

APA MAGAZINE

The Magazine for the Polygraph Professional

July/August 2013
Volume 46,4

In this Issue

2013 Elections

Final Preparations
for the 2013
APA Seminar

Instrument
Manufacturers
Respond to
Media Reports



LX5000 Advanced Computerized Polygraph

The LX5000 provides superior physiological data and the most advanced electrodermal solutions that have ever been available to polygraph examiners. Backed by hardware and software engineers with decades of experience, the LX5000 system offers a robust platform that stands apart from other systems, performing under the most demanding conditions. *Our LX5000 is the most advanced and flexible polygraph system available today!*

LX5000 Hardware Features

Designed as a robust system that is significantly smaller in size, our basic LX5000 System records nine channels at a time, and provides you with many additional benefits including:

- Data transfer rate up to 360 samples per second across all channels
- 24-bit analog to digital conversion
- Small, compact design making transport and storage easy
- Can add up to 9 additional channels (18 total)
- Extended measurement ranges
- Selectable GSR or GSC channel
- Dedicated PPG channel included
- Durable, yet lightweight design
- Operation with our proven, state-of-the-art LXSoftware
- 3 year warranty and lifetime technical support

LXSoftware v11.1 Features

Windows®-based since 1994, our software offers unparalleled ease-of-use and proven reliability, and is Windows® 7 compatible. LXSoftware comes with POLYSCORE® and Objective Scoring System Scoring Algorithms, as well as, the following features:

- Updated User List and Audit Trail
- Ability to “Snap” an Individual Trace to Baseline
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- Six EDA choices (GSR or GSC - manual, detrended, and automatic)
- Multi-Camera Support: will support up to 16 cameras, providing multiple views of the subject
- Customizable Personal History and Exam/Series forms
- Scripting Capability
- Save Polygraph Files and all other documents as PDF formats

sales@lafayetteinstrument.com

www.lafayettepolygraph.com

Phone: (765) 423-1505



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Instrument®**

Contributors to this issue

Tuvya Amsel
George Baranowski
Matthew Barron
Robbie Bennett
Jamie Brown
Shane Drake
Robert Ennis
Walt Goodson
Mike Gougler
Michael Lynch
Jamie McCloughan
Raymond Nelson
Robert Peters
Pam Shaw
Stanley Slowik
Brent Smitely
Gordon Vaughan
Guillermo Witte
James Wygant

Deadlines

This issue closed on July 1, 2013.

Deadline for
September/October, 2013 issue
is September 21, 2013.

Submission of Articles

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BASIC - 2013 - United States

Professional Polygraph Examiner's Basic Training Program

Winter 2013

Schedule 1: January 7 - March 15, 2013 (**Stockbridge, GA**) 10 weeks

Schedule 2: January 7 – March1, 2013 (**Stockbridge, GA**) 8 weeks

Spring & Summer 2013

Schedule 1: May 28 – August 2, 2013 (**Stockbridge, GA**) 10 weeks

Schedule 2: May 28 – July 19, 2013 (**Stockbridge, GA**) 8 weeks

Fall 2013

Schedule 1: August 26 - November 1, 2013 (**Stockbridge, GA**) 10 weeks

Schedule 2: August 26 - October 18, 2013 (**Stockbridge, GA**) 8 weeks

BASIC - 2013 – South Africa

Professional Polygraph Examiner's Basic Training Program

Schedule 1: March 18 – May 24, 2013 (**Pretoria**) 10 weeks

Schedule 1: September 30 – December 6, 2013 (**Pretoria**) 10 weeks

Advanced Training / Continuing Education

Basic PCSOT 40 hour Seminar / Stockbridge, GA

November 4 – 8, 2013

Advanced PCSOT 16 hour Seminar / Stockbridge, GA

TBA

Editor's Corner

Election 2013 is upon us. Ten APA members have notified the National Office of their candidacy for office.

The candidacy statements for all contenders can be found on pages 6 - 17 of this issue of the *APA Magazine*, and in the Members section of the APA website (www.polygraph.org). As in years past, members can also submit write-in votes during the balloting.

Elections will take place online from July 15th through July 21st at the secure website <https://eballot4.votenet.com/polygraph/login.cfm>. Your userid and password will be sent to you the day before the election by way of the email address you have registered on the APA website.

To win election, a candidate must garner more than 50% of the ballots cast for that office. If no candidate for a given office reaches this level, a runoff election will take place August 5th – 11th between the two candidates having the highest vote counts. I will send more information if a runoff is required.

If you have any questions, contact me at editor@polygraph.org.

Don't forget to vote!

APA BOARD OF DIRECTORS 2012-2013

President

Barry Cushman
c/o PPD
109 Middle Street
Portland, ME 04101
president@polygraph.org

President - Elect

Charles (Chuck) Slupski
P.O. Box 2008
619 Hwy 138 West, Ste. C
Stockbridge, GA 30281
polygraphchuck@gmail.com

Chairman of the Board

Pam Shaw
1890 Starshoot Parkway
Suite 170-366
Lexington, KY 40509
chairman@polygraph.org

Vice President – Government

Robert Peters
vpgovernment@polygraph.org

Vice President – Private

George Baranowski
1912 E US Hwy 20, Suite 202
Michigan City, IN 46340
vpprivate@polygraph.org

Vice President – Law Enforcement

Walt Goodson
Captain HRM Promotions
Texas Dept. of Public Safety
P.O. Box 4087
Austin, TX 78773-0001
vpawenforcement@polygraph.org

Secretary

Vickie T. Murphy-Carr
8424 Veterans Highway, Suite 3
Millersville, MD 21108-0458
secretary@polygraph.org

Director

Michael Gougler
P.O. Box 4022
Lago Vista, TX 78645
directorgougler@polygraph.org

Director

Jamie McCloughan
directormccloughan@polygraph.org

Director

Ray Nelson
directornelson@polygraph.org

Director

Donnie Dutton
directordutton@polygraph.org

Ex Officio Members

National Office Manager

Robbie Bennett
P.O. Box 8037
Chattanooga, TN 37414-0037
manager@polygraph.org

Treasurer

Chad Russell
252 Helmsdale Drive
Henderson, NV 89104
treasurer@polygraph.org

General Counsel

Gordon L. Vaughan, Esq.
Vaughan & DeMuro
111 S. Tejon St., Suite 545
Colorado Springs, CO 80903-2245
gvaughan@vaughandemuro.com

Editor-in-Chief

Donald J. Krapohl
P.O. Box 10411
Ft. Jackson, SC 29207
Editor@polygraph.org

Candidate Statements for the 2013 Election of APA Board Officers

Elections will be held electronically this year from July 15 through July 21. There are seven open offices: President Elect, Vice President Government, Vice President Law Enforcement, Vice President Private, Director 1, Director 3, and Director 5. Ten qualified APA members have notified the APA National Office of their candidacy for these offices. Each candidate was invited to submit a statement of up to 500 words for publication. Below are the statements organized by office, listed in alphabetical order by last name.

Candidate for President-Elect (1)

Raymond Nelson

My name is Raymond Nelson, and I would like to thank you for your past support, and to ask for your vote for the position of President Elect in the upcoming APA election.

It has been my honor to have already served the association as an elected member of the Board, committee member, and committee chair; and also at the technical, research, educational, and policy development levels. Polygraph has been my full time profession since 2000. As a practicing field examiners, I have conducted examinations daily on thousands of individuals who represent a threat to community safety. It is clear to me that the polygraph is a valid and useful tool. Undoubtedly the greatest assets to the profession are the individual examiners and an association that promotes professionalism, skills, and continued learning. Polygraph examiners know who does and does not have additional information, and is is the information, after all, that matters most to our referring agents, whether investigators, probation or parole supervision officers, security managers, risk evaluators, or treatment providers.

The APA is a strong organization but we still need to expand our influence outside our own profession, or we risk falling out of step with other scientific and forensic disciplines and the influence they have on public policy. My objectives for the APA are to continue to revise and implement a strategic plan for our future, and to continue to improve our working relations with other associations with which we have common values and goals. The APA should continue to increase the availability meaningful certification and high quality training that can help us to defend our work, if necessary, with evidence-based practice standards. Among our present concerns is the need to continue to clarify the most effective ways

for our association to remain dedicated to the core values and principles that make us effective, while also serving an increasingly diverse international membership. Of course, I will always remain approachable with an open door to anyone who who has a need for assistance or discussion.

Those who know me personally know that I am a problem-solver who enjoys hard work whether physical or intellectual. I am experienced at addressing complex issues, attending to subtleties, managing details, and at achieving effective resolution of different perspectives and concerns. I will put forth all effort to ensure the effectiveness and success of our profession and our organization. I will continue to work with the other Board members to plan for the future success of our association, our profession, and our members whether private, law enforcement or government. I look forward to the opportunity work even more diligently on behalf of polygraph examiners throughout the country and worldwide.

With your vote for the position of President Elect, we can continue to advance our association and our profession, thereby promoting the success of the programs, agencies, communities and countries we serve.

Thank you for your time, your consideration, and for your vote.

Candidate for Vice President Government (1)

Donnie W. Dutton

By way of introduction my name is Donnie Dutton and I am seeking your vote during the upcoming election for Vice President (VP) Government. I am a federal employee working at the National Center for Credibility Assessment located at Ft. Jackson, SC. I have been a member of the American Polygraph Association (APA) since 1985 and during that time have had the pleasure of serving as an APA Director, VP Government, President, and Chairman of the Board. I have been an individual who has always said if you want to make a difference you have to get involved. I have served on multiple committees over the years and am presently serving on the International committee, Past Presidents committee and the school manual rewrite committee. This year, due to the resignation of an APA board member I was voted in by the Board to fill the remainder of that term. That in and of itself is a great privilege and after being back on the Board it rekindled my fire to want to give more. I am a person who believes in doing the right thing for our profession and the APA. I want not only promote the APA but I also want to promote our profession. If you vote for me I will always do those two things. Our profession must continue to grow

and I will do my very best in supporting you to make that happen. I am not afraid to roll up my sleeves and do the work and I am not afraid to reach out to others for advice and guidance. I know I don't have all the answers but I know a bunch of smart people who can help me along the way with your support. I can be contacted directly if you have specific questions you would like to address with me at directordutton@polygraph.org.

Candidate for Vice President Law Enforcement (1)



Walt Goodson

My name is Walt Goodson and I thank you for your past support. Again, I ask for your vote as I seek re-election to the office of Vice President, Law Enforcement.

