

NAME:

CASE #:

COURT: Choose court from list

POLYGRAPH EXAMINERS

Your conditions of supervision require you to complete **CLINICAL POLYGRAPH EXAMS**. Select the provider of your choice from the list below. You are expected to attend appointments as scheduled and complete testing in a timely manner. You are responsible for full payment of all examiner fees.

<input type="checkbox"/> BARTON, MICHAEL Contact: Michael Barton 6750 Hillcrest Plaza Drive # 304 Dallas, TX 75230 512.251.3884	<input type="checkbox"/> LEE, RAYMOND Contact: Raymond Lee 407 N. Cedar Ridge, Suite 210 Duncanville, TX 972.572.2224
<input type="checkbox"/> BEHAVIORAL MEASURES & FORENSIC SERVICES, INC. Contact: Eric Holden 1720 Regal Row, Suite 20 Dallas, TX 75235 972.437.4597	<input type="checkbox"/> SOUTHWEST POLYGRAPH SERVICES Contact: Don Marsh 5109 Brentwood Stair Rd. Fort Worth, TX 76112 817-451-1122
<input type="checkbox"/> CHIMARYS, MICHAEL POLYGRAPH SERVICE Contact: Michael Chimarys 225 W. 103 South Woodrow St. #5 Denton, TX 76201 817-909-3411	<input type="checkbox"/> JOHN SWARTZ POLYGRAPH SERVICES Contact: John Swartz 14275 Midway Road, Suite 220 Dallas, TX 75001 1.800.296.7172
<input type="checkbox"/> FINIAN POLYGRAPH SERVICES Contact: Joey McCarthy 2100 North Hwy 360, Suite 500A Grand Prairie, TX 75050 (Tarrant County side) 214.499.7622	<input type="checkbox"/> WOOD & ASSOCIATES Contact: Rhonda 2305 D Roosevelt Drive Arlington, TX 76016 817.275.0447 **** BOTH CLIENT-PAY and CSCD-FUNDED ****

Please take \$ for appointment.

APPOINTMENT DATE:

APPOINTMENT TIME:

Supervision Officer's Signature

Probationer's Signature

Date

DATE REFERRED:

CID#:

Exhibit A

YAHOO! SMALL BUSINESS
CLASSIC

Print - Close Window

Subject: RE: polygraph examiners
Date: Thu, 3 Jan 2008 10:35:48 -0600
From: "David L. Kilpatrick" <DLKilpatrick@TarrantCounty.com>
To: "Joey McCarthy" <joe@fenianpolygraph.com>

please give me the name of the probationer and the provider involved. We've just dealt with one of the providers on this issue and I need to know if it's the same one, same issue or a new one. Yes, the P gets to choose, and both the treatment provider nor the officer can insist on one over another, period.

From: Joey McCarthy [mailto:joe@fenianpolygraph.com]
Sent: Thursday, January 03, 2008 10:21 AM
To: David L. Kilpatrick
Subject: polygraph examiners

Hi Mr. Kilparick,

I hope you had a good holiday. I have a question for you. It appears from the approved polygraph examiners list that the probationer has the choice of who to pick for a polygraph exam. What is the penalty for a sex offender therapist in Tarrant County telling a probationer that he has to go to one of two people instead of Joey or she will kick him out of group therapy? Please call me on my cell at ~~214-582-2143~~.

Thank you,
Hollie Greene

Exhibit B

YAHOO! SMALL BUSINESS
CLASSIC

Print - Close Window

Subject: RE: polygraph examiners
Date: Thu, 3 Jan 2008 11:27:20 -0600
From: "David L. Kilpatrick" <DLKilpatrick@TarrantCounty.com>
To: "Joey McCarthy" <joe@fenianpolygraph.com>

Great. Yeah, we can do that. We just sent such a letter to one provider. It's a warning letter stating that continuing to do this will lead to suspension of referrals to them. The rule dealing with this in the MOU basically states that one provider (of any kind) cannot refer a probationer to another provider (of any kind) unless this is approved by the officer beforehand. This was put in mainly to deal with substance abuse providers kicking someone out and sending them to another provider w/o the officer's knowledge, which was a common issue. The strange symbiotic relationship between sex offender providers and polygraphers hasn't been addressed to clarify this doctrine with them, but it is overdue. The problem I can see arising from this is twofold:

- 1) the officer will agree with the provider and confirm to the probationer that they are to go to XYZ polygrapher as instructed by the provider
- 2) This will negate the "free choice" of the probationer to choose, but the comeback from the providers & polygraphers will be to say they have a partnership of some sort and that it is their professional judgement that they only use one provider

This will ultimately have to be settled by the department and/or the courts.

From: Joey McCarthy [mailto:joe@fenianpolygraph.com]
Sent: Thursday, January 03, 2008 11:20 AM
To: David L. Kilpatrick
Subject: RE: polygraph examiners

I will get that information out to you ASAP. Joey is checking his voicemail to confirm the probationer's last name. Is there any way that Tarrant County can send a letter to the sex offender therapists to reiterate to them that the polygraph examiner is the choice of the probationer and no one else?

"David L. Kilpatrick" <DLKilpatrick@TarrantCounty.com> wrote:

please give me the name of the probationer and the provider involved. We've just dealt with one of the providers on this issue and I need to know if it's the same one, same issue or a new one. Yes, the P gets to choose, and both the treatment provider nor the officer can insist on one over another, period.

From: Joey McCarthy [mailto:joe@fenianpolygraph.com]
Sent: Thursday, January 03, 2008 10:21 AM
To: David L. Kilpatrick
Subject: polygraph examiners

Exhibit D