems. Decide [on use] case-by-case.	22.6%
<b>Find a way, and "Just do it!"</b> Don't back down, persistence, make it an expectation that the department requires a polygraph, mandate that offenders must take it, make it client's responsibility. Find a way, "because it's the right thing to do." Develop payment strategies, e.g., "offenders can pay up-front"; some providers allow offenders to pay over time.	20.6%
<b>Develop policies and procedures</b> , including a "sanctions grid," having the offender admit to the facts of the case in court, resolving issues through legal or legislative avenues, and reporting new offenses to law enforcement. Develop good, accurate guidelines, and policies on how to use the information. Be consistent in application of the polygraph with offenders. Think through the frequency [how many polygraphs to administer]. Develop policies and procedures for those who avoid taking the polygraph. Videotape the test.	15.5%
<b>Use it for monitoring and supervision or make it a condition of probation, parole or treatment.</b> Revoke probation if they don't do it.	14.8%
<b>General, positive comment</b> , e.g., Wonderful tool, encourage use, use it with an open mind, it's effective. Sex offenders need to have a part in treatment to keep honest, wipes out deception.	14.8%
<b>Know the limitations</b> , i.e., view it as valuable tool, but only one tool to monitor, can't use it to gather information--only for specific questions, some come up inclusive, some people will not be "testable".	10.3%
<b>Use the results</b> , e.g., improves treatment capability tremendously, confront offender with results, use it as leverage, make a determination on the information you receive, "be prepared for what you learn," and don't be surprised by what comes out. Understand and anticipate that it makes sex offenders disclose. Use it before sentencing. Do it [because] it helps break down denial.	9.7%
<b>Develop resources</b> , including gaining access to resources through the treatment provider and adding financial resources and personnel.	9.7%
<b>Communicate and Coordinate</b> , i.e., keep up communication with the polygraph examiner. Coordinate all three people/agencies in the triangle [treatment provider, supervising officer, and polygraph examiner].	7.7%
<b>Gather support, and gather it early</b> , from parole board, policy makers, attorneys, judges and other authorities. Get testimonials from treatment providers.	5.2%
<b>Use the polygraph carefully and specifically</b> , i.e., assure that it is used as a maintenance, supervision and/or treatment tool, and do not issue a violation for offender unless polygraph results are supported by further investigation. Use the polygraph as a compliance tool not to "fish for new information." Use as a treatment tool for finding past history, not to assess for treatment.	4.5%
<b>Test early and test often</b> , i.e., test early, often, do it regularly, and get a baseline.	3.2%
<b>Develop procedures for confidentiality</b> , e.g., talk through the issues, institute Polygraph Oversight Committee to establish how to adhere to confidentiality.	1.9%
<b>Don't Know</b>	4.5%

Respondent may have more than one response. Thus, percentages do not add to 100.

## POLYGRAPH EXAMINERS

### 1. *How were polygraph examiners chosen?*

- Treatment providers influenced the choice of polygraph examiners, according to 38.1% of probation and parole officers representing agencies where the polygraph was used. The provider may have chosen the polygraph examiner or made recommendations. The provider and officer may have decided together on the choice of examiner.
- One in four respondents selected examiners through some type of agency list or registry. Lists included licensed or certified examiners or those who contracted with the agency, met agency standards, or had experience with sex offenders.
- Limited choice of examiners or no examiners was reported by 16.8% of the respondents representing agencies using the polygraph.

**TABLE 38. HOW DO YOU CHOOSE THE POLYGRAPH EXAMINER?** *Weighted n=155*

Summary of respondents' comments	% indicating response
<b>Rely on the treatment provider</b> , treatment provider chooses, recommends several to choose from, or the decision is made jointly with the treatment provider	38.1%
<b>Agency contract list or registry.</b> Agency may have a list of polygraph examiners who are certified or licensed. Polygraph examiners may apply [to be listed] or approved or must abide by the agency contract. Lowest bidder.	25.8%
<b>No choice or choice is limited</b> , perhaps to only one or two in the area. Polygraph examiner is department employee.	16.8%
<b>Knowledge of, availability, convenience.</b> Use well known firm or from word of mouth. The choice is based on whether the polygraph examiner will travel to area, is within driving distance, or is in proximity to parolee.	11.0%
<b>Skill level determines choice</b> , i.e., "get the best you can," polygraph examiners must meet certain criteria, be licensed or certified, or have experience with sex offenders.	9.0%
<b>Preference</b> of officer, attorney, court, state police or offender. Rotate polygraph examiners.	6.6%
<b>Don't Know</b>	3.2%

Respondent may have more than one response. Thus, percentages do not add to 100.

### 2. *Were agencies satisfied with services received from polygraph examiners, and what did or did not contribute to satisfaction?*

- Most probation and parole officers were satisfied with the quality of services received from polygraph examiners.

**TABLE 39. ARE YOU SATISFIED WITH THE QUALITY OF SERVICES YOU ARE RECEIVING FROM POLYGRAPH EXAMINERS?** *Weighted n=155*

<b>Yes</b>	91.0%
<b>No</b>	3.2%
<b>Don't Know</b>	5.8%
<b>Total</b>	100%

The following were the major sources of satisfaction with polygraph services:

- Good skills on part of the examiner, especially regarding experience with and knowledge of sex offenders.
- The examiner's ability to design relevant questions and to build a rapport with the offender.
- The examiner's willingness to communicate with the officer on a regular basis.
- Professionalism, including factors such as honesty, reliability, and the ability to provide high quality services.
- Providing information to the agency that is understandable and accessible.

**TABLE 40. REASONS FOR SATISFACTION OR DISSATISFACTION WITH SERVICES FROM POLYGRAPH EXAMINERS** *Weighted n=155*

Summary of respondents' comments	% indicating response	% indicating response
	Satisfaction	Dissatisfaction
<b>Good communication</b> , i.e., willing to discuss case with officer, talks to officer before and after exam, provides information we would not have known, stays in touch, forthright, explains so we can understand, easy to work with, willing to attend staff meetings. [We feel like we] have our hands on the polygraph process. Gives recommendations on what questions to ask and what to focus on with sex offenders. Able to develop a rapport with the sex offender.	37.4%	
<b>Good skills, especially related to sex offenders</b> , i.e., knowledge about and well-educated in examining sex offenders, knows what to look for in dealing with sex offenders, good at designing questions, can break down denial, able to pinpoint information we couldn't get in evaluation. Licensed, certified, former police officer. Uses modern equipment.	34.2%	
<b>Professionalism</b> , i.e., efficient, thorough, honest, reliable, good quality, good reports, experienced, reports easy to read and understand.	32.9%	
<b>Timeliness</b> , i.e., polygraph, reports and results are done in a timely manner. Responsive, e.g., does "emergency" tests.	16.1%	
<b>General positive statement</b> , e.g., no problems, they are helpful, really pleased, it is accurate, revealed new information, confirmed suspicions, [gives] better outlook, exposes offender patterns.	16.1%	
<b>Cost effective/convenient</b>	2.6%	

<b>Don't Know or too new to know</b>	5.8%	
<b>Would like more professionalism, communication, skills and timeliness from the polygraph examiner</b>		6.5%
<b>More resources, e.g., examiners and experienced examiners</b>		3.9%
<b>Problems with tests, e.g., too many inconclusive, too many false positive. Would like more control over the questions</b>		2.6%

Respondent may have more than one response. Thus, percentages do not add to 100.

## COMMUNICATION

### 1. *What information did the agency provide to the polygraph examiner?*

- Most commonly (50.3%), the agent/officer provided the polygraph examiner with information regarding specific issues and concerns about individual offenders.
- The sex offender's criminal history, sex history, and information on the current offense were often provided.
- It was not the agency, but the treatment provider, who provided information on the sex offender to the polygraph examiner, according to more than one in five respondents.
- Some respondents reported that access to the entire file and/or the PSIR of the sex offender was available to the polygraph examiner.

**TABLE 41. WHAT INFORMATION DOES THE AGENT/OFFICER PROVIDE TO THE POLYGRAPH EXAMINER ON A SPECIFIC OFFENDER BEFORE A POLYGRAPH?** *Weighted n=155*

<b>Summary of respondent comments</b>	<b>% indicating response</b>
<b>Specific issues and concerns</b> , thinking patterns, how they are doing on probation	50.3%
<b>Information on current conviction</b> , police report	35.5%
<b>Criminal history</b>	25.8%
<b>Treatment provider gives the polygraph examiner information</b>	21.9%
<b>Sex history, psychological evaluation</b>	18.7%
<b>Entire file</b> , any information we have, employment history	14.8%
<b>PSIR</b>	13.5%
<b>Conditions of release</b>	6.5%
<b>Victim information</b> , e.g., victim statement, report from victim investigation services, some details on victims	5.2%
<b>Post sentence update</b>	2.6%
<b>Don't Know</b>	9.0%

Respondent may have more than one response. Thus, percentages do not add to 100.