During my 21 year career, I have served as a correctional officer, trooper, SWAT team member, investigator, supervisor, and polygraph examiner. As a member of the Texas Department of Public Safety (DPS), I have worked continuously over the last 12 years as an examiner, quality assurance supervisor, and Director of the Texas DPS Polygraph School. Currently, I'm a Captain assigned to oversee the DPS Polygraph and Asset Forfeiture Units within our Criminal Investigations Division. I also serve as Director and am a Past-President of the Texas Association of Law Enforcement Polygraph Investigators and have chaired and served on a number of APA committees. I have also been fortunate to meet many of our members through the presentation of polygraph topics for professional seminars and advanced training courses across the US. From these experiences, I understand that we as professional examiners want practical, hands-on training, clearly defined professional standards and support when we need a hand.

I consider my first terms as VP a success and feel the APA has experienced success and growth over the past two years through improved training opportunities, dedicated committee work, support of polygraph research, and its urge to adhere to professional standards. This work has ensured that our members and schools are provided with the tools to professionally and ethically do their jobs and they are held accountable to their consumers for such.

To know me is to know that my goals will never change. I will continue to support practices that maximize the effectiveness of the polygraph without compromising the use of this vital public safety tool. Thus, I will continue to work to ensure the APA provides resources such as reasonable, science based model policies and standards of practice and quality training that fosters valid, reliable exams. I will also use my past two year's experience as the General Chair of the Ethics and Grievance Committee to provide the membership with information that will help avoid pitfalls that even the most ethically minded examiners sometimes find themselves.

I do wish to continue serving the APA with the goals of representing the association in the most professional manner possible and helping our members succeed in protecting the public. I again ask for your vote for Vice President, Law Enforcement. Thanks for your consideration and I hope to see you in Orlando.

Candidate for Vice President Private (1)

J. Patrick O'Burke

The Mission of the American Polygraph Association is to be the professional organization that provides for a valid and reliable means to verify the truth and establish the highest standards of moral, ethical and professional conduct in the polygraph field. I am prepared with specific goals to serve and work towards both prongs of that mission statement. Nowhere is this more important than in the board position representing the private sector. As a 30 year career polygraph examiner with long term private business interests in polygraph, I understand and can represent the needs of the private sector.

I want to serve in this APA position to accomplish two primary goals that I see as important. I want to complete and publish clear and transparent minimum standards for Basic Polygraph School accreditation that are uniformly applied. These standards have been in transition for a number of years and need completion. I will dedicate myself to completing and publishing these minimum standards within the 12 months of my elected term. Secondly, I will dedicate myself to providing lower cost training and seminars for Association members. The APA must strive to provide professional training at as a low a cost as possible to the member who needs it the most, the private polygraph examiner.

While significant and fantastic things have been accomplished for enhancing the standards for polygraph administration in the last few years, it is my belief that we are still

lacking in the two areas I have discussed. I will accomplish these two goals in my first year through personal effort and diligent work for you as the Vice President representing the private sector. As a former law enforcement polygraph examiner and command level officer, I see that both of these goals concurrently serve law enforcement and government examiners as well. I would humbly ask for the opportunity to work for you and the polygraph profession.

Candidates for Director 1 (2)

James (Jamie) McCloughan

Dear fellow members and professionals. It has been my great honor to serve you as director over the last year. I am humbly asking for your support in my bid for reelection.

For those who don't know me, I am a fulltime polygraph examiner with the Michigan State Police and hold the rank of detective sergeant. I have been with the department for over 18 years and assigned to the Polygraph Section for 13 of those years. I conduct approximately 200-250 criminal specific issue examinations annually. In addition to testing, I conduct training and research, as may be necessary for the advancement of credibility assessment in the field. Some of the areas I have conducted research and training in are concealed information testing (CIT), countermeasures, and voice stress (e.g. CVSA and LVA).

In my first year as Director 1, I was assigned to the Education Accreditation Committee (EAC) and tasked with updating the School Accreditation Manual. For those who don't know, this manual sets forth the requirements schools must meet in order to be APA accredited. The last time the manual was updated was in 2004. There has been work towards updating it over the last five years. For the last nine months, the EAC has worked toward a final document. The document is expected to be completed in June and presented to the Board of Directors for approval at their next scheduled board meeting. Work doesn't stop with the completion of the manual. Because the accreditation requirements set forth in the manual effect how the next generation of our profession is trained, it is my intention to continually make those necessary adjustments that help move the profession forward in a positive direction.

In closing, if reelected, I will continue to work for the membership to strengthen our profession to face current and future challenges by building on core values of Unity,

Knowledge, and Excellence. I will strive to do these things with the foresight in mind that ensures that we are proactively addressing future issues and implementing necessary change to help us face them. Thank you for your consideration and support. Should you have any questions or just wish to contact me for further information, you may email me at mcclougj@gmail.com.



Brian Morris

I respectfully submit my name to the members of the American Polygraph Association for your consideration as Director 1 and ask for your vote.

I currently work in California, Idaho, Wyoming, Washington, and Utah as a private examiner and for multiple law enforcement jurisdictions and have conducted thousands of exams. I am a full member of California Association of Polygraph Examiners and the Utah Polygraph Association. I am a Master Member of the Idaho Polygraph Association and am the President of the Association. I earned my Juris Doctorate from the University of Idaho and have also earned an MBA. I am

a Primary Certified Instructor of Polygraph by the APA.

Unlike many of our members, polygraph was not something that I began early in my career. I have been in the corporate arena working for multiple corporations in the field of Human Resources and Organizational Development. That is the area that my MBA is in. Developing strong organizations and helping implement best practices is the lifeblood of all HR and OD professionals and successful corporations. I know how to develop strong working relationships and how to listen to people so that the long term goals of an organization can be met. Given the many challenges that the APA and our members face, having someone who can bridge the gaps between different areas and establish those strong working relationships will be critical moving forward for our organization.

Additionally, we are facing many legal challenges to our industry on many different fronts. Each state has its own issues to contend with and having someone who has a legal background is critical to helping beat back these challenges. I have taken and passed the Uniform Bar Exam. I am eligible for admission in the state bars of Utah, Colorado, Wyoming, Montana, Washington, Arizona, Minnesota, Missouri, Nebraska,

North Dakota, and Alabama. Other states will soon begin adopting and accepting the Uniform Bar Exam for admission into their states. As a Director, I will work to ensure that our legal challenges are met and that our members will have an advocate that can understand both the legal and polygraph difficulties we face.

My goals as a Director, if elected, would be to ensure the continued growth of our industry and our organization. This can only happen with the continuation of the APA promulgating best practices to all areas of our profession and leading our industry into the future. We have to be able to demonstrate to other professions the level of expertise and professionalism each of our members operates under in order to protect our industry now and into the future.

I promise to bring all of my legal and organizational expertise to the position of Director and work tirelessly to ensure the future of our organization and our members. I hope that you will recognize the unique skill set and talents that I would bring to the position of Director and humbly ask for your support.

Candidate for Director 3 (1)



George Baranowski

I am honored to have had the opportunity to serve the American Polygraph Association the past two years as Vice President of Private Examiners, and I now ask respectfully for your support in continuing the APA efforts over the next two years in the position of Director.

Throughout the past two years, I have served in several capacities within the APA and polygraph profession. This has included General Chair of the Membership Committee, The Awards Committee, The Quality Control Committee and The Mentorship Committee. I feel that these past years have provided me with a good deal of knowledge, experience and insight to move positively forward in the manner this position requires. Our professional publications and journals have made us aware of the NAS report on forensic sciences, of which we have now finally been recognized as members after all

these years. We also find ourselves at a time when the American Polygraph Association has made vital decisions and assessments in the direction of Validated Techniques and sound Model Policies based upon research and science.

Such accomplishments help place us in a position of safety from detractors, and at the same time, increase our professionalism and improve our testing techniques to conduct defensible examinations that encourages confidence among both science and those who vitally depend on our contribution as polygraph examiners to help maintain the safety of all our communities, locally as well as that of National Security.

I have been a member of the APA since 1986 upon graduating from the Lincoln Zonn Polygraph Institute in Florida. I have a law enforcement background as a retired Homicide Detective and after retirement, spent an additional 12 years as Chief Investigator for the Prosecuting Attorney's Office before opening a private polygraph practice in Northern Indiana in 1990.

In addition, I have been a member of ASTM International Committee E-52 on Forensic Psychophysiology since its inception in 1997, and have served as Chairman of Sub-Committee.05 on Forensic Psychophysiological Detection of Deception for the past 10 years. I am the author of ASTM Standard E2080 Clinical Psychophysiological Detection (PDD) Examinations of Sex Offenders, and have co-authored two other published ASTM standards regarding the conduct of polygraphy.

I have been a presenter for a number of years at polygraph conferences and seminars throughout the country speaking on a variety of related topics including representing the APA as a speaker at the Asia Pacific Polygraph Conference in Singapore and the privilege of representing the APA at the Annual ATSA Conference in Canada.

In summary, I have been a "full time" private examiner over the past 23 years; I have seen the hardships, the joys, the changes and the challenges. I promise to always be a positive advocate for all members and above all, I promise to work with President Slupski and the elected board toward this most important effort of obtaining science-based practices. I appreciate your support. Further information is available at mindsightconsultants.com.

Candidates for Director 5 (3)



William Fleisher

I am respectfully asking for your vote to be a Director of the American Polygraph Association. If elected, I will bring to the table my 38 years' experience as a polygraph examiner and instructor, 28 years in law enforcement and government service (much of which was in supervisory and management positions), as well as my 17 years in the private sector. My experience will let me work tirelessly to assist the APA officers and Board to improve our organization and the polygraph profession in general.

If you elect me to the Board, I promise I will faithfully serve the interests of all APA members, whether private, government, or law enforcement. Having been a government/law enforcement examiner since 1975 and then a private examiner since 1996, I understand the complexity of our profession and the dynamics of the APA as an organization. I will use my proven critical management skills gained on the police force and as a federal agent to assist the APA officers and members in promoting the Forensic Psychophysiology field and maintaining the integrity of our association. As an APA Director, I will steadfastly support my fellow APA officers in directing our organizational "ship" onward and upward.

During APA Board meetings, I will freely offer advice and ideas to promote the use of polygraph testing where allowed under existing laws and help develop new areas of testing for the private sector examiner. For example, bringing into the fold as many new state probation and parole agencies to use the polygraph to supervise sex offenders, domestic abusers and habitual criminals in their programs.

