

APA MODEL POLICY FOR DOMESTIC POLYGRAPH TESTING

ADOPTED 8-26-17

STATEMENT OF PURPOSE: This Model Policy for Domestic Polygraph Testing is provided to assist field examiners and referring professionals in the use of the polygraph test to investigate the credibility of persons in domestic relationships. The purpose of this Model Policy is to support compliance with and adherence to established practice standards and best practices in the application of the polygraph test in the domestic context. Examiners should know and adhere to all legal requirements and practice regulations in their local jurisdiction. This Model Policy may serve as a point of reference for the development of standardized practice requirement for an agency or local jurisdiction. In case of any conflict between the Model Policy and any local practice requirements the local regulations should prevail. Examiners who work in jurisdictions and programs without local regulations may refer to this Model Policy as a guide.

1. **DEFINITION:**

- 1.1 Domestic polygraph tests are those in which the examinee and examination target issues involve the credibility of statements regarding interpersonal behavior between spouses, live-in partners, non-domiciled marital or intimate partners, children, parents, extended family members and blended family members. A defining characteristic of these examinations is the absence of any professional referral from involvement of law enforcement, judicial authorities, protective services, attorney, investigator, or other professional. Examinations conducted with the involvement of professionals from law enforcement, judicial officials, and protective services may be subject to other standards and guidelines and may not be subject to this Model Policy.

2. **EXAMINER RESPONSIBILITIES**

- 2.1 **Compliance:** All polygraph examinations should be conducted in compliance with applicable law, and APA Standards of Practice regarding instrumentation, sensors, audio/video recording, testing format, use of an acquaintance test, analysis and reporting.
 - 2.1.1 Informed consent should include an explanation to the examinee that they are not required to submit to the examination and that the examination can be terminated at any time, and should be obtained independently and without the presence of any referring party.
 - 2.1.2 Examiners should maintain all case materials, including referral information, interview notes, test data, analysis, results, examination

report and audio/video recordings in a manner that is consistent with applicable law and APA Standards of practice.

2.3 **Professional roles:** Polygraph examiners should limit their role to the investigation of credibility and should refrain from all other attempts to intervene or assist with the resolution of differences or conflicts between persons in domestic context. Examiners should remain aware that the professional provision of advice or counseling to assist with domestic relationship problems is a regulated professional activity in most jurisdictions, and can involve potential volatility for some types of relationship distress.

2.3.1 Examiners should limit their involvement with each examinee to a single professional relationship, and should avoid engaging in a dual relationship with the examinee or referring person.

2.4 **Referral:** Examiners should clearly document the referral source, whether professional or self-referral. Examinations should be regarded as self-referred when the test is not initiated at the request of another professional who is assisting with the domestic problem, including when the examination is initiated by person with whom the examinee has a domestic relationship. Examiners should remain aware that working with domestic relationships under stress (i.e., those experience some form of problem that is in need of resolution) may be different from relationships under distress (for which the future viability of the relationship is unknown or questionable). Examiners should be aware that some relationships in crisis can become volatile and even dangerous. It is the role of other helping professionals, not the polygraph examiner, to work with the individuals in the domestic context to evaluate the safety and viability of the domestic relationship.

2.4.1 When a domestic polygraph is conducted after referral from another professional who is assisting with the domestic problem the examination results, information and examination report should be provided to the referring professional.

2.4.2 When a domestic polygraph conducted without referral from another professional the test results, information and examination report should be provided to the examinee and other domestic persons involved in the examination referral. Results may also be provided to others as requested by the client and consistent with the provisions of the consent form signed by the examinee.

2.4.3 Examiners should refrain from conducting domestic polygraph when there is evidence of violence or unsafe volatility, unless other professionals are involved to assist with the evaluation and maintenance of the safety of all persons involved in the domestic context.

2.5 **Setting**: Domestic polygraphs should be conducted in a professional setting, and should not be conducted in a residence or domicile. Others with personal non-professional interest in the outcome of the examination should not witness the examination as it is conducted.

2.5 **Examination report**: Examiners should provide test result in the form of a written report that memorializes the details and conclusions of the polygraph test, including the testing instrumentation, testing format, content of the pretest interview, test questions, test results and any addition following the analysis and discussion of the test result.

2.5.1 Where no written report is requested, the examiner should retain a draft report with the examination file, or should minimally retain sufficient notes and information that the details of the test, including the testing instrumentation, testing format, content of the pretest interview, test questions, test results and any addition following the analysis and discussion of the test result can be accurately discussed at a later time, including the completion of a written report, if necessary.

2.6 **Confidentiality and mandatory reporting**: Except as provided by law, information from the polygraph examination and test results (outcomes) should be kept confidential and provided only to those involved in the examination and referral.

2.6.1 Examiners should not engage in mandatory reporting activities, for known or suspected abuse of children or other vulnerable persons, except where required by law (i.e., whenever polygraph examiners are named or listed in statutes describing mandatory reporting requirements).

2.6.2 Examiners should remain aware that referring professionals will likely be subject to mandatory reporting or other mandatory disclosure requirements such as when it is know that an individual is planning to harm another.