2. *How often did agents/officers talk to the polygraph examiner about specific cases?*

- More than half of the respondents representing agencies that use the polygraph indicated that officers in their agencies spoke with polygraph examiners about specific cases at least once a month or more.
- Close to one in five (18.1%) reported that officers never spoke with polygraph examiners. Others (22.6%) rarely spoke to the examiner. Sporadic communication may depend on the offender, or may occur when the polygraph is conducted, when there is deception, or on an "as needed" basis.

**TABLE 42. HOW OFTEN DO YOUR AGENTS TALK TO THE POLYGRAPH EXAMINER ABOUT SPECIFIC CASES?** *Weighted n=155*

<b>Between daily and weekly</b>	15.4%
<b>More than monthly but less than weekly</b>	16.8%
<b>Monthly</b>	23.2%
<b>Never</b>	18.1%
<b>Rarely</b> , depends on the offender, more contact when offender is "high risk, when the polygraph is conducted, as needed, for deception, less than monthly	22.6%
<b>Don't Know</b>	3.9%
<b>Total</b>	100%

3. *How did polygraph examiners provide the results of the polygraph to the agency?*

- More than three out of four of the respondents reported that the results of the polygraph were received from the polygraph examiner in written form or in both written and verbal reports.

**TABLE 43. HOW DOES THE POLYGRAPH EXAMINER LET THE AGENT OFFICER KNOW ABOUT THE RESULTS OF THE POLYGRAPH TEST?** *Weighted n=155*

<b>Both written and verbal reports</b>	40.0%
<b>Written report</b>	38.7%
<b>Verbal report</b>	2.6%
<b>Other</b> (officers attend polygraph, do not let officers know the results, video tape)	7.1%
<b>Agents/officers receive results from treatment provider</b>	11.6%
<b>Total</b>	100%

4. *How did the treatment provider find out about the results of the polygraph?*

- Most commonly, the treatment provider received the polygraph results from the polygraph examiner.
- Approximately one in five respondents reported that officers gave the treatment provider the results of the polygraph.

**TABLE 44. WHO GAVE THE TREATMENT PROVIDER THE RESULTS OF THE POLYGRAPH?**

*Weighted n=155*

<b>The polygraph examiner</b>	60.6%
<b>The agent/officer</b>	21.3%
<b>Both the agent/officer and the polygraph examiner</b>	8.4%
<b>Other</b> (treatment provider present at the exam, depends on the examiner, depends on whether treatment provider or agent requests the report, does not apply as those taking the polygraph do not need to be in treatment, depends on PE)	9.0%
<b>Don't Know</b>	.6%
<b>Total</b>	100%

## CONSEQUENCES

1. *Did offenders receive consequences or sanctions based on the results of the polygraph?*

Agencies reported the use of a number of consequences. The types of consequences enforced varied, depending on the type of polygraph result. As one respondent commented, "*[the polygraph] cannot be used in court, but it will affect the way the offender is managed.*"

- The most common consequence for a polygraph that indicated deception was increased supervision (46.5%), including more surveillance, electronic monitoring, or home visits. The offender's use of alcohol or drugs may have been monitored by urinalysis. The offender may have been required to take antabuse. Those with deceptive polygraphs may have faced a change in treatment or the issue may have been addressed in treatment through discussion or more homework. According to one in four respondents, a deceptive polygraph could result in revocation or termination from treatment or the program.
- When offenses that occurred before the current conviction were uncovered during a polygraph, there were usually no consequences (44.5%). When a consequence was applied, it most likely involved some type of investigation, and it was often the district attorney who decided whether an investigation would be undertaken.
- Investigations were very common (52.9%) when offenses occurring after the current conviction were revealed during the polygraph process. If new offenses were found, an offender could be revoked or terminated from the treatment or program (34.2%). One in four respondents reported that the defendant could be required to return to court.

- When violations of supervision were found, the most common agency response was an increase in supervision (56.1%). The violation could be addressed in treatment in some way, or the individual could return to court.
- More than one in four respondents reported no consequences for inconclusive polygraphs. However, one in four also reported increased supervision. More than a third (36.1%) indicated that the offender had to retake the polygraph exam.

**TABLE 45. CONSEQUENCES OR SANCTIONS BASED ON RESULTS OF POLYGRAPH**

*Weighted n=155*

CONSEQUENCES	RESULTS OF POLYGRAPH				
	% Indicating Response				
Summary of Respondents' Comments	Deception	Offenses Before Current Conviction	Offenses After Current Conviction	Violation of Supervision	In-conclusive
None	7.7%	44.5%	3.9%	1.3%	27.7%
Increase supervision, e.g., "tighten up," more surveillance, electronic monitoring, increase contacts, [offender] reports more often, ISP, more in home visits, and longer probation term, house arrest, and period of increased observation. Also, urinalysis, antabuse, drug testing.	46.5%	5.2%	9.0%	56.1%	25.8%
Investigation--own, District Attorney's, or law enforcement. Contact authority. Contact District Attorney who decides on investigation.	9.0%	38.1%	52.9%	2.6%	7.7%
Change or address in treatment, e.g., increase or longer treatment, talk about in treatment, more homework, start treatment over or suspend from group. Notify provider to re-evaluate.	37.4%	4.5%	5.2%	36.1%	14.2%
Revocation, terminate treatment or program or unsuccessful discharge.	25.8%	1.3%	34.2%	28.4%	2.6%
Retest or increase tests. Do test on a specific issue.	16.1%	.06%	.06%	1.3%	36.1%
Go back to court, including preliminary case hearing, administrative hearing, contempt of court, prosecute, new charges, and return to legal system.	15.5%	6.5%	25.8%	21.3%	.06%
Jail or arrest, including 15-day temporary custody.	10.3%	.06%	17.4%	18.7%	1.9%
Impose curfews, home confinement for longer hours, impose as intermediate sanctions.	14.2%	.06%	.06%	17.4%	0%
Change in conditions or privileges, appearance before parole board or return to prison. Also, loss of earned time, or change conditions, e.g., change in employment. Apply grid system.	3.9%	1.3%	8.4%	9.0%	0%
Discuss with offender and or others. Talk, question, interrogate, verbal admonishment or letter of warning to offender. Case conference, staffing or talk to provider.	9.0%	0%	.06%	7.1%	5.8%
Violation report.	1.9%	0%	5.2%	6.5%	.06%
Reduce contact with family remove from home or living	1.3%	2.6%	0%	1.9%	.06%

situation. Also, unable to move back with family.					
Report to human services, report to social services if child is the victim.	0%	2.6%	2.6%	0%	0%
AA, education program.	0%	0%	0%	6.5%	0%
More public service hours, community service, fines.	0%	0%	.06%	4.5%	0%
Notification of neighbors, community, victims, including public notification.	1.3%	1.2%	0%	.06%	0%
Look for another polygraph examiner.	0%	0%	0%	0%	1.3%
Plethysmograph.	0%	.06%	0%	0%	0%
Too new to know.	.06%	.06%	2.6%	.06%	4.5%

2. *Could the offender be arrested and temporarily jailed before going to court?*

- Nearly two-thirds of respondents reported that officers or agents had the authority to arrest and temporarily jail offenders without going to court.

**TABLE 46. DO YOUR OFFICERS/AGENTS HAVE THE AUTHORITY TO ARREST AND TEMPORARILY JAIL SOMEONE WITHOUT GOING BACK TO COURT FIRST?**

*Weighted n=155*

<b>Yes</b>	61.9%
<b>No</b>	37.4%
<b>Don't Know</b>	.6%
<b>Total</b>	100%

**BENEFITS OF THE POLYGRAPH**

1. *Were there benefits associated with using the polygraph?*

Respondents were asked for their opinions on the usefulness of the polygraph in managing sex offenders. These opinions were solicited through three questions:

- *Has the use of the polygraph changed the way you manage sex offenders?*
- *In your opinion, what is the most important use of the polygraph?*
- *In your opinion, does the use of the polygraph with sex offenders increase public safety? Why or why not?*

As there was considerable overlap in the responses to these questions, the answers are combined in the table below. It should be noted that themes conveyed in answers to questions were often intertwined, and it was sometimes difficult to determine the best category for a response.