I will make myself available and actively seek APA members input to enhance our profession even beyond the high standards being a member of the APA now implies. I will especially work to organize and develop specialized training for the private polygraph sector to improve their businesses financially through marketing techniques, sound business practices, and job opportunities.

I will work with other Board members to increase the public awareness and acceptance of our profession and the importance of using polygraph examiners who are of members of and accredited by the APA. I will work with the APA Board to educate the public about the dangers of relying on voice-stress and pseudo-lie detector systems.

I will work closely with the APA accredited school directors to maintain the high standards required for APA accreditation and improve ways for the APA to continue to provide important ancillary services to these institutions. I will help develop programs, which will enable qualified private sector individuals to consider Forensic Psychophysiology as a career choice.

Finally and most importantly, drawing upon my considerable experience and ability to work with people, I will bring a fresh view to the Board. I promise you, the APA examiner, that if you elect me, I will fulfill the duties and responsibilities of the office of APA Director to the best of my abilities and talents. Please give me your vote.

William Gillespie

Aloha from the beautiful State of Hawaii,

My name is Bill Gillespie and I am respectfully asking for your vote to become the Director 5 for the American Polygraph Association in the 2013 elections.

About myself: I have a law enforcement background; having served 5 years as a commissioned officer in the Canadian Armed Forces and then 22 years in civilian law enforcement working for multiple agencies at all government levels.

I have also completed my masters' education in Criminal Justice.

I have been a full time private polygraph examiner for the past 11 years starting my polygraph career in Oregon and then relocating to Hawaii where I have been for the past 8 years.

My practice is focused on the Post-Conviction field however I also provide pre-employment and criminal testing to private clients as needed.

I also travel and provide polygraph services both nationally and internationally.

During my membership with the APA I have had the pleasure and honor to work on the following Committees: Public Relations, Professional Development, Ethics and Grievance and School Accreditation.

I would like to become a director as I feel this would be the next step in my involvement with the APA. Having worked on multiple committees for the past 8 years I feel I have a good understanding of the APA and the challenges facing it as an association and us as a profession.

I feel given my background and experience I would bring knowledge and skills to the Directors 5 position that would benefit us as an association and profession.

As an individual I am very open and transparent and assure you that if given the opportunity to represent you the membership I would be accessible and open to all members ensuring you have a portal to connect and be heard by the APA executive.

I feel as an association we have changed tremendously since I first joined 11 years ago and change is always ongoing. I feel we need to continue to strengthen our efforts and commitment to standardization and research in our field to ensure our future as a profession.

I also feel we need to focus on having resources and support available to all examiners be it a mentorship program or legislative references and policies to assist private examiners to educate in their local jurisdictions and develop their business and contracts.

If you would like to know more about me please feel free to visit my business website at www.gillespiepolygraph.com.

Thank you for your time and consideration.

James Reistroffer

I humbly submit myself to the American Polygraph Association (APA), and General Membership, while announcing my candidacy for the office of Director 5. After thirty-seven years in the APA, I consider it a privilege and honor to be able to serve the APA in a leadership position.

Following two United States Army tours of duty in the Republic of Vietnam, I continued to serve by becoming a Police Officer in 1970. Some six years later I entered the polygraph profession by attending the Keeler Polygraph Institute in Chicago, Illinois and started my own successful private practice of 37 years.

My more significant accomplishments in support of the APA include serving on numerous APA committees, to include being Co-Chairman of the Legislative Committee, present member of the School Accreditation Committee and Chairman of the Ethics and Grievance Committee. While in those leadership positions, I more fully come to understand the importance of treating all individuals and members with dignity, respect, and integrity.

If privileged to serve as Director 5, I will, by exercising good judgment on all issues and making sound decisions that will benefit all of our members. I will be open to all suggestions and ideas, ensure that all critical decisions be well thought out, and always act in the best interests of the APA and polygraph profession. I will do my best to secure direct partnerships and communication between State Associations; and, solicit counsel from our accredited school directors in matters associated with training.

I am a strong advocate for quality polygraph, an attention to detail person, and have governed my professional career by strict adherence to the APA ethical standards and practices. My overall goal and philosophy is to maintain our professional ethics by demanding accountability from all of our members. As a licensed examiner, I regard continuing education as being vital to the survival of the APA and our profession. A commitment to continuing education and licensing of examiners must be of the highest priority.

Thank you for your time, consideration and possible vote of confidence. I pledge to do my very best in representing you and the American Polygraph Association. Jreistroff@aol.com; www.polytest.net.



Proposed Amendment to APA Bylaws, Division V

At the APA Board Meeting on June 25, 2013, the APA Board of Directors recommended for approval to the membership a change in the membership bylaws, Division V as set out below. These changes are intended to provide an avenue for APA membership for graduates of polygraph educational and training programs that, while may not be accredited by the APA, substantively meets the accreditation requirements of the APA. The proposed amendment broadens the avenue from that previously provided and restricted to 6 week basic training polygraph schools that were in existence prior to August 1, 2001, but requires that such program substantively meets polygraph accreditation standards in place at the time of graduation. This change will be presented for consideration by General Membership at the General Membership meeting scheduled at the APA Annual Seminar and General Membership Meeting at the Orlando Bonnet Creek Hilton in Orlando, Florida on Tuesday, September 10, 2013.

Underlined portions would replace the ~~strikeout~~ text if the change is approved by the membership.

5. Division V: Membership

5.1 Full Member

5.1.1 Full members of this Association are those persons who have:

5.1.1.1 Graduated from an ~~APA-accredited~~ education and training program School that substantively meets the accreditation standards of the APA in place at the time of graduation.

5.1.1.2 Completed not ~~fewer less~~ than two hundred (200) actual polygraph examinations using a validated polygraph technique as taught at an APA Accredited education and training program School and, where required by law, to hold a current and valid license to practice polygraphy issued by a state or federal agency requiring such license.

5.1.1.3 Received a minimum of a Baccalaureate degree from a college or university accredited by an accreditation board recognized by the United States Department of Education or the Council on Higher Education Accreditation; or an equivalent degree from a college or university outside of the United States recognized by the international educational community as meeting similar standards.

5.1.1.4 Full Members shall:

5.1.1.4.1 Have the right to vote in all matters before the General Membership.

5.1.1.4.2 Be eligible to hold any elective office in the Association.

5.1.1.4.3 Be eligible to hold any appointed position in the Association or serve as the Chair of any Standing or Ad Hoc Committee.

5.1.1.4.4 Shall be permitted to cast votes in any election conducted by the Association.

5.1.1.4.5 Shall meet all financial obligations to the Association.

5.2 Associate Member.

5.2.1 Associate Members of this Association are persons who:

5.2.1.1 Are ~~practicing~~ polygraph examiners ~~and~~ who are graduates of an APA Accredited ~~education and training program Polygraph school~~, but do not meet the requirements as Full Member; or,

~~5.2.1.2 Are graduates of any basic polygraph school of at least six weeks in continuous, full-time duration which was in existence on or before 1 August 2001, and are practicing polygraph examiners; and,~~

5.2.1.2. Are graduates of any basic polygraph education and training program that substantively meets the accreditation standards of the APA in place at the time of graduation; and,

5.2.1.2.1 Have attended an APA sponsored seminar; and,

5.2.1.2.2 Have successfully passed an APA-administered written examination; ~~and,~~

~~5.2.1.2.3 Have presented the work product (pretest worksheet, question list, charts and report) from a minimum of ten (10) completed polygraph examinations to the Membership Committee to confirm whether an acceptable level of technical competence has been achieved. If the Membership Committee deems it necessary, any person applying for membership agrees to allow a representative of the Membership Committee to observe a live test administered by the applicant. Any such observation shall be conducted in accordance with existing laws and regulations applicable to that examiner.~~



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In Memoriam

Cleve Backster

Just before the release of this issue of the *APA Magazine* we were saddened by the news of the passing of Cleve Backster on July 1st. Mr. Backster was one of the most influential members and pioneers of modern polygraphy. By the time he helped establish the APA in 1966 he had already achieved prominence for his many innovations for polygraph testing and scoring. Elements of the Backster approach are to be found in virtually every technique currently used. He leaves a tremendous legacy, and the profession owes him a great debt.

The next issue of the *APA Magazine* will include a more fitting tribute to Cleve, along with photos and remembrances of him submitted by his friends, admirers and colleagues. If you would like yours to appear in the *APA Magazine*, please send it electronically to Editor@polygraph.org. Or, you can also post it in the Members Only section of the APA website (www.polygraph.org).

Cleve passed away at the age of 89. Our condolences go out to all of his close friends and loved ones.

THE BACKSTER SCHOOL OF LIE DETECTION

Celebrating our School's 53rd Year!

Accredited by the American Polygraph Association (APA) since 1966.
Recognized by the American Association of Police Polygraphists (AAP), the California Association of Polygraph Examiners (CAPE) and virtually all International, State and Local Polygraph Associations!

The generally recognized leader and premier school throughout the world in establishing and teaching polygraph technique standards developed by Cleve Backster.

Repeatedly used by law enforcement agencies from throughout the world for over 53 years.

All schools are not the same! You'll get what you pay for!

Cleve Backster: Director (Charter / Life Member of both APA & AAP)

Originator of the Backster Zone Comparison Technique, and the first system for numerical evaluation of polygraph charts, both now generally adopted as the standard throughout the polygraph field.

