



California Sex Offender Management Board
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CASOMB Post-Conviction Sex Offender Polygraph Standards

Section 9 – Suitability for testing

- 9. Suitability for testing.** Suitable examinees should, at a minimum, be expected to have a capacity for:
- A. Abstract thinking, as demonstrated by awareness of the context of the examination referral;
 - B. Insight into their own and others' motivation, as demonstrated by the ability to express basic reasons for being honest or dishonest and the basis for the concerns of the referring professional or retaining persons;
 - C. Understand right from wrong, as demonstrated by an ability to verbalize potential reasons for being honest or dishonest and the potential consequences for dishonesty or truthfulness;
 - D. Tell the basic difference between truth and lies, as demonstrated by the ability to recognize, describe or identify incidents, circumstances or examples of lying and dishonesty;
 - E. Anticipate rewards and consequences for behavior, as demonstrated by an ability to verbalize potential rewards and consequences for honesty or dishonesty to the examination questions or other contexts; *and*
 - F. Maintain consistent orientation to date, time, and location, as demonstrated by independent functioning sufficient to transport oneself to the examination location at the scheduled date and time (Examiners should rely on professional information sources to determine orientation or disorganized functioning when examinees are residing in or transported from institution or secured setting).
- 9.1. Special Populations.** Examiners should conduct all examinations in a manner that is sensitive to any medical, mental health or developmental issues that may affect the examinee's functioning or the quality of the examination data. There is not published research or theoretical rationale

suggesting that any medical, mental health, or development issues would result in erroneous examination results for individuals who meet the normal functional requirements for polygraph examinees. Ethical professional and empirical practices suggest that the application of normative data and normative interpretation rules to exceptional individuals should always be regarded with caution.

9.1.1 Medications. Persons who require the administration of multiple prescription medications to manage the potentially overwhelming effects of a diagnosed medical or mental health condition may be regarded as marginally suitable for polygraph testing. Test results for these individuals should be accordingly qualified and viewed with caution.

9.1.2 Examiners should obtain and note in the examination report a list of the examinee's prescription medication(s), any medical or psychiatric conditions, and any diagnosed acute or chronic medical health conditions.

9.1.3 Medical. Persons with some acute or chronic medical/physical conditions may be regarded as marginally suitable for polygraph testing, at which times the test results should be accordingly qualified and viewed with caution. However, there is not published research or theoretical rationale suggesting that any medical conditions would interfere with the polygraph test or that polygraph testing would interfere with known medical conditions.

9.1.4 Except as precluded by law or regulations, examiners should note in the examination report any diagnosed acute or chronic medical condition.

9.1.5 Mental Health. Individuals may be tested when their psychiatric conditions have stabilized. Individuals diagnosed with psychotic mental health disorders should be viewed as marginally suitable for polygraph testing. Test results for these persons should be reported as qualified and the test results should be viewed with caution.

9.1.6 Except as precluded by law or regulations, examiners should note in the examination report any examinee that reports being diagnosed with a serious mental health condition, including medically or age related dementia/delirium, and the use of psychotropic medications.

9.1.7 Developmental. Persons with diagnosed development disorders should not be tested unless it can be reasonably expected that the goals of the program, agency can be met by the polygraph testing, and that the testing process will not jeopardize the health or safety of the examinee. These individuals should be viewed as marginally

suitable for polygraph testing.

9.1.8 Containment teams should determine suitability on a case-by-case basis for prospective examinees that have diagnosed developmental disorders, such as serious impairment in cognition/memory, learning, language, communication, conceptual functioning, or temporal/organizational deficits.

9.2. Unsuitable examinees. Examiners should not test examinees who present as clearly unsuitable for polygraph testing at the time of the examination.

9.2.1. Mental Health. Persons who are acutely psychotic, suicidal, or have unstable or severe mental health conditions, including dementia, should not be tested.

9.2.2. Age. Persons whose chronological age is 18 years or greater should be considered suitable for polygraph testing unless they are substantially impaired. Persons age 16 or older may be tested, as determined on a case-by-case basis by the Containment Team, in order to promote community safety. Polygraph testing should not be attempted with persons whose IQ is less than 70.

9.2.3. Level of functioning. Persons whose level of functioning is deemed impaired and warranting continuous supervision or assistance may not be suitable for polygraph testing.

9.2.4. Acute injury or illness. Persons suffering from an acute serious injury or illness involving acute pain or distress should not be tested.

9.2.5. Controlled substances. Persons whose functioning is observably impaired due to the influence of non-prescribed or controlled substances should not be tested.