- The overarching theme in the answers to these three questions is best conveyed in the words of a respondent, who noted, *"You know more about what the issues are so you can provide better treatment and supervision to reduce risk."*

- Enhanced disclosure and knowledge of the offender were the most commonly cited benefits of the polygraph. More insight and depth regarding the offender's behaviors and history as well as knowledge regarding *"cycles and stimuli"* led to a more comprehensive picture of the offender that would not have been available otherwise. The polygraph was useful in alerting agents to potential violations, behaviors, and areas of concern that might not have otherwise been revealed. Some respondents noted that the polygraph had the capability to *"keep the offender honest"* or accountable and *"forced a level of honesty"* that would not otherwise be attainable.
- The polygraph led to better management and supervision of the offender, according to two-thirds of the respondents. The agent could better monitor the offender's behavior, exercise more control in the supervision process, and have more confidence that the offender was being accurately assessed. Many respondents noted that anticipation of the polygraph had a positive influence on the offender's behavior. The polygraph provided information that allowed a quicker response to situations, and could lead to "stepped-up" supervision or additional restrictions, if necessary. Finally, the polygraph was seen as a useful tool to verify compliance with conditions of probation or parole.
- More than half the respondents noted that the polygraph helped to prevent new offenses. It provided a way to determine recidivism patterns, whether the offender had committed new crimes, and helped identify and assess risk. Some respondents were of the opinion that the polygraph could reduce recidivism entirely. Others noted that it could be helpful in detecting behaviors likely to precede a crime, so the system could intervene with treatment and/or otherwise protect possible victims. Others noted that when a crime was committed, it could be detected earlier, perhaps to the benefit of additional victims.
- Use of the polygraph resulted in better and more appropriate treatment in a number of ways, according to slightly more than 40% of respondents. It could lead to better evaluation and assessment for treatment and provided more information for treatment. One respondent stated, *"We would never know the appropriate treatment without it."* The polygraph was useful in assessing treatment progress and compliance and could lead to the right intervention at the right time. Issues uncovered in the polygraph process could be addressed in treatment or the offender could be confronted in group therapy.
- The polygraph was useful in helping break down defendant denial of behaviors and offenses, according to 17.4% of those respondents in agencies using the polygraph.
- The polygraph could also be used to support the application of consequences for an offender's behavior. Revocations, presentation of information before the parole board, and immediate removal of the offender from the community were mentioned.

**TABLE 47. WERE THERE BENEFITS ASSOCIATED WITH USING THE POLYGRAPH?** *Weighted n=155*

Summary of Respondents' Comments	% indicating response
<p><b>Enhances disclosure and knowledge of the offender.</b> Increased knowledge of offender's behavior, causes offender to be more truthful, more insight, more depth, "helps find out their true behaviors and not just what they tell us." [The offender does] more talking to the P.O. after the polygraph has "tripped them up." Can identify more serious issues, and there is more information for more areas of concern. Find out about possible deviant behaviors. Alerts us to potential violations/offending behavior. Before the polygraph, bad situations might not have been revealed. [Provides] more knowledge about cycles and stimuli. Provides more information, including sex history and a full picture of offender's history. Find out "who they are really dealing with." Keeps [offender] honest, accountable. There is less guessing. Forces a level of honesty that wouldn't be there. Get a comprehensive overview of the offender to better manage them.</p>	76.1%
<p><b>Leads to better management and supervision of the offender.</b> Better, more or another way of monitoring the offender. Provides more security, more control, and more confidence [of the agents] in what they are doing. Influences the offender's behavior while in supervision, also intimidation factor or "scare" factor, or leverage. Keeps behavior in check. Allows quicker response for technical situations, and can "catch them in their deviant acts". More restrictions for those who need them, and a better picture [of offender] to step up supervision. Can increase supervision if there is a deceptive polygraph. Can verify that conditions are upheld, and ensure compliance with court orders, parole, and child safety zones. Useful for maintenance.</p>	66.5%
<p><b>Helps prevent offenses.</b> "Chances of other victims under supervision is nil." Determine if offender is re-offending and detect recidivism patterns. Ensure the offender isn't re-offending. Can supervise them to a point where there will be no recidivism. Provides us with supervision techniques so the offender will not re-offend. Less likely to re-offend. Can catch those re-offending and catch them quicker. Can treat before recidivism. Prevention, can catch earlier, helps identify and assess risk. Can protect society, victims. "They know we are watching them."</p>	58.1%
<p><b>Helps provide better and more appropriate treatment.</b> More information for treatment. Can design treatment more effectively. "We would never know the appropriate treatment without it." Provides another tool in treatment. Can step up treatment or assess treatment progress and compliance, affirm treatment, target areas of treatment. Provides better evaluation and assessment for treatment as well as amenability to treatment. Address behaviors in treatment or confront in group. Can "catch that inappropriate thought and get the proper treatment."</p>	40.6%
<p><b>Helps break down denial.</b></p>	17.4%
<p><b>Better able to apply consequences for behaviors.</b> When they fail, they can go back to court. Offenders can be revoked. Aggravating information is presented to parole board. Can lead to the immediate removal of a sex offender from the community. Exposes new crimes so we can tell if the offender should be in the community. One respondent remarked on a positive consequence, i.e., decrease restrictions if appropriate.</p>	7.1%
<p><b>Yes, polygraph is a benefit,</b> but respondent did not provide specific information.</p>	3.2%
<p><b>Now developed specialized sex offender caseloads</b></p>	1.3%
<p><b>No changes to management of sex offenders or increase in public safety</b> because the polygraph has been in place for some time, so operations remain the same over long time period, or respondent was too new to know about changes. One respondent notes reliance on the treatment provider [thus, did not know].</p>	18.1%

## AREAS FOR IMPROVEMENT WITH POLYGRAPH SERVICES

### 1. *Can polygraph services be improved?*

- More resources, especially dollars to cover the costs of the program, would be helpful, according to one in five respondents.
- Nearly one in five respondents (18.7%) would like more polygraph examiners, as well as access to examiners on short notice, such as an on-call position. Some officers would like to "test suspicions immediately." There was a need for more examiners in rural areas. Geographical accessibility and the ability to have more time to talk to the examiner were important for some respondents.
- More training and education about the polygraph process would be helpful for some.
- Policies and procedures that formalize the process, such as written standards and procedures for exams and how to manage sanctions, would help some agencies. Encouraging support of the process by judges, laws, court mandates, and or making the polygraph a condition of probation were also mentioned.

**TABLE 48. IS THERE ANYTHING THAT WOULD HELP YOU TO BETTER USE POLYGRAPH SERVICES?** *Weighted n=155*

Summary of respondents' comments	% indicating response
<b>No</b>	28.4%
<b>More resources</b> and more dollars to pay for exams or lower costs, some guarantee of future funding for the program, if the offender would pay for it.	19.4%
<b>More polygraph examiners and immediate access to and availability of examiners.</b> On call polygraph examiner to test suspicions immediately, a polygraph examiner in the office, more examiners in rural areas, ability to get the polygraph done at a closer location, more direct access to the examiner, and more time to talk to the examiner. Also, statewide association of polygraph examiners.	18.7%
<b>More training and education.</b> "I would like to sit in," find out what's happening in other jurisdictions.	11.6%
<b>More policies, procedures, and having the process institutionalized.</b> If judges were more receptive, if polygraph was court mandated or a condition of probation, or put into law. [Need] department policies regarding use, written standards and procedures for exams, also pinpoint sanctions issue.	7.6%
<b>Expand the process.</b> Expand to all caseloads, increase use of the polygraph. Use polygraph with therapy, instead of one or the other.	5.2%
<b>More control</b> over choice of the examiner and over the exam.	2.6%
<b>General comments,</b> e.g., if only they would tell the truth, a complete history of the offender, if they were 100% accurate, if admissible in court.	6.5%
<b>Don't know or too new to know.</b>	11.6%

Respondent may have more than one response. Thus, percentages do not add to 100.