Polygraph Examiner Training Courses:

8-WEEK BASIC POLYGRAPH EXAMINER TRAINING COURSES

Begins January 28, 2013 (PE-188) CDCR Academy, Galt, CA (Free Lodging/\$8/day Meals)

Begins May 27, 2013 (PE-189) Europe (Bulgaria)

Begins September 23, 2013 (PE-190) San Diego, CA

2-DAY POLYGRAPH FOR IMMIGRATION LAW (I-CARE) COURSE

April 4-5, 2013 CDCR Academy, Galt, CA (Free Lodging/\$8/day Meals)

40 HOUR BASIC PCSOT COURSE

March 25-29, 2013 CDCR Academy, Galt, CA (Free Lodging/\$8/day Meals)

30 HOUR ADVANCED PCSOT TRAINING SEMINAR

April 1-3, 2013 CDCR Academy, Galt, CA (Free Lodging/\$8/day Meals)

5-DAY POLYGRAPH EXAMINER WORK CONFERENCE

55th Advanced Polygraph Training Seminar (Work Conference)

April 8-12, 2013 CDCR Academy, Galt, CA (Free Lodging/\$8/day Meals)

The Backster School of Lie Detection
ATTN: JT Adams, Registrar
861 Sixth Avenue, Suite 403
San Diego, CA 92101
Tel: (619) 233-6669 Fax: (619) 233-3441

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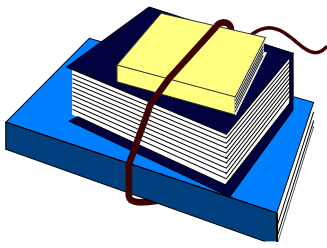
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Polygraph Examiner Training Schedule

Academy for Scientific Investigative Training

Basic Examiner Course

September 30 - November 22, 2013 (South Africa)

October 21 – December 13

Forensic Assessment Interviewing and Integrated Interrogation Techniques

November 11 – 15, 2013

PCSOT

July 29 – August 2, 2013

December 16 – 20, 2013

Advanced PCSOT

August 5 - 6, 2013

Advanced Polygraph

August 7 - 8, 2013

Academy of Polygraph Science

Basic Examiner Course (Fort Myers)

July 8 - September 13, 2013

September 16-November 22, 2013

January 6-March 14, 2014

April 7 - June 13, 2014

July 14 - September 19, 2014

October 6 - December 16, 2014

PCSOT

November 11-15, 2013 (Fort Myers)

Advanced Examiner Course

December 9-13, 2013 (Fort Myers)

American International Institute of Polygraph

Basic Examiner Course - Stockbridge, GA

August 26 - November 1, 2013 (10 weeks)

August 26 - October 18, 2013 (8 weeks)

Basic Examiner Course - Pretoria, South Africa

September 30 - December 6, 2013 (10 weeks)

PCSOT

November 4-8, 2013 (Stockbridge, GA)

Backster School of Lie Detection

Basic Examiner Course

September 23 - November 15, 2013 (San Diego)

Maryland Institute of Criminal Justice

Basic Examiner Course

September 16 – November 8, 2013

Attention School Directors

If you would like to see your school's course dates listed here, simply send your upcoming course schedule to editor@polygraph.org.

Upcoming Seminars

The **Utah Polygraph Association** has scheduled their summer conference on **July 17-18, 2013**, at the **Salt Lake Hampton Inn, 425 S. 300 W., Salt Lake City, Utah**. Conference speakers will be Stan Slowik, Ben Blalock, Mike Gougler, Abril Atherton, PharmD., and Dr. Jared Johnson. Topics include: Objective Pre Employment Interviewing; Polygraph Techniques & Remedial Actions for Better Data Collection; Valid Polygraph Principles; Utilizing Personality Disorders to Elicit Information; and Physiological effects of Cardiovascular and Mental Health Medications. The seminar fee is \$200 for UPA members; \$250 for non-members. Questions concerning this conference should be directed to UPA President John Pickup at intermountainpolygraph@gmail.com or 801-368-9406. Further information and the registration form can be found on the UPA web site www.utahpolygraph.org.

The **Tri-State (Nebraska, Kansas, Missouri)** Seminar will take place on **September 25th - 27th in Omaha, NE**. Invited speaker is Ms Sandra Foote. Ms. Foote will present "Personality Profiling with Polygraph Examinations" on September 25th, with a focus on handwriting analysis. A President's Reception is planned for Tuesday the 24th at 7:00 pm. The seminar fee for members of the Nebraska, Kansas and Missouri Associations is \$150, which goes up to \$165 after September 1st. The non-member seminar fee is \$165. The site of the seminar will be the **Embassy Suites, 555 South 10th St., Omaha, NE**. The hotel phone number is (402) 346-9000, and the room rate on a first-come basis is listed at \$119 per night. Use the group code ANA, and the group name is the Nebraska Association of Polygraph Examiners. For more information, go to <http://www.nebraskapolygraph.com/>.

The **California Association of Polygraph Examiners (CAPE)** will hold a seminar on **September 27-28, 2013** at the **Disney Paradise Pier Hotel (Disneyland), in Anaheim, California**. Hotel rooms for the seminar are available at a discounted CAPE conference rate of \$128.00 per night + tax = \$149.76 per night. No charge for parking. Reservations can be made by contacting the Disney Group Reservations number of 714-520-5005 between 0800-1700 hrs (PST), Monday-Friday. Seminar fee is \$175.00 for both days for AAPP/APA/NPA and any member of an AAPP, APA or NPA recognized state polygraph association. Add \$50.00 if you register after August 26, 2013. Non-polygraph association members' registration fee is \$250.00 for both days. Non-recognized polygraph association member(s) are not guaranteed attendance. For more details on seminar speakers, topics, and hotel accommodations, please visit the CAPE Web site at: www.californiapolygraph.com or call CAPE Secretary Bob Heard at 909-387-0343.

**THE AMERICAN POLYGRAPH ASSOCIATION (APA)
CONTINUING EDUCATION SEMINAR
CO-SPONSOR – VIRGINIA POLYGRAPH ASSOCIATION
ADVANCED REGISTRATION IS REQUIRED**

APA FED ID # 52-1035722

THURSDAY and FRIDAY
NOVEMBER 14-15, 2013
8:00 AM - 5:00 PM

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Or 757/213-3000

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Plus 13% local tax plus \$1.00 Lodging tax
Individual Reservations. **Cut-off date 10/14/2013**
(Cancellations accepted up to 72 hours prior to arrival)

**REGISTRATION FEE
PRE-PAID BY OCTOBER 31, 2013**

\$250 APA Member/Applicant
* \$250 VPA Member
\$275 Non-Member

FEE RECEIVED AFTER OCTOBER 31, 2013

\$275.00 APA Member/Applicant
* \$275.00 VPA Member
\$300.00 Non-Member
* Must be a paid-up member of VPA.

ADDITIONAL \$50.00 FOR WALK-INS
**** ADVANCED REGISTRATION REQUIRED**
1-800-272-8037 OR 423-892-3992
FAX 423/894-5435

CONTINUING EDUCATION SEMINAR:

Program/Speakers to be announced.

CONTINUING EDUCATION CREDITS

When you attend this seminar, you receive up to 16 CEUs (Continuing Education Units) of continuing education credit approved by the American Polygraph Association and the Federal Certification Program for Continuing Education and Training.

CANCELLATION AND REFUND POLICY:

Cancellations received in writing before OCT 31, 2013 will receive a full refund. Persons canceling after OCT 31, 2013 will not receive a refund but will be provided with the handout material.

TAX DEDUCTIONS

All expenses of continuing education (including registration fees, travel, meals and lodging) taken to maintain and improve professional skills are tax deductible subject to the limitations set forth in the Internal Revenue Code.

(The registration fee includes professional instruction, seminar materials, AM and PM Refreshment Breaks).

**CONTINUING EDUCATION IS VITAL TO YOUR
SUCCESS AND SHOULD BE A LIFELONG PURSUIT**

**** IN ORDER TO HAVE ADEQUATE SEATING,
ADVANCED REGISTRATION IS REQUIRED.**

**TO REGISTER FOR THE SEMINAR, PLEASE COMPLETE AND MAIL THIS FORM TO:
APA NATIONAL OFFICE, P.O. BOX 8037, CHATTANOOGA, TN 37414-0037
OR FAX IT TO 423-894-5435**

Print Legibly or Type the Following

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On her 21st birthday, an all-American girl and champion rider discovers that she is actually the Princess Scheherazade. Along with her genie Abracadabra, Princess Scheherazade takes the audience on a magical journey around the world to find her prince – who must love horses as much as she does.

You'll join the princess as Abracadabra takes her to Europe to see the famous military-style quadrilles; to Latin America to see the romance of the garrocha; to a Gypsy camp to see unbelievable acrobatics on horseback; to the world of Imagination to see that beauty of the magical, mystical unicorn; and back to the U.S.A. where four fabulous acts honor America!



Along the way, Abracadabra must protect Princess Scheherazade from the evil Prince Vaneer, who has been waiting for years to make Princess Scheherazade his unwilling bride. When Abracadabra accidentally summons him, Prince Vaneer puts his plan to kidnap the princess and claim her throne into action.

Meanwhile, Prince Khalid seems like everything Scheherazade could desire – kind, gentle, and a true horseman, the two seem destined to live happily ever after. But will Prince Vaneer's evil plan get in the way? Or will the magic of true love save the day?

The *American Princess* runs approximately 90 minutes with no intermission, and will delight audiences of all ages.

ADVANCED RESERVATION REQUIRED

AMERICAN POLYGRAPH ASSOCIATION

HILTON BONNET CREEK, 14100 BONNET CREEK RESORT LANE, ORLANDO FL 32821

(All room reservations must be made individually through the Hotel's reservation department by calling **1-888-353-2013** (Ask for the group rate for APA))

APA FED ID # 52-1035722

Plan now to attend the APA 48th Annual Seminar/Workshop, **SEPTEMBER 8 – 13, 2013**

Room rate: \$97.00 Single/Double occupancy, plus taxes (currently 12.5% tax) (\$109.13 for one night) SELF PARKING – 50% OFF REGULAR SELF PARKING FEE PER/DAY

All reservations must be guaranteed by a major credit card or advance deposit in the amount of one night's lodging. Reservations not guaranteed will be automatically cancelled at the cut-off date.

CUTOFF DATE for hotel reservations is **08/08/13** or until **APA's room allotment is fulfilled. Number of rooms is limited.** Individual departure dates will be reconfirmed upon check-in. (72 HOUR CANCELLATION)

Seminar Chair: Robbie S. Bennett – 800/272-8037, 423/892-3992 FAX: 423/894-5435
Seminar Program Chair: Michael C. Gougler-512-466-0471

Registration Hours – Sunday, 9/8/13 (10:00 am-6:00 pm)
On-Site–Monday, 9/9/13 (8:00 am -12:00 Noon)
Seminar Sessions–Monday-Friday, 9/9/13 – 9/13/13

Complete the form below, attach check, VISA, MC or AE information payable to the APA and mail to:
APA National Office, PO Box 8037, Chattanooga, TN 37414-0037
Or FAX to: 423/894-5435
to arrive no later than 08/20/13 for applicable Discount. Payment information and registration received after 08/20/13 will be charged the on-site fee.

APA Cancellations Refund Policy:

Cancellations received in writing prior to **08/20/13** will receive a full refund. Persons canceling after **08/20/13** will not receive a refund but will be provided with the handout material.

CONTINUING EDUCATION IS VITAL TO YOUR SUCCESS AND SHOULD BE A LIFELONG PURSUIT

Tax Deductions:

All expenses of continuing education (including registration fees, travel, meals and lodging) taken to maintain and improve professional skills are tax deductible subject to the limitations set forth in the Internal Revenue Code.

(The registration fee includes professional instruction, seminar materials, AM and PM Refreshment Breaks)

TUESDAY SEPTEMBER 10 ARABIAN NIGHTS DINNER SHOW BUS DEPARTS AT 4:15 PM

TICKETS _____ \$30.00 EA \$ _____

NAME _____ BUSINESS PHONE _____

ADDRESS _____ E-MAIL _____

CITY/STATE _____ ZIP _____

NAME OF GUEST(S) _____ CHILDREN/AGES _____

NAME BADGE (CALLED BY) _____ GUEST (CALLED BY) _____

PRE PAID BY AUGUST 20, 2013

\$350 – Member/Applicant _____
\$350 – FPA Members _____
\$475 – Member/Appl W/Guest _____
\$125 – Additional Guest _____
\$500 – Non-Member _____
\$625 – Non-Member W/Guest _____

FEE RECEIVED AFTER AUGUST 20, 2013

\$400 – Member/Applicant _____
\$400 – FPA Members _____
\$525 – Member/Appl W/Guest _____
\$175 – Additional Guest _____
\$550 – Non-Member _____
\$675 – Non-Member W/Guest _____

ADDITIONAL \$50.00 FOR WALK-INS

*GUEST FEE includes APA SPONSORED EVENTS: Reception, Guest Breakfast and Banquet.

***YOUR NAMETAG IS YOUR ADMISSION TICKET TO ALL EVENTS AND ACTIVITIES. PLEASE WEAR IT AT ALL TIMES DURING THE CONFERENCE.**

DATE OF ARRIVAL _____ DATE OF DEPARTURE _____

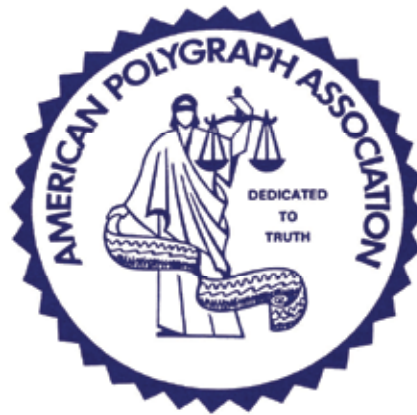
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(CVV2 is a 3 digit number found on the back of your VISA or MC card or a 4 digit number on the front of the AE). 2013

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American Polygraph Association

48th Annual Seminar/Workshop
September 8 – 13, 2013
Hilton Orlando Bonnet Creek, Orlando, Florida



“APPLIED POLYGRAPHY”

Michael C. Gougler
Program Chair
2013

SUNDAY, September 8, 2013	
CLASSROOM D	
1:00 pm – 3:00 pm	Interviewing Techniques for the Pre-employment Setting Steve Duncan, Georgia State Patrol
3:00 – 3:15 pm	Break sponsored by: COMPLETE EQUITY MARKETS
3:15 – 5:00 pm	Pre-employment Polygraph Testing: The Real Mission Steve Duncan, Georgia State Patrol

MONDAY September 9, 2013

7:30 AM – 8:00 AM Break Sponsored by:

CLASSROOM A
8:00 – 9:00

OPENING CEREMONIES

Call to Order –	Barry Cushman, APA President
Master of Ceremonies –	Michael C. Gougler, Director 2013 Seminar Program Chair
Presentation of Colors –	Florida Highway Patrol
The National Anthem –	Samantha Berman
Pledge of Allegiance –	Pam Shaw, APA Board Chairman
Taps -	Richard J. Pasciuto
Welcome from	Florida Polygraph Association President
Invocation	Barry Cushman
Welcome to Orlando, Florida	Colonel David Brierton

9:00 – 9:15 Break Sponsored by COMPLETE EQUITY MARKETS

9:15 – 10:00 Validated Techniques Update – Donald J. Krapohl, APA Editor

10:00 – 12:00 NAS Update – Barry Cushman, APA President

12:00 – 1:00 Lunch (On Your Own)

1:00 – 3:00

Legal Update

Gordon L. Vaughan, Esq.
APA Legal Counsel

2:45 – 3:00 Break Sponsored by

3:00 – 5:00

A Comparison of Test Data Analysis Models

Pamela K. Shaw
APA Chairman, BOD

APA ISSUES IN THE DIFFERENT FIELDS OF POLYGRAPH

5:00 – 6:00

COMBINED TOWN HALL MEETING

TUESDAY, September 10, 2013

**6:30 AM
STATE LEADERSHIP BREAKFAST**

7:30 AM – 8:00 AM Break Sponsored by:

CLASSROOM A	CLASSROOM B	CLASSROOM C
8:00 – 12:00 Countermeasures A New Look at an Old Problem Raymond I. Nelson APA Director	8:00 – 10:00 Understanding Recognition Testing Jamie McCloughan APA Director	8:00 – 10:00 The Future Lies in Adaptive Polygraphy Avital Ginton, Ph.D
	10:00 – 12:00 DLST Walt Goodson APA VP Law Enforcement	10:00 – 12:00 Do you Really Know Why Polygraph Works: Construct Validity and The Assessment of Credibility John J. Palmatier, Ph.D

9:45 – 10:00 Break Sponsored by:

12:00 – 1:00 Lunch (On Your Own)

**APA ANNUAL BUSINESS MEETING
1:00 – 2:30
CLASSROOM A**

2:30 -2:45 Break Sponsored by:

**2:30 – 4:00
POLYGRAPH INSTRUMENTS WORKSHOP**

CLASSROOM A	CLASSROOM B	CLASSROOM C	CLASSROOM D
AXCITON SYSTEMS Bruce White	LAFAYETTE INSTRUMENTS Chris Fausett	LIMESTONE TECHNOLOGY Jamie Brown	STOELTING INSTRUMENTS Guillermo “Gil” Witte

TUESDAY EVENING EVENT

ARABIAN NIGHTS DINNER SHOW

**DINNER AND TRANSPORTATION - \$30.00 EACH
BUS DEPARTS AT 4:15 PM**

WEDNESDAY, September 11, 2013

7:30 AM – 8:00 AM Break Sponsored by:

8:00 – 12:00
APA MEMBERSHIP EXAMINATION

CLASSROOM A	CLASSROOM B	CLASSROOM C
8:00 – 12:00	8:00 – 12:00	8:00 – 10:00
Utilizing Defense Mechanisms and Personality Disorders to Elicit Information	Federal Techniques ZCT/AFMGQT/LEPET	Special Issues in Polygraph Testing- Data and Decisions, Research/Quality Control/Reality, Victims and Validity
Michael C. Gougler APA Director	Charles L. Slupski APA President-Elect	Richard Keifer FBI (Retired)
Tiffany Niemann, MA		10:00 – 12:00
		Using and Reporting Normative Data for Diagnostic and Screening Polygraphs
		Raymond I. Nelson APA Director

9:45 – 10:00 Break – Sponsored by

12:00 – 1:00 Lunch (On Your Own)

1:00 – 3:00	1:00 – 3:00	1:00 – 3:00
Field Application for Practicing PCSOT Examiners – Defensible Principles of Testing	Court Admissibility of Polygraph Results	Examinee Suitability
Eric J. Holden APA Past President	Dr. David Raskin	Raymond I. Nelson APA Director
Prof. Donald Grubin, MD Newcastle Upon Tyne, United Kingdom		

3:00 – 3:15 Break – Sponsored by:

3:00 – 5:00 (con't)	3:00 – 5:00 (con't)	3:00 – 5:00
Field Application for Practicing PCSOT Examiners – Defensible Principles of Testing	Court Admissibility of Polygraph Results	Utah Technique
Eric J. Holden APA Past President	Dr. David Raskin	Charles "Matt" Hicks Texas DPS
Prof. Donald Grubin, M.D. Newcastle Upon Tyne, United Kingdom		

THURSDAY, September 12, 2013

7:30 AM – 8:00 AM Break Sponsored by:

CLASSROOM A	CLASSROOM B	CLASSROOM C
8:00 – 12:00 Elicitation Techniques Using Verbal/Non-Verbal Indicators Dan Baxter/Lorry Ginovsky NSA	8:00 – 12:00 Polygraph Validity/Research Dr. David Raskin	8:00 – 10:00 Psychological Issues in Testing Tiffany Niemann, MA
		10:00 – 12:00 Applied Pharmacology The Effect of Drugs on a Polygraph Examination April Floyd, MPAS; Texas Tech Physician Assistant Polygraph Examiner

9:45 – 10:00 Break – Sponsored by:

12:00 – 1:00 Lunch (On Your Own)

1:00 – 3:00 The Utilization of Polygraph in the Treatment and Supervision of Sex Offenders Dr. Aaron Pierce Waco, Texas	1:00 – 3:00 Interview and Interrogation Milton O. “Skip” Webb Army CID APA Past President	1:00 – 3:00 Reid Technique Dr. Frank Horvath APA Past President Robert Peters APA VP Government
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2:45 – 3:00 Break – Sponsored by

3:00 – 5:00 (con’t) The Utilization of Polygraph in the Treatment and Supervision of Sex Offenders Dr. Aaron Pierce Waco, Texas	3:00 – 5:00 (con’t) Interview and Interrogation Milton O. “Skip” Webb Army CID APA Past President	3:00 – 5:00 (con’t) Reid Technique Dr. Frank Horvath APA Past President Robert Peters APA VP Government
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6:30 pm BANQUET

FRIDAY, September 13, 2013

7:30 AM – 8:00 AM Break Sponsored by:

CLASSROOM A	CLASSROOM B
8:00 -10:00 Professional Ethics Dr. Aaron Pierce Waco, Texas	8:00 – 10:00 Applied Physiology Diseases of the Autonomic Nervous System April Floyd, MPAS; Texas Tech Physician Assistant Polygraph Examiner

9:45 – 10:00 Break – Sponsored by:

10:00 – 12:00 EDA Research Donald J. Krapohl APA Editor	10:00 – 12:00 Planning for Interrogation J. Patrick O’Burke Director, The Polygraph Institute
--	--

12:00 – 1:00 Lunch (On Your Own)

1:00 – 3:00 The Positive Advantages of Text To Speech Polygraph Testing George Baranowski APA VP Private	1:00 – 3:00 Pinocchio – Deception Detection in Body Language Yanir Melech CEO, ABIR Global Security Services
---	---

3:15

CLOSING REMARKS

APA President, Charles E. Slupski

POLYGRAPHIST PROFESSIONAL LIABILITY INSURANCE



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Board of Directors' Reports

Robert Peters **Vice President, Government**

I have been an APA member for 40+ years. This past year was my most enlightening regarding APA activities and operations. For the first time, I was privileged to serve on the Board of Directors as Vice President Government. It has been a very positive experience. I learned that I had been minimally informed as to the scope and depth of many APA activities. The most lasting impression gained from my time as Vice President is admiration for leadership of the APA. During my years in polygraph, I occasionally heard criticism of APA leadership. There have been instances when I found fault with the leadership. While I do not agree with all APA policies, my experiences of the past year made it very evident that there is not an absence of positive objectives and energy in the governance of APA. Administering a professional organization of 3000 members, that conducts training programs, accredits educational programs, publishes professional materials, and fosters advancement of the polygraph profession is a demanding task. My experience of the past year made it evident that all APA leadership works exceptionally hard at identifying the appropriate objectives of the association and laboring to achieve those goals. That effort begins with the administrative staff of the national office.