# **ATTACHMENT:**

## **Telephone Survey Instrument**



QUESTIONNAIRE #

INTERVIEWER #



PREVIOUS SURVEY - RESPONDENT NAME (Qa)

PHONE # (Qb)



RESPONDENT NAME (Current Survey) (Qc)

PHONE # (Qd)

RESPONDENT ADDRESS (Qe)



ADMINISTRATIVE CONTACT NAME (Qf)

PHONE # (Qg)

ADMINISTRATIVE CONTACT ADDRESS (Qh)



INTERVIEW DATE (mm/dd/yy) (Qi)

INT. TIME (00:00) (Qj)

INT. LENGTH (min) (Qk)

SHORT/LONG SURVEY? (Ql)

1 = Short Survey  
2 = Long Survey



RESPONDENT WILL SEND US:  
0 = No  
1 = Yes

Risk Assessment Instrument (Qm)

Terms & Conditions for Sex Offenders (Qn)

Risk Assessment Instrument for Sex Offenders (Qo)

Policies & Procedures for Use of Polygraph Results (Qp)

Polygraph Examiners Standards (Qq)

Qr



STRUCTURE OF PROBATION & PAROLE (from ACA directory)

1 = Probation and parole administered by SAME agency  
2 = Probation and parole administered by DIFFERENT agencies

Qs



USING POLYGRAPH IN 1994? (Insert data from 1994 phone survey)

0 = Never  
1 = Rarely  
2 = Sometimes  
3 = Often  
4 = Always (includes almost always)

Qt



NOTES ABOUT CONTACTS

--	--	--



(INTRODUCTION)

**Hello. My name is \_\_\_\_\_, and I'm calling from the Division of Criminal Justice in Colorado. We're conducting a national research study on adult sex offenders on behalf of the National Institute of Justice, which is the research arm of the U.S. Department of Justice. We sent you a letter (last week / a couple of weeks ago) requesting your participation in a telephone survey. Do you recall getting that letter?**

(If YES) **Good. Is now a good time for us to talk about the project?**

(If NO) **I'm sorry you didn't receive it. I can fax you a copy if you like. Is now a good time to talk so that I may explain what we're doing?**

**Thank you. Four years ago we conducted a national study of probation and parole officers to see how sex offenders were managed. Your office was part of that research, and the results of this study were published by the American Probation and Parole Association. This is a follow-up to that research. This study will also focus on the use of the polygraph as a management tool for community-based sex offenders.**

**I have a couple of initial questions to confirm some information on your office. May I ask those now?**

(If YES, proceed.)

(If NO, set new interview time.) **I'd like to set an appointment for the entire interview. If you DON'T use the polygraph the interview will take only about 5 minutes. If you DO use the polygraph, the questions will be more detailed, and the interview will take about 30 minutes.**

INTERVIEW DATE (mm/dd/yy)

--	--	--	--	--	--

INTERVIEW TIME (00:00)

--	--	--	--

(IMPORTANT!!! Doublecheck time difference. Use CO time. Make sure agreed upon time works in both time zones.)

Qu



**WE HAVE YOUR NAME AS THE PERSON WHO IS RESPONSIBLE FOR THE DAY TO DAY MANAGEMENT OF YOUR OFFICE LOCATION. IS THAT CORRECT?**

END



if NO

0 = No (If the answer is NO, find out who is in charge and end the interview. Send out a new letter and begin again.)  
 1 = Yes  
(If NO, new contact name) \_\_\_\_\_

Qv



**AND DOES YOUR OFFICE SUPERVISE CONVICTED ADULT FELONY SEX OFFENDERS?**

END



if NO

0 = No (If NO, thank the person, and end the interview)  
 1 = Yes

Referred to \_\_\_\_\_ by \_\_\_\_\_

Qw



(If YES) **ARE THE SEX OFFENDERS BOTH PROBATIONERS AND PAROLEES?**

1 = Both  
 2 = Probation only  
 3 = Parole only  
 4 = Other (Specify)

(other)

Three empty boxes for questionnaire number.



(SHORT INTERVIEW)

As I said earlier, the survey we are conducting is examining how probation and parole agencies are using polygraph examinations to help manage sex offender caseloads. What I am interested in is the type of polygraph that is used with CONVICTED FELONY SEX OFFENDERS as part of their TREATMENT and SUPERVISION.

Q1



GIVEN THAT INFORMATION, WOULD YOU SAY YOUR AGENCY/OFFICE IS CURRENTLY USING THIS TYPE OF POLYGRAPH...? (Read responses)

Empty box for response.

1 = Never

2 = Rarely

3 = Sometimes

4 = Often

5 = Always/Almost always

(If NEVER or RARELY, proceed with questions this page.)

(If SOMETIMES, OFTEN, or ALWAYS, go directly to the LONG FORM. Staple short and long interview together ASAP.)

Since you don't use the polygraph, I just have a few more questions for you which will only take a few minutes. May I ask those now?

Since your office is using the polygraph, we would like to interview you for our study. As I mentioned before, the survey will take about 30-45 minutes.

DO YOU STILL HAVE TIME TO PROCEED WITH THE INTERVIEW NOW?

(If YES)

Great, let's get started.

(If NO)

May we set a future appointment? Would morning or afternoon be better for you?

INTERVIEW DATE (mm/dd/yy)

Five empty boxes for interview date.

INTERVIEW TIME (00:00)

Four empty boxes for interview time.

(IMPORTANT!!! Doublecheck time difference. Use CO time. Make sure agreed upon time will work in both time zones.)

END



go to LONG

Q2



HAS THERE BEEN ANY CONSIDERATION OF USING THIS TYPE OF POLYGRAPH WITH SEX OFFENDERS IN YOUR AGENCY?

Empty box for response.

0 = No

1 = Yes

9 = DK

Q3



WHAT ARE THE BARRIERS TO USING THE POLYGRAPH AT THIS TIME?

(List all that apply, and PROBE for any other barriers)

Nine empty boxes for listing barriers.

1 2 3 4 5 6 8 9

- 1 = No serious consideration
2 = Lack of resources
3 = Legal issues
4 = Ethical issues
5 = No polygraph examiners
6 = Other (specify)
8 = NA
9 = DK

Box for other barriers with horizontal lines.

QUESTIONNAIRE #

Three empty boxes for questionnaire number



(SHORT INTERVIEW)

Q4



DOES YOUR AGENCY/OFFICE HAVE SPECIALIZED SEX OFFENDER CASELOADS OR SITUATIONS WHERE ONE OR MORE PEOPLE HANDLE ALL THE SEX OFFENDER CASES?

Response options: 0 = No, 1 = Yes, 8 = NA, 9 = DK

Q5



DOES YOUR AGENCY/OFFICE USE A RISK ASSESSMENT INSTRUMENT FOR SEX OFFENDERS THAT IS DIFFERENT THAN THE ONE USED FOR OTHER OFFENDERS?

Response options: 0 = No, 1 = Yes (If YES, specify), 2 = Sometimes (Specify), 8 = NA, 9 = DK

(instrument) [Text entry box]

(If YES) Would you be willing to send us a copy? I will give you our address at the end of the interview.

SEND



Q6



ARE SEX OFFENDERS THAT YOUR AGENCY/OFFICE SUPERVISES REQUIRED TO UNDERGO MENTAL HEALTH TREATMENT?

Response options: 0 = No, 1 = Yes (If YES, specify), 2 = Sometimes (Specify), 8 = NA, 9 = DK

(type of treatment) [Text entry box]

COLLECT



These are all the questions I have.

(If person indicated that they would send a risk assessment instrument...)

Could you please send a copy of your sex offender risk assessment instrument to:

Diane Pasini-Hill
Division of Criminal Justice
700 Kipling Street, Suite 1000
Denver CO 80215

fx (303) 239-4491 (Reference NIJ Survey)

Q7



WOULD YOU LIKE A COPY OF THE SURVEY RESULTS?

Response options: 0 = No, 1 = Yes

END



THANK YOU again for your help with this project. Your opinions and the information you have provided are very important to us. Also, my supervisor may be calling you to verify that the interview was completed.

QUESTIONNAIRE #

INTERVIEWER #



(LONG INTERVIEW)

(If doing long interview immediately, go directly to Q8. If calling back, remind person on the purpose of the study.)

(Repeat only if necessary)

**As I mentioned when I first spoke with you, this study is about the use of the polygraph as a tool for managing convicted adult felony sex offenders as part of their supervision. So, all of the following questions about polygraph refer only to this type of polygraph.**

*First, I'd like to ask you...*

Q8



**HOW LONG HAS YOUR AGENCY/OFFICE BEEN USING THIS TYPE OF POLYGRAPH WITH ADULT FELONY SEX OFFENDERS?** (Round to the closest category)

- 1 = < 1 year
- 2 = 1-2 years
- 3 = 3-4 years
- 4 = 5-9 years
- 5 = 10+ years
- 9 = DK

Q9



**IS THERE A STATE LAW OR LOCAL POLICY ALLOWING OR REQUIRING THIS TYPE OF POLYGRAPH?**

- 0 = No
- 1 = Yes (>>>)
- 9 = DK

(If YES) (Q9A)

**DID YOUR AGENCY USE THE POLYGRAPH BEFORE THE LAW OR POLICY WAS PASSED?**

- 0 = No
- 1 = Yes
- 9 = DK

Q10



**WHERE DID THE IDEA TO USE THE POLYGRAPH WITH SEX OFFENDERS ORIGINATE? (IF YOU DON'T KNOW, THAT'S OK.)**

(Note response carefully, and clarify when necessary)

Three empty boxes for questionnaire number

Q11



WHAT PERCENT OF SEX OFFENDERS UNDER YOUR OFFICE'S SUPERVISION WOULD YOU SAY ARE RECEIVING POLYGRAPHS?