Robbie Bennett and Lisa Jacocks are very responsive and effective in addressing a wide range of responsibilities. The APA is very fortunate to have them in the National Office. The APA's most visible activity is the six-day annual seminar. Each year's event is moved to a different geographic venue to facilitate access for the hundreds of members and guests that attend the conference. Those six days of professional presentations, social gatherings, and independent interactions require extraordinary preparation. That preparation begins years in advance of each actual seminar. Those who manage that effort are very concerned that all aspects of the seminar be a valuable experience for everyone who attends.

Administering the applications for membership and the many ongoing issues related to APA membership requires many hours of tedious review and use of sound judgment on sensitive issues.

High quality professional periodicals are critical to the advancement of the polygraph professional. The publication of *Polygraph* and the *APA Magazine* necessitates exceptional professional knowledge and many hours of reading, editing and design.

The foundation of the polygraph profession rests on the availability of educational

programs that have solid factually based curriculums that are presented by knowledgeable faculties. Ensuring the existence of such programs is the objective of the APA school accreditation program. This valuable program is another demanding undertaking. In addition to time and effort required, consistent expert judgment is critical. Unfortunately, there are times when the process can become contentious.

The APA leadership devotes many hours in assessment and discussion of association business matters. The meetings of the Board of Directors are conducted in an exceptionally respectful and thoughtful manner. The Board's decisions are well thought out.

The APA membership is well served by the Association's staff and leadership. The next time an opportunity presents itself, express your gratitude to members of the staff and leadership for the time and effort expended in service of the polygraph profession.

During the past six months, *McClatchy News* published two series of articles regarding the polygraph. Those articles are negative in tone. *McClatchy* published my response on behalf of the APA to the first series of articles. There was considerable positive feedback to those comments. I submitted a critical response to the *McClatchy* editor regarding the second series of articles, but did not receive a reply. There was one aspect of the recent articles that I found especially

unfair and misleading. The article asserted that the results of polygraph tests might be in erroneous due to an alleged equipment "glitch". The photograph of a man falsely arrested and prosecuted for a murder he did not commit was incorporated into that article. That individual's wrongful arrest and prosecution had absolutely nothing to do with the results of a polygraph exam. As best I have been able to determine, the man pictured in the article never even took a polygraph exam. The body of the article did not site one instance of an error caused by a "glitch." Call me naïve, but I am very disappointed that such inappropriate presentation appears in a national publication. Journalists often refer to the ethical standards of their profession. I cannot help but wonder how the inclusion of such an emotion-evoking photograph that is unrelated to the content of the accompanying article would be judged against those ethical standards. Would it be misleading to publish a photograph of a female swimsuit model that never traveled on an airplane in an article entitled, "Flight Attendant Fired for Being Overweight?" That is a close analogy to what took place with the McClatchy article.

Walt Goodson
Vice President, Law Enforcement

Greetings all. I hope you are all not working too hard and are instead taking some time to enjoy this wonderful summer weather. It

was a pleasant 104 degrees yesterday here in Austin. It was so nice I went for a mountain bike ride and I encountered a first for me. I was riding along a very remote trail and a loud humming sound caught my attention. As I looked to my right in the direction of the sound, I noticed a large bee hive and before I could process the danger WW3 had ensued. I'm very fortunate to be fit because this saved my hide. I ran as fast as I could and along the way dropped my backpack, then my glasses, then my helmet as this was the greatest fight or flight experience of my life, though it was mostly flight. These bees were of the African variety and their tenacity is like nothing I have ever seen. I ran through dense brush for about 300 yards screaming and wiping bees from my body before I stopped, only to see a line of bees still behind me. I continued to run another 200 yards over a fence and found a residence where the bees continued to follow me. I rang the doorbell in a panic and took my shirt off to swing at a few bees that were still lingering. Thanks goodness the sight of a nearly naked man flailing his arms on the front porch did not stop the elderly man from letting me in and calling 911. The ambulance arrived about 15 minutes later and I walked out to greet it. As I was directed into the back of the ambulance the doors were quickly shut as the bees apparently identified me through the pheromones in their comrades stingers which were still impaled in my body from head to toe including my nose, ear, fingers, head, legs and torso.

The ambulance driver was forced to move the vehicle a ways down the road to get away from these pests. Fortunately for me, I only ended up with 75 to 80 stings. (They are hard to count because I have stings on top of stings) Since I have completed a couple of Ironman triathlons, I'm no longer able to show weakness to my colleagues who lovingly probe for chinks in my armor, so I did make it to work the following morning despite a high fever and some serious early morning stomach distress. I'm glad I did because one of my lieutenants went to the trouble to show up to work in a bee costume. This was no doubt a life flashing before my eyes experience and one of the coolest injuries I have ever experienced. I am starting to take some pictures of the stings so when you see me in Orlando in September, be sure to ask to see them.

Speaking of Orlando, it is conference time again and you need to make your reservations now if you plan to attend and want to reserve a conference hotel room at a rate of under a hundred bucks a night. Last year's conference was the largest to date with over 700 in attendance and this conference looks to be larger as the 500 room block of rooms, set aside for the conference, have already been reserved. APA staff was able to get an additional 50 rooms at this low nightly rate so you need to make your reservations as soon as possible to obtain it. On top of this low rate, I also found airfare to be inexpensive to Orlando finding round trip tickets for

as cheap as \$200 from Austin. It's been a long time since I have found a flight out of Austin for this rate that was not going to Las Vegas.

Last year, I had an opportunity to stay at the conference host hotel and there is no question this hotel is the nicest yet for an APA conference. The Hilton Orlando Bonnet Creek is a new world class Florida hotel which opened in the fall of 2009. It is one of the largest hotel developments by Hilton and is adjacent to the first-ever newly built Waldorf Astoria outside of New York. It is located in a private natural setting on 482 acres and surrounded on three sides by the Walt Disney World® Resort. There is a complimentary shuttle service to the Walt Disney World attractions provided by the hotel. Located on site is a championship golf course designed by Rees Jones for which attendees will receive discounted greens fee. Also on site are unique nature preserves. There is a free form lagoon-style pool with zero entry pool, waterslide and lazy river. For families, there is a Kids Club with supervised indoor and outdoor activities including outdoor showing of movies in the evenings. There is a nice outdoor bar and café by the pool with fire pits and you can see the evening fireworks from the Walt Disney World® Resort each evening. The Hilton and the Waldorf Astoria offer a combined 12 restaurants and bars. All of the hotels amenities were great, but my favorite part was the awesome

fitness room overlooking the pool area and the ducks that make themselves at home in the swimming pool each night. You can watch a video tour of the hotel at: www.hiltonbonnetcreek.com

I will go out on a limb to say that you will never find a hotel of this quality and with these amenities for less than a hundred bucks a night. Coupled with the fact that the hotel is less than a mile from the gates of the Magic Kingdom Disney World Resort I'm bringing my whole family and we are going to enjoy Disney World for a few days after the conference. I recommend you consider this as well as you will be hard pressed to find a more convenient opportunity.

As always, I thank each of you for your dedication to the professionalism of polygraph and remember to call or email me if you need anything. See you all very soon.

George Baranowski
Vice President, Private

Wait until you see this year's exciting conference at the Hilton Bonnet Creek Resort Complex in Orlando, Florida. Wow, without a doubt this is the most elegant facility and location that I have ever had the pleasure of staying in. I saw this facility during the APA Board Meeting last winter and I was extremely impressed. I

will try everything I can to see if we can book into this facility again for future conferences, and we haven't even been there yet for this one. First, the Hilton Bonnet Creek Resort is not part of Disney World but it is on the Disney property. It is ideal for a family outing or even vacation. There is a Disney World free shuttle that will take you to the Magic Kingdom, EPCOT, Hollywood Studios, the Animal Kingdom or Downtown Disney. But, the Hilton Hotel at Bonnet Creek Resort has its own fantastic attractions itself. Golfers take your clubs because it's actually located on a magnificent golf course. Take your bathing suits because not only does it have a fantastic lagoon-style pool, it also has a lazy river attraction which is a most pleasurable experience. In addition, there is also a Waldorf Astoria Resort right next door to the Hilton and between the two, there are many additional attractions and restaurants. All this, plus a fantastic line-up of speakers at the conference itself that offers topics on every subject that is so vitally important to our profession today. Check out the lineup for yourself and I know you will agree. Personally, it's tough to go through this period of waiting and anticipation for all these wonderful happenings but I'll survive because it's going to be worth the wait. See you in Florida.

Mike Gougler Director

It is less than three months until the seminar in Orlando, Florida. We are working with members of the Florida Polygraph Association to ensure that this year's event will be a memorable one. The APA is extending the APA membership rate to all members of the FPA who are in good standing with the Association. Ben Blalock and Dale Young are eagerly providing assistance.

The Tuesday night event will be at the Arabian Nights show and dinner. See the advertisement in this issue of the *APA Magazine*. The cost will be \$30.00 per person. This includes dinner, the show, and transportation to and from the event. We will have a limited number of tickets available so sign up early. Our Tuesday night events have sold out the last few years.

We have an outstanding program that will emphasize "Applied Polygraphy," the theme of this year's conference. All education blocks have been confirmed.

We will once again have a hospitality suite for networking after hours. Don Clendennen and Pat O'Burke will coordinate the activities. The FPA is providing support for this networking opportunity.

Special thanks to Steve Duncan who is handling the technology issues for the classrooms.

Please get your nominations in for the annual APA awards. Skip Webb is leading the Awards Committee this year and the deadline for nominations is fast approaching.