(Enter actual % or insert 999 for DK)

(100%)

Three empty boxes for percentage

(LESS THAN 95%)

(95% or HIGHER)

Q12



HOW DO YOU DETERMINE WHO GETS A POLYGRAPH AND WHO DOESN'T?

(PROBE. How is the decision made? What factors are considered?)

Large empty box for handwritten answer to Q12

Q13



WHAT SEX OFFENDERS ACCOUNT FOR THE % THAT DON'T RECEIVE POLYGRAPHS?

(List answers)

Large empty box for handwritten answer to Q13

Q14



ARE SEX OFFENDERS THAT YOUR OFFICE SUPERVISES REQUIRED TO UNDERGO TREATMENT?

- 0 = No
- 1 = Yes (Specify type of treatment) . . . . .
- 2 = Sometimes (Specify type of treatment) . . . . .
- 3 = Other (Specify)
- 9 = DK

Large empty box for handwritten answer to Q14

Q15



IS THE USE OF THE POLYGRAPH ONE OF THE CONDITIONS OF PROBATION OR PAROLE?

- 0 = No, neither
- 1 = Yes, both
- 2 = Yes, probation only
- 3 = Yes, parole only
- 9 = DK

Q16



DOES YOUR OFFICE HAVE SPECIAL OR DIFFERENT SUPERVISION CONDITIONS FOR SEX OFFENDERS THAN FOR OTHER OFFENDERS?

- 0 = No
- 1 = Yes
- 2 = Sometimes
- 9 = DK

Would you send us a copy? I'll remind you at the end of the interview.

Q17



DOES YOUR OFFICE HAVE SPECIALIZED SEX OFFENDER CASELOADS, OR SITUATIONS WHERE THE SAME PERSON OR PEOPLE ARE ASSIGNED TO ALL THE SEX OFFENDERS?

- 0 = No
- 1 = Yes
- 9 = DK

QUESTIONNAIRE #

Three empty boxes for questionnaire number

Q18



**DOES YOUR OFFICE USE A SPECIAL OR DIFFERENT RISK ASSESSMENT INSTRUMENT FOR SEX OFFENDERS THAN THE ONE USED FOR OTHER OFFENDERS?**

Response box for Q18

0 = No  
1 = Yes (Obtain name of instrument if possible) .....  
9 = DK

Text box for instrument name with label '(instrument)'

*Would you send us a copy? I'll remind you at the end of the interview.*

SEND



Q19



**ALSO, DO YOU HAVE WRITTEN POLICIES OR PROCEDURES RELATING TO THE POLYGRAPH OR USING THE RESULTS OF THE POLYGRAPH?**

Response box for Q19

0 = No  
1 = Yes (> > >)  
9 = DK

(If YES) *Would you be willing to send us a copy?*

SEND



Q20



**HOW LONG DOES A FULL POLYGRAPH EXAM TYPICALLY LAST, INCLUDING THE PRETEST AND POST-TEST?**

(Enter time in minutes, or enter 999 for DK. If the respondent gives a range for different types of exams, enter both.)

Minutes range box 1

to

Minutes range box 2

minutes

Q21



**HOW MUCH DOES A TYPICAL EXAM COST?**

(Enter dollars, or enter 999 for DK. If the respondent gives a range for different types of exams, enter both.)

Dollars range box 1

to

Dollars range box 2

dollars

Q22



**WHO PAYS FOR THE EXAM?**

Response box for Q22

1 = Offender  
2 = State/county agency  
3 = Combination of 1 & 2  
4 = Other (Specify) .....  
9 = DK

Text box for other payment source with label '(other)'

Three empty boxes for questionnaire number



Now, I'm going to ask some questions about your experiences with implementing the polygraph in your area.

Q23



WHAT WOULD YOU SAY WAS THE MOST DIFFICULT PROBLEM YOUR AGENCY FACED WHEN THE POLYGRAPH WAS FIRST IMPLEMENTED?

Text area for Q23 with lines and a (1) label

Q24



HOW DID YOU OVERCOME THESE PROBLEMS?

Text area for Q24 with lines

Q25



WHAT IS THE MOST IMPORTANT PIECE OF ADVICE YOU WOULD GIVE TO ANOTHER AGENCY THAT WANTED TO BEGIN USING THE POLYGRAPH WITH ADULT FELONY SEX OFFENDERS?

Text area for Q25 with lines



Thank you. I'd now like to ask some questions about the types of polygraph examinations and what happens with the results.

Q26



IS THE SEX OFFENDER AWARE FROM THE BEGINNING OF THEIR TIME ON PROBATION OR PAROLE THAT HE/SHE IS LIKELY TO RECEIVE A POLYGRAPH AS PART OF THE TREATMENT OR SUPERVISION PROCESS?

(PROBE. If the respondent says YES, ask if that is always, almost always, or sometimes the case.)

- 0 = No or rarely
1 = Yes, always or most of the time
2 = Yes, sometimes
9 = DK

Q27



DO YOU REQUIRE THE SEX OFFENDER TO WAIVE CONFIDENTIALITY BETWEEN THE AGENT/OFFICER, THE TREATMENT PROVIDER, AND THE POLYGRAPH EXAMINER?

- 0 = No
1 = Yes
9 = DK

--	--	--



*Next, I'm going to ask you how often sex offenders receive polygraphs in certain situations. I'll read from a list of responses and you can choose one.*

Q28



**FIRST, HOW OFTEN DO SEX OFFENDERS RECEIVE POLYGRAPHS AS PART OF THE PRESENTENCE INVESTIGATION?** ☺ (Read responses)

- 0 = Never
- 1 = Rarely
- 2 = Sometimes (> > >)
- 3 = Often (> > >)
- 4 = Almost always or always (> > >)
- 9 = DK

(If sometimes, often, or always:)

**IS THERE A PARTICULAR NAME THAT YOU USE FOR THIS TYPE OF POLYGRAPH?**

Q29



**WHEN DENYING THEIR CURRENT CONVICTION?** ☺ (Read responses)

- 0 = Never
- 1 = Rarely
- 2 = Sometimes (> > >)
- 3 = Often (> > >)
- 4 = Almost always or always (> > >)
- 9 = DK

(If sometimes, often, or always:)

**IS THERE A PARTICULAR NAME THAT YOU USE FOR THIS TYPE OF POLYGRAPH?**

Q30



**TO OBTAIN SEXUAL HISTORY AND PAST OFFENSES?** ☺ (Read responses)

- 0 = Never
- 1 = Rarely
- 2 = Sometimes (> > >)
- 3 = Often (> > >)
- 4 = Almost always or always (> > >)
- 9 = DK

(If sometimes, often, or always:)

**IS THERE A PARTICULAR NAME THAT YOU USE FOR THIS TYPE OF POLYGRAPH?**

(If sometimes, often, or always:) (Q30A)

**HOW LONG AFTER TREATMENT BEGINS IS THIS TYPE (use the name) OF POLYGRAPH GIVEN?**

- 1 = Less than 3 months
- 2 = Between 3 and 6 months
- 3 = Between 6 months and a year
- 9 = DK

--	--	--

Q31



**HOW OFTEN DO SEX OFFENDERS RECEIVE POLYGRAPHS TO DETERMINE COMPLIANCE WITH THE CONDITIONS OF PROBATION OR PAROLE?** ☺ (Read responses)

- 0 = Never
- 1 = Rarely
- 2 = Sometimes (> > >)
- 3 = Often (> > >)
- 4 = Almost always or always (> > >)
- 9 = DK

(If sometimes, often, or always:)

**IS THERE A PARTICULAR NAME THAT YOU USE FOR THIS TYPE OF POLYGRAPH?**

Q32



**IS THE POLYGRAPH USED FOR ANY OTHER SITUATIONS THAT I HAVEN'T MENTIONED, FOR EXAMPLE, AFTER A CRITICAL INCIDENT OR IN PAROLE RELEASE DECISIONS?**

- 0 = No
- 1 = Yes (> > >)
- 9 = DK

(If YES) (Q32A)

**WHAT ARE THEY?**

---



---



---



**The next few questions are about consequences that may be imposed when the polygraph OR ANTICIPATION of taking the polygraph reveals new information.** (Do not read list of choices.)