Special thanks to Limestone Instruments for once again donating a complete Limestone Polygraph system to the recipient of the Yankee Scholarship.

Once again we will have interpreter services in classroom A throughout the seminar. Thanks to Lafayette Instruments for again providing the interpreters for the APA seminar. Chris Fausett has continued to be one of our most generous supporters. Ray Nelson is coordinating the staffing of this project.

Thanks to Complete Equity markets for once again providing support to the Association.

The Hilton Bonnet Creek is the fabulous venue and right in the heart of the Disney property with a \$99.00 room rate. Please book early.

Please take time to vote in the upcoming election. Have a voice in who represents you on the APA Board.

A schedule of classes and events are included in the *APA Magazine* for your review. I look forward to seeing you in Orlando!

Jamie McCloughan Director

I have further information for the membership on the School Accreditation Committee's (SAC) status of updating the school accreditation manual. The committee members completed their review of the school directors' comments and voiced their votes on issues that were brought up. There were several revisions in the works that utilized feedback from the membership, school directors and Board of Directors (BOD). President Barry Cushman gave a directive to the committee to meet at the American Association of Police Polygraphists (AAPP) seminar in June and complete a document that could be present to the BOD. Both a new manual and an inspection process were successfully completed as directed. In this report, I will tell you about some of the significant changes that are included in the next education and training program accreditation manual, give you an idea of what the document will look like and accreditation process be like and tell you the time frame for what still needs to take place for it to be presented to the BOD.

The first major change will be that the required on-site basic polygraph education and training will increase in both time and length, from 320 to 400 hours and from 8 to 10 weeks. This requirement has already been implemented by the AAPP and is

thought to be necessary to allow programs to accomplish all that is required to be learned in the basic education process. The expanded time and duration will also allow for schools to implement more hours of hands-on learning that were sometimes left to off-site internship environments in order for the programs to be able to get all of the required core coursework completed. To allow for flexibility, the new 400 hours have built in 74 elective hours to be used by the programs as they see fit to best educate their students.

Another change will be the elimination of the requirement for programs to have and hold classes at a main campus, referred to by some as a home school. The idea for this change was to allow basic training courses to be mobile, so as to better service the clients/students, but still maintain the integrity of the classroom requirements. In other words, although there is the potential for a training program to establish multiple sites to conduct their basic training course, the sites they conduct the training at will still need to meet minimum facility standards and be approved prior to the start of a course.

The inspection process, site verification, and much of the originally required paper documentation will now be allowed to be digitally transmitted and stored. This improvement will both allow training programs or schools to reduce the amount of space required to store documentation

and reduce the amount of time necessary for on-site inspection.

I would be remiss if I didn't address a major concern that I have received from several members regarding the proposed increase in education requirements for instructors and the impact they fear this may have on current instructors' ability to continue in their capacity. The APA has implemented in past manuals, and will continue to implement in this manual, grandfather clause language for instructors currently teaching at an APA accredited program. The idea of forward progress is not that of disenfranchising those whom have built up the profession, but rather the implementation of necessary increases in requirements to facilitate positive growth in the profession. As a profession, we must always look for necessary forward progress, while still maintaining our core principals. I truly believe this helps us to achieve further growth in our profession. That said, there is a need for us to increase requirements for our future members of the profession to help secure their place in an increasingly accepted forensic field of practice. Failure to do so could stifle our ability to expand the use of our profession in forensic proceedings.

As for look and feel of the new manual and inspection process, they will both mirror how other professional organizations handle these tasks. The manual was crafted in the same format used by the American

Academy of Forensic Sciences' Forensic Science Education Programs Accreditation Commission. This format was chosen for, among other reasons, its proven success in similar education endeavors, professional appearance and straight-forward reading style. The new inspection process will resemble what is used by the American Society of Crime Laboratory Directors Laboratory Accreditation Board. Again, this is a proven professional method of how to handle the task of inspecting for accreditation. A very basic summation of how this is accomplished is that you will tell us how you meet the standards and we inspect you to confirm that you do what you say you do.

Though a manual has been completed, in part, there still are some procedural processes left to complete before seeking its approval and implementation. The following timeline shows the implementation processes that still need to be completed:

- June 25, 2012, all final committee edits for grammar and language must be in;

- June 29, 2012, the final grammar and language edits submitted by the committee are implemented;
- June 30, 2012, the final committee document is converted to PDF;
- July 1, 2012, the document will be sent to school directors for their comments;
- July 30, 2012, the last day school directors can submit their comments;
- August 4, 2012, the final edited document is completed;
- August 5, 2012, the document gets sent to the BOD for review;
- September 6, 2012, the document is presented to the BOD for approval.

I am looking forward to the reveal of the new manual. Though it has been in the works for a long time, I am hopeful that you will agree that the long wait has been worth it. There are a number of people that have worked long and hard on this project and I equally look forward to listing them in my next report to you, when the manual is approved. Until then, be safe and thank you for all that you do on a daily basis that helps make all of us look good.

***** Final Call *****

Nominations for APA Annual Awards are due by 10 July 2013.

Presentations from Seminar presenters are due by the end of July 2013.

***Submissions should be sent to the APA National Office
manager@polygraph.org***

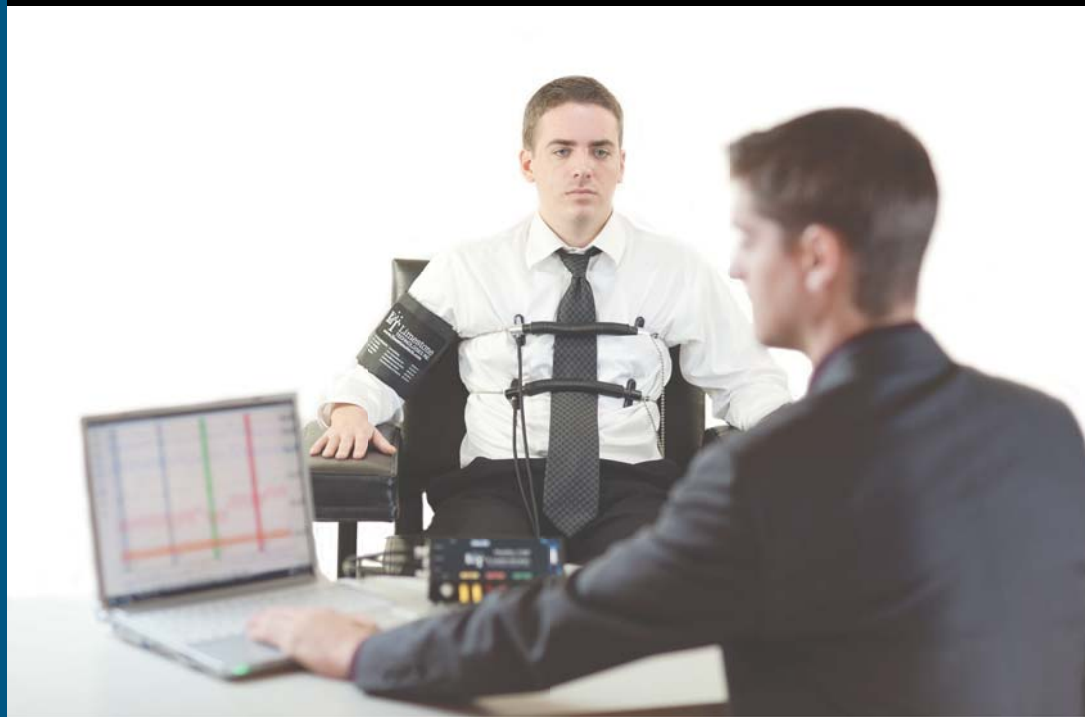
Announcement

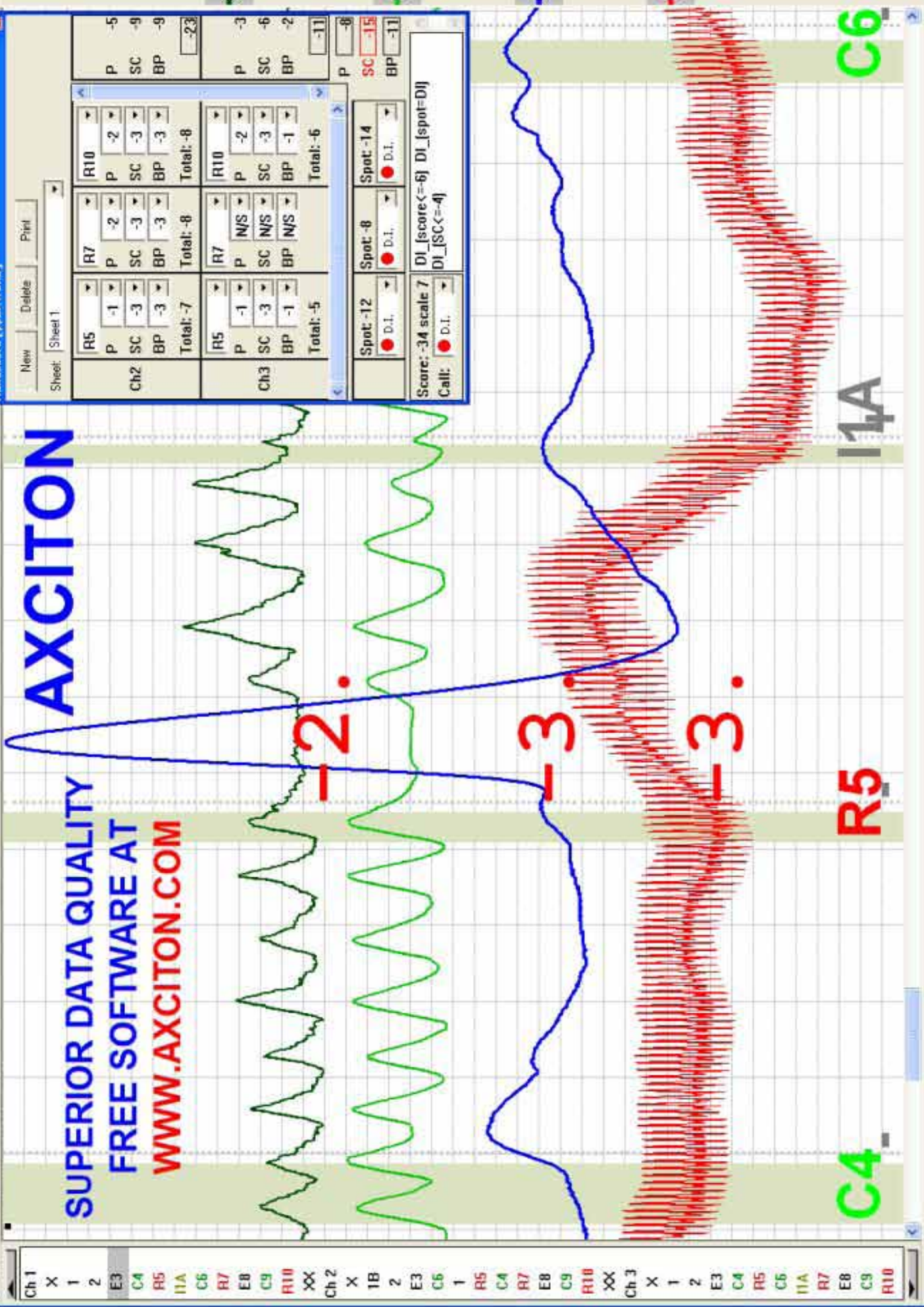
William J. Yankee Memorial Scholarship

The APA is proud to announce the 2013 winner of the William J. Yankee Memorial Scholarship. He is Mr. Steven D. Feldman of College Park, MD. Mr. Feldman has a strong professional résumé that includes research, instruction, and international relations. In addition to the \$5000 educational scholarship to attend an APA accredited school, Mr. Feldman will also receive a Limestone polygraph, courtesy of Limestone Technologies, who has generously donated instruments to awardees of the Yankee Scholarship every year.