Q33



**ARE THERE CONSEQUENCES IF AN OFFENDER IS CONSIDERED DECEPTIVE?** (PROBE.)

(1)	
(2)	
(3)	
(4)	

- 0 = No consequences
- 1 = Electronic monitoring
- 2 = Increase supervision
- 3 = Increase contacts
- 4 = Increase treatment
- 5 = Impose curfews
- 6 = Go back to court
- 7 = Revocation
- 9 = DK
- 10 = Other (Specify)
- 11 = Other (Specify)

(Q33A)

**HOW OFTEN ARE THESE CONSEQUENCES IMPLEMENTED?** ☺ (Read responses)

(If more than one consequence, address implementation of each consequence separately)

C1	C2	C3	C4

- 0 = Rarely
- 1 = Sometimes
- 2 = Always
- 9 = DK

--	--	--

Q34



**(ARE THERE CONSEQUENCES) IF SEX OFFENSES THAT HAPPENED BEFORE THE CURRENT CONVICTION ARE REVEALED?** (PROBE. Any others?)

(1)	
(2)	
(3)	
(4)	

- 0= No consequences
- 1= Contact law enforcement for investigation
- 2= Investigate
- 3= Contact DA for investigation
- 4= Go back to court
- 9= DK
- 10= Other (Specify)
- 11= Other (Specify)

(Q34A)

**HOW OFTEN ARE THESE CONSEQUENCES IMPLEMENTED?** ☹️ (Read responses)

(If more than one consequence, address implementation of each consequence separately)

C1	C2	C3	C4

0 = Rarely  
 1 = Sometimes  
 2 = Always  
 9 = DK

Q35



**(ARE THERE CONSEQUENCES) IF SEX OFFENSES THAT HAPPENED AFTER THE CURRENT CONVICTION ARE REVEALED?** (PROBE. Any others?)

(1)	
(2)	
(3)	
(4)	

- 0= No consequences
- 1= Contact law enforcement for investigation
- 2= Investigate
- 3= Contact DA for investigation
- 4= Go back to court
- 5= Revocation
- 9= DK
- 10= Other (Specify)
- 11= Other (Specify)

(Q35A)

**HOW OFTEN ARE THESE CONSEQUENCES IMPLEMENTED?** ☹️ (Read responses)

(If more than one consequence, address implementation of each consequence separately)

C1	C2	C3	C4

0 = Rarely  
 1 = Sometimes  
 2 = Always  
 9 = DK

Q36



**(ARE THERE CONSEQUENCES) WHEN A VIOLATION OF THE SUPERVISION CONDITIONS, OTHER THAN A NEW CRIME, ARE EXPOSED?** (PROBE. Any others?)

(1)	
(2)	
(3)	
(4)	

- 0= No consequences
- 1= Electronic monitoring
- 2= Increase supervision
- 3= Increase contacts
- 4= Increase treatment
- 5= Impose curfews
- 6= Go back to court
- 7= Revocation
- 9= DK
- 10= Other (Specify)
- 11= Other (Specify)

(Q36A)

**HOW OFTEN ARE THESE CONSEQUENCES IMPLEMENTED?** ☹️ (Read responses)

(If more than one consequence, address implementation of each consequence separately)

C1	C2	C3	C4

0 = Rarely  
 1 = Sometimes  
 2 = Always  
 9 = DK

--	--	--

Q37



**(ARE THERE CONSEQUENCES) WHEN THE RESULTS ARE INCONCLUSIVE?** (PROBE. Any others?)

(1)	
(2)	
(3)	
(4)	

- 0= No consequences
- 1= Retake polygraph exam
- 2= Increase supervision
- 3= Increase contacts
- 4= Increase treatment
- 9= DK
- 10= Other (Specify)
- 11= Other (Specify)

(Q37A)

**HOW OFTEN ARE THESE CONSEQUENCES IMPLEMENTED?** ☺ (Read responses)

(If more than one consequence, address implementation of each consequence separately)

C1	C2	C3	C4

- 0= Rarely
- 1= Sometimes
- 2= Always
- 9= DK

Q38



**DO YOUR OFFICERS/AGENTS HAVE THE AUTHORITY TO ARREST AND TEMPORARILY JAIL SOMEONE WITHOUT GOING BACK TO COURT FIRST?**

- 0= No
- 1= Yes
- 9= DK



*This next section is about how information regarding the polygraph is shared and how the treatment provider, polygraph examiner, and agent/officer work together.*

Q39



**HOW DOES THE POLYGRAPH EXAMINER LET YOUR AGENTS/OFFICERS KNOW ABOUT THE RESULTS OF THE POLYGRAPH TEST?**

- 1= Written report
- 2= Verbal report
- 3= Both written and verbal reports
- 4= Other (Specify)
- 5= Find out results from treatment provider
- 9= DK

(other)

(Q39A)

**HOW OFTEN WOULD YOU SAY THAT HAPPENS?** ☺ (Read responses)

Written

Verbal

- 1= Sometimes
- 2= Often
- 3= Always
- 9= DK

Three empty boxes for questionnaire number.

Q40



WHAT INFORMATION DOES THE AGENT/OFFICER PROVIDE TO THE POLYGRAPH EXAMINER ON A SPECIFIC SEX OFFENDER BEFORE A POLYGRAPH? (List all that apply.)

Large rectangular box for listing information provided.

- 0= No info provided
- 1= Entire acces to individual's file
- 2= Sexual history
- 3= Criminal history
- 4= Specific issues & concerns
- 5= Information on current conviction
- 6= Treatment provider provides information
- 9= DK
- 10= Other (Specify)
- 11= Other (Specify)

(Q40A)

HOW OFTEN WOULD YOU SAY THIS INFORMATION IS PROVIDED? ☺ (Read)

- 1 = Sometimes
- 2 = Often
- 3 = Always
- 9 = DK

Q41



IN THE COURSE OF A MONTH, HOW OFTEN WOULD YOU SAY THAT YOUR AGENTS/OFFICERS TALK TO THE POLYGRAPH EXAMINER BY PHONE OR IN PERSON ABOUT SPECIFIC CASES?

- 1 = Daily
- 2 = Weekly
- 3 = More than weekly but less than monthly
- 4 = Monthly
- 5 = Other (specify)
- 9 = DK

(other) [ ]

Q42



DOES THE TREATMENT PROVIDER FIND OUT THE RESULTS OF THE POLYGRAPH EXAMINATION FROM THE POLYGRAPH EXAMINER OR YOUR AGENTS/OFFICERS?

- 1 = Agent/officer
- 2 = Polygraph examiner
- 3 = Other (specify)
- 9 = DK

(other) [ ]

(Q42A)

HOW DOES THE TREATMENT PROVIDER FIND OUT THE RESULTS OF THE POLYGRAPH EXAMINATION?

- 1 = Written report
- 2 = Verbal report
- 3 = Both written and verbal report
- 4 = Other (specify)
- 9 = DK

(other) [ ]

Q43



HAS YOUR STAFF HAD TRAINING SPECIFICALLY ON THE USE OF THE POLYGRAPH WITH SEX OFFENDERS?

- 0 = No
- 1 = Yes (>>>)
- 2 = Some (>>>)
- 9 = DK

(If YES) (Q43A)

WHEN WAS THAT?

- 1 = Less than two years ago
- 2 = More than two years ago
- 3 = Ongoing
- 4 = Other (Specify)
- 9 = DK

(training comments) [ ]

QUESTIONNAIRE #

Three empty boxes for questionnaire number

Q44



HOW DO YOU CHOOSE THE POLYGRAPH EXAMINERS?

Large empty text box for answer

Q45



ARE YOU SATISFIED WITH THE QUALITY OF SERVICES YOU ARE RECEIVING FROM THE POLYGRAPH EXAMINER?

Response box

0 = No  
1 = Yes  
9 = DK

(Q45A)

WHY AND/OR WHY NOT?

Large empty text box for answer

Q46



IS THERE ANYTHING ELSE THAT WOULD HELP YOU BETTER USE POLYGRAPH SERVICES?

Large empty text box for answer

Q47



ARE THERE STANDARDS OF PRACTICE OR ANY CERTIFICATION/LICENSING FOR POLYGRAPH EXAMINERS IN YOUR STATE?

Response box

0 = No  
1 = Yes  
9 = DK

(If YES) *Would you be willing to send us any written information you have on this?*

SEND



INFO



*In this last section, I'm going to ask your opinions on how useful the polygraph is in managing sex offenders.*

Q48



HAS THE USE OF THE POLYGRAPH CHANGED THE WAY YOU MANAGE SEX OFFENDERS? (PROBE.)

Large empty text box for answer

QUESTIONNAIRE #

--	--	--

Q49



**IS THERE ANY OPPOSITION TO THE POLYGRAPH THAT YOU ARE AWARE OF?**


Q50



**IN YOUR OPINION, WHAT IS THE MOST IMPORTANT USE OF THE POLYGRAPH?** (PROBE. Anything else?)


Q51



**IN YOUR OPINION, DOES THE USE OF THE POLYGRAPH WITH SEX OFFENDERS INCREASE PUBLIC SAFETY? WHY OR WHY NOT?**




***Those are all the questions I have for you about the polygraph.***

***We would also like to talk to some treatment providers and polygraph examiners in your area for this research.***

QUESTIONNAIRE #

--	--	--



(CONTACT SHEET)



**COULD YOU GIVE ME THE NAMES AND NUMBERS OF ONE OR TWO TREATMENT PROVIDERS?**

TREATMENT PROVIDER (1) (Qx)

PHONE # (Qy)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

TREATMENT PROVIDER (2) (Qz)

PHONE # (Qaa)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--



**COULD YOU GIVE ME THE NAMES AND NUMBERS OF ONE OR TWO POLYGRAPH EXAMINERS?**

POLYGRAPH EXAMINER (1) (Qbb)

PHONE # (Qcc)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

POLYGRAPH EXAMINER (2) (Qdd)

PHONE # (Qee)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--



***That is all the information that I need.***

***Could you please send us copies of...to:***

(Look back through survey or your notes to recall the documents the respondent agreed to send to us.)

(Provide name/address/fax number to those sending us information.) (See check-off sheet.)

***Diane Pasini-Hill  
Colorado Division of Criminal Justice  
700 Kipling Street, Suite 1000  
Denver CO 80215  
fx (303) 239-4491 (Reference NIJ Survey)***

COLLECT



INFO

Q52



**WOULD YOU LIKE A COPY OF THE SURVEY RESULTS?**

<input type="checkbox"/>	0 = No
<input type="checkbox"/>	1 = Yes

END



***THANK YOU for your help with this research.  
Your opinions and the information you have provided are very important to us.***

***I may have questions as I review the survey later. Is it OK if I call you?***

***Also, my supervisor may call to verify that the interview was completed.***

## **APPENDIX B:**

### **Differences Among Five Jurisdictions in Four States Where File Data Were Collected**

# File Data Collection Site Descriptions

	Site A (n=62)	Site B (n=57)	Site C (n=31) and Site D (n=30)	Site E (n=52)
<b>Stage of polygraph implementation</b>	Well implemented. The polygraph has been used for a number of years.	Well implemented. The polygraph has been used for 16 years.	Newly implemented. Half of the cases (Site C) received at least one polygraph; the other half (Site D) had not received the polygraph but offenders knew the polygraph would be given in the future.	No polygraph.
<b>Description of sex offender program</b>	Each officer is assigned to one courtroom, allowing for a stable relationship to develop with that judge. Close relationship with the police and their sex offender-tracking unit. This unit checks for warrants everyday. Field officers (not Pos) conduct home visits. A ten year deferred judgement is the most common sentence given.	Had the ability to impose swift sanctions like jail. Victim oriented. Polygraph examiners were located in same building as POs so lots of communication. Thorough sex histories with frequent updates and addendums. Consistent sanctions.	Utilized many supervision methods, including non-traditional officer work hours, home visits, and collateral interviews.	This was a treatment site. Before the offender enters treatment, a battery of tests is given (most importantly, the ABEL screen). It allows the therapist to begin learning about the offender's behavior quickly. The offenders filled out sex histories for the researchers, but they were not implemented in the program yet.
<b>Frequency of polygraphs</b>	Time between polygraphs ranges from one month to a couple of years.	Generally, polygraphs given at regular intervals between 3 and 6 months.	Early implementation and thus regular schedules were not noted.	Not applicable.
<b>The sample</b>	A random sample of 62 offenders was drawn from the caseloads of 17 officers. All were in treatment at the same program for at least 6 months and had received at least one polygraph.	A random sample of 57 offenders who began supervision between July 1995 and October 1997, drawn more or less evenly across four officers' caseloads. All offenders had received at least one polygraph.	There were 61 cases drawn to represent those in treatment for at least six months. Cases drawn from two sites. All those who had received at least one polygraph were included. The remainder was drawn randomly across 10 officer's caseloads. All had been in treatment at least 6 months.	A random sample of 52 cases in treatment at least 3 months, with priority on those in treatment at least 6 months.
<b>Time frame during which an offender could be on community supervision.</b>	Between 8 months and years 5 years	Between 9 months and 11 years	Between 6 months and 7 years	Between 3 months and 5 years
<b>Types of cases/ felony-misdemeanor</b>	Felony	Felony	Felony and Misdemeanor	Felony and Misdemeanor
<b>Types of offender/ parolee or probationer</b>	Probationers	Parolees and Probationers	Parolees and Probationers	Probationers
<b>Data collection time frame</b>	April 1999 and May 1999	July 1998 and November 1998	February 1999	March 1999
<b>Data Sources Before the treatment/ polygraph process</b>	Criminal justice file, including the PSIR.	Criminal justice file, including the PSIR.	Criminal justice file, including the PSIR.	Treatment file. Probation summary containing demographics, a description of the current crime, and past convictions. Some files contained police reports. Data collectors note that files may not reflect all that is known to the criminal justice system. No PSIR was available.
<b>Data Sources - After the treatment/ polygraph process</b>	Criminal justice file, including the PSIR, sex history form, polygraph reports, and some treatment homework assignments.	Criminal justice file, including the PSIR, sex history form, and polygraph reports.	Criminal justice file, including the PSIR, and sex history form. Polygraph reports were sometimes available. Some results were communicated over the phone and noted in the file.	In order to examine the treatment process, ABEL screen assessments, written sexual history documents, and therapists notes were examined and documented.
<b>Special caveats about data differences</b>			Sex history forms filled out very close to data collection and may not have been integrated as part of treatment. Some polygraph files not available. Polygraph information noted in the file.	Sex history forms filled out very close to data collection and may not have been integrated as part of treatment. Incomplete criminal justice information. Most detail on current crime only.

# **APPENDIX C:**

## **File Data Collection Instrument**

DCJ ID#

--	--	--	--	--	--

**OFFENSES CHARGED:**

<i>1st Most Serious</i>	<i># of Counts</i>	<i>Felony Class</i>
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>

<i>2nd Most Serious</i>	<i># of Counts</i>	<i>Felony Class</i>
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>

<i>3rd Most Serious</i>	<i># of Counts</i>	<i>Felony Class</i>
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>

\_\_\_\_\_ *Total Counts Charged*

--	--

**OFFENSES AT CONVICTION:**

<i>1st Most Serious</i>	<i># of Counts</i>	<i>Felony Class</i>
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>

<i>2nd Most Serious</i>	<i># of Counts</i>	<i>Felony Class</i>
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>

<i>3rd Most Serious</i>	<i># of Counts</i>	<i>Felony Class</i>
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>

\_\_\_\_\_ *Total Counts Convicted*

--	--

*For Those Convicted*

--

- 1 = Guilty as charged
- 2 = Guilty to a lesser felony
- 3 = Guilty to a misdemeanor
- 4 = Incompetent to stand trial
- 5 = Not guilty (insanity)
- 6 = Charges reduced/drop due to plea in another case

*Placement*

--	--

**Probation**

- 01 = Probation only
- 02 = Probation concurrent w/ earlier sentence to prob
- 03 = Probation w/jail sentence
- 04 = Adult diversion (DA office)
- 05 = ISP
- 06 = ISP w/jail
- 07 = Probation w/work release
- 08 = FOP (female offender prog)
- 09 = SDOP (specialized drug offender program)

**Community Corrections**

- 15 = Comcor as condition of probation
- 16 = Direct sentence to comcor
- Jail**
- 20 = Jail only
- 21 = Jail and fine
- 22 = Jail with work release
- 23 = Other sentence to jail
- Prison**
- 30 = Prison only
- 31 = Prison and probation (Rule 35B)
- 32 = YOS

**Other**

- 40 = Suspended sentence only
- 50 = Fine only
- 60 = Restitution only
- 70 = UPS only
- 80 = Other: specify \_\_\_\_\_

**SENTENCE (for current conviction):**

<i>Prison Sentence (mos)</i>	<i>Jail Sentence (days)</i>
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>

<i>Comcor (mos)</i>	<i>Jail Credit (days)</i>
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>

*Probation Supervision.....Months*

--	--	--	--

1 = Supervised  
2 = Unsupervised

**CRIMINAL HISTORY:**

- 0 = 0
- 1 = 1
- 2 = 2
- 3 = 3+

<b>Juvenile</b>		<b>Adult</b>		
Arr	Conv	Arr	Conv	
<input style="width: 20px; height: 20px;" type="text"/>	<i>Violent</i>			
<input style="width: 20px; height: 20px;" type="text"/>	<i>Nonviolent</i>			
<input style="width: 20px; height: 20px;" type="text"/>	<i>Misdemeanor</i>			
<input style="width: 20px; height: 20px;" type="text"/>	<i>Felony</i>			
<input style="width: 20px; height: 20px;" type="text"/>	<i>Prior Sex Offenses</i>			
<input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="text"/>	<i>Age at 1st Arrest (juv or adult)</i>		

**DEMOGRAPHICS:**

*DOB*

--	--	--	--	--	--

*Sex*

--

1 = Male  
2 = Female

*Ethnicity*

--

1 = Anglo/white  
2 = Black  
3 = Hispanic  
4 = Am Indian  
5 = Asian  
6 = Other

*Marital Status*

--

1 = Single  
2 = Married  
3 = Sep/Div  
4 = Widowed  
5 = Common law

*Education Last Grade*

--	--

(Last grade completed)

00-11 = Actual grade  
12 = High school  
13 = Some college  
14 = College degree  
15 = Some graduate  
16 = Graduate deg & higher  
17 = GED

*Employment at Arrest*

--

1 = Full time  
2 = Part time  
3 = Employed/student  
4 = Unemployed  
5 = Sporadic

*# of Dependents*

--

(Actually supported)

*Stability*

--

During the 2 years before arrest for this case:  
1 = Has continuously resided at the same address  
2 = Has moved 1,2,3 times  
3 = Moved > 3 times  
4 = Transient









**ANECDOTAL INFORMATION:** *(Note case information relating to any of the following topics not already recorded.)*

(1) PERPETRATOR CHOOSES SPECIFIC KNOWN VICTIM

---

---

(2) PERPETRATOR CHOOSES VICTIM OPPORTUNISTICALLY

---

---

(3) OFFENDER GROOMS VICTIMS

---

---

(4) PERPETRATOR SEEKS EMPLOYMENT, LIVING SITUATIONS, OR POSITIONS OF TRUST TO HAVE ACCESS TO VICTIMS

---

---

(5) PERPETRATOR DISPLAYS VIOLENT BEHAVIOR OTHER THAN SEX OFFENSES

---

---

(6) PERPETRATOR USES WEAPONS TO GAIN ACCESS TO VICTIMS

---

---

(7) OTHER M.O. INFORMATION

---

---

(8) HOW WERE DISCLOSURES OF ADDITIONAL VICTIMS HANDLED IN THIS CASE?

---

---

**DEFINITIONS**

(1) PERPETRATOR CHOOSES SPECIFIC KNOWN VICTIM. Includes: relative, acquaintance, friend, position of trust, victim IDed by perpetrator before crime.

(2) PERPETRATOR CHOOSES VICTIM OPPORTUNISTICALLY. Perpetrator intends to commit crime (cruising, fantasizing, even planning) but victim is chosen with little regard to specific identity (victim in the wrong place at the wrong time).

(3) OFFENDER GROOMS VICTIMS. Grooming means preparing a person (usually a child) to become a victim by looking for vulnerabilities, gaining trust, and (often) gradually introducing sexual behaviors. Implies a relationship between offender and victim, albeit an unequal one.

(4) PERPETRATOR SEEKS EMPLOYMENT, LIVING SITUATIONS, OR POSITIONS OF TRUST TO GAIN ACCESS TO VICTIMS. Look for types of employment, hobbies (Boy Scouts, etc.), working in amusement parks, and participation in church activities involving children.

(5) PERPETRATOR DISPLAYS VIOLENT BEHAVIOR. Includes: assaultive behavior and domestic violence.

(6) PERPETRATOR USES WEAPONS. Weapons include knives, guns, etc.

(7) OTHER M.O. INFORMATION. Any other information on how the perpetrator victimizes/gains access to victims not already noted (use of cars, use of deception, anger control a special problem, impulse control a special problem).

## **APPENDIX D:**

### **File Data Collection Instrument Coding and Definitions**

# File Data Collection Coding and Definitions

<b>RELATIONSHIP DEFINITIONS:</b>	
<b>Relative</b>	Mother, father, spouse, stepfather, stepmother, uncle, aunt, grandparent, step relations, other extended family, live-in boyfriend, live-in girlfriend.
<b>Trust</b>	Teacher, caregiver, babysitter, minister, boyfriend, girlfriend, date, friend, therapist, police officer, etc.
<b>Stranger</b>	Stranger, acquaintance.

<b>PARAPHILIAS/OFFENSES:</b>	
<b>Vaginal Penetration</b>	Includes penile, digital, and cases where the perpetrator is a female against a male victim.
<b>Anal Penetration</b>	Any type.
<b>Attempted Penetration</b>	Attempted but not completed, any type.
<b>Oral Sex</b>	By victim or offender.
<b>Urination</b>	As part of or during sex act. With consent, without consent, or alone.
<b>Coprophelia</b>	Feces as part of or during sex act. With consent, without consent, or alone.
<b>Fondling, Frottage</b>	Without consent or may be without victim's knowledge.
<b>Exhibitionism</b>	Usually involves a victim but also includes being undressed or exposed in a public place. Those situations were recorded in the nonspecific victims section of the form.
<b>Voyeurism</b>	May have occurred without the victim's knowledge.
<b>Ritualistic Behavior, Bestiality, Bondage</b>	This code reflected bestiality 99% of the time. There were few incidents of ritualistic behavior or bondage. This was mostly coded in the nonspecific victims section of the form even though we would have liked to have considered the animals as specific victims.
<b>Excessive aggression, Sadism, Weapon, Spanking</b>	During the commission of the crime.
<b>Assaultive Behavior, Including Domestic Violence</b>	Could be up to, including, or after the offense. It is a high-risk behavior, so it did not necessarily have to be directed toward the victim.
<b>Murder</b>	Code never used.
<b>Stalking</b>	May or may not be directed toward victim of sexual crime.
<b>Alcohol/Drugs to Victim without Consent</b>	This includes minors under age 18 because, by definition, minors cannot consent -- even if the minor asked for the drugs or alcohol.
<b>Offender Under Influence of Alcohol/Drugs During Act</b>	
<b>Offender Abuses Alcohol/Drugs During General Time Periods When Offenses Occur</b>	Related to offense cycle.
<b>More Than One Unwilling Participant in Incident</b>	
<b>Pornography</b>	Adult/child, sale/distribution, or non-porn as porn. May or may not involve a victim.

<b>Use of Internet or Obscene Phone Calls</b>	Victims were often unknown since contacts were random, unless the perpetrator was targeting someone specific. If the offender was perusing the internet looking at pornography, this code and the pornography code was marked in the nonspecific victims section.
<b>Masturbating to Deviant Fantasy/Theft of Undergarments</b>	Since the masturbating part could have applied to almost everyone, we did not code unless specific mention was made of masturbating to the victim or clearly a deviant fantasy.
<b>Excessive/Increased Masturbation</b>	Again, we tried to be a little bit more conservative on this one since it could have applied to everyone. We did not code unless there was a clear indication of excessive or increased.
<b>Specific Preparation</b>	Driving around with paraphernalia to use on victims, wearing t-shirts to attract children, cruising video arcades or swimming pools. The behavior does not have to be targeted toward specific victims, only an indication that the offender is attempting to find victims or is preparing to assault victims is needed.
<b>Other Behaviors</b>	Prostitution-visiting or being a prostitute, cruelty to animals, childhood firesetting, childhood long-term bedwetting, violations of probation conditions, visiting peep shows, strip clubs, or topless bars, unsupervised contact with children, group sex, fantasies, cross dressing, fetishism.

#### DEFINITIONS OF OTHER TERMS:

<b>Victim</b>	A victim is someone who was assaulted without consent, or in some cases, knowledge. For minors, a victim exists if there is a four-year age or if the perpetrator is an adult and the minor is less than the age of consent. States have varying ages of consent.
<b>Incest</b>	Includes any relative listed in the relative category.

#### FREQUENCY CODES:

Whenever possible we tried to record as close to the actual number of offenses that occurred as listed in 1-5 below. When we could not get actual numbers, we tried to find the best fit from the choices listed 11-19. When there was a victim's statement and there was a difference between the victim's report and the perpetrator's, we used the victim's (this only applies to the file information section of the collection form, the rest of the form was based on the perpetrator's self-report).

1= Once a day of more to once a week	(52-360 times per year or more)
2= Less than once a week to once a month	(12-51 times per year)
3= Less than once a month to six times per year	(6-11 times per year)
4= One time per year to five times per year	(2-5 times per year)
5= Less than once a year to once in life	(<1 time per year to 1 time in life)
11= Hardly ever/a little/once in a while	
12= Some/sometimes	
13= A fair amount/a lot/many/often/hundreds	
15= Happened over a period of days	
16= Happened over a period of weeks	
17= Happened over a period of months	
18= Happened over a period of years	
19= Multiple times during the same offense	