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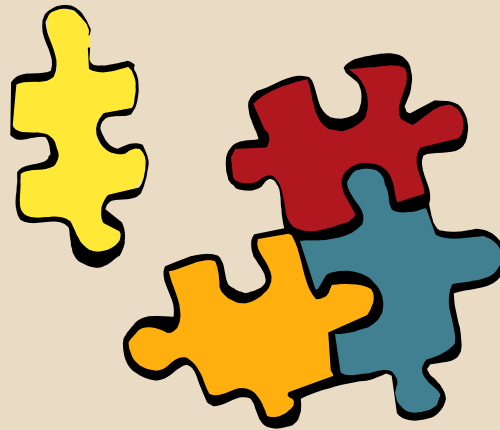


E3 ARE YOU COMPLETELY CONVINCED THAT I WILL NOT ASK YOU A QUESTION ON THIS TEST THAT WE HAVE NOT ALREADY REVIEWED?

Homicide investigations and polygraphs: Bringing pieces together

by

Sergeant Shane Drake & Detective Matthew Barron
Fort Worth Police Department



During the early morning hours of January 30th 2009, the Fort Worth Police Department (Texas) responded to a homicide call at the New Start Night Club in Ft. Worth, Texas. The owner of the nightclub, Mr. Willie Walker, was shot repeatedly and killed during a robbery of the club. Two other employees who had been working at the club the night of the shooting survived the offense. The first police officers who responded to the scene of the murder began obtaining what information they could from the crime scene itself and from the employees who survived. Detectives from the Ft. Worth Police Homicide Unit also responded to the scene of the crime to begin the investigation into the case. The case investigation would

ultimately be worked by Detective Shane Drake and Detective Matthew Barron of the homicide unit.

Initial information about the offense was limited at best. The employees who survived the offense provided information as well as they could in light of what they had experienced. Crime scene officers worked diligently to gather as much potential evidence as possible from the scene as well. Detectives began looking for any possible lead into what had caused such a senseless and brutal act to take place. Information about the victim was considered, forensic processing of evidence was begun, and other investigative avenues were considered as the case investigation continued.

Ultimately the first major lead in the case came from an individual who called in to report that they had information about what happened the night of the murder. Detectives immediately began to look at the information that was being provided from the person's tip, but as with any such information they also had to consider how and why this information was being provided. It was to this end that detectives requested the assistance of Eric Holden at Behavioral Measures & Forensic Services Southwest, Incorporated. The person who had called in with information about the case agreed to take a polygraph examination which was to be conducted by Mr. Holden. The tip which had been provided to detectives appeared to be a viable lead but it was hardly enough to close a case. Detectives had asked the person who had called in with information to take a polygraph examination for multiple reasons. First of all to obviously show that they had been truthful with the information that had been provided, but also to attempt to obtain as much information as possible from him.

Mr. Holden's interview and polygraph with the person who had called in the tip worked to not only confirm that the person was not involved in the offense, but also helped investigators obtain more

information from him related to the offense. Detectives at this point were able to focus more on the lead that had been provided to them.

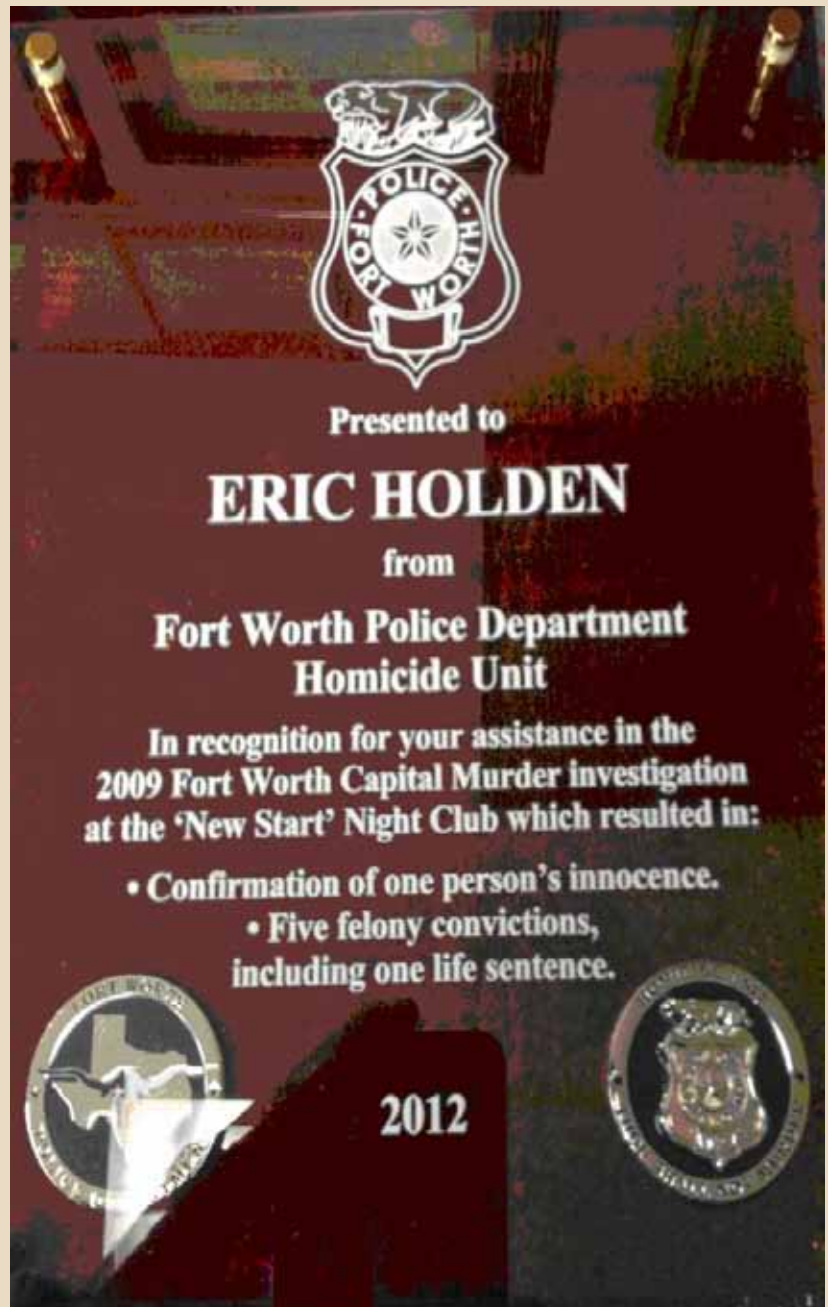
During the weeks that followed detectives were able to locate and meet with one of the men that would ultimately be charged in the offense. Detectives again called for the assistance of Mr. Holden and asked him to conduct a polygraph examination with the suspect. During the first meeting that Mr. Holden had with the suspect, Mr. Holden was again able to obtain more information for detectives about the case. The interview Mr. Holden conducted was extensive and once more the results were more than what investigators had expected. Due to many factors, Mr. Holden recommended that the suspect's polygraph be conducted at another time and under better conditions. Arrangements were made for the suspect to meet with Mr. Holden again, and a polygraph examination was conducted. The interviews that Mr. Holden conducted with the suspect had been painstaking, not to mention time consuming. However, the importance of the case, and the level of violence of the crime were never forgotten during interviews and examinations that were to say the least extremely complicated. Mr. Holden's recognition of these facts was

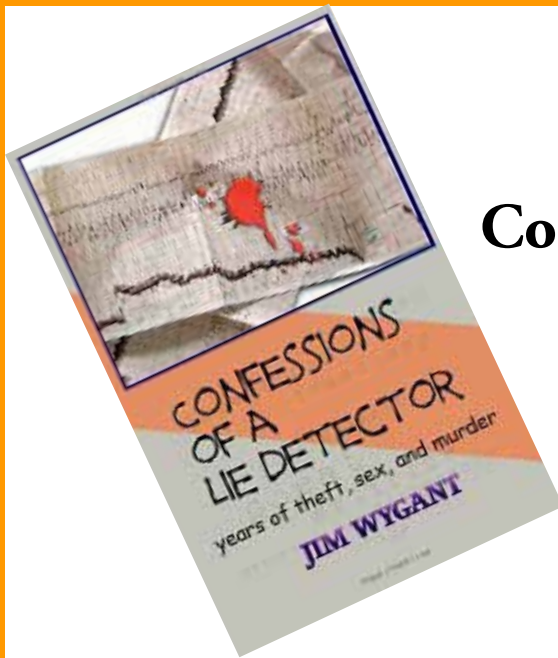
apparent in his dedication to assist in the case investigation.

Detectives would spend several more months investigating the case before the first of five arrests would be made. The work of multiple forensic scientists and the coordinated efforts of several law enforcement agencies would finally confirm much of the information which detectives had learned during the case investigation. A large part of that information had been obtained directly with the assistance of Mr. Holden. Prosecutors for the Tarrant County District Attorney's Office would later take the case to trial and obtain a life sentence for the offense of Capital Murder against the man who had actually shot Mr. Walker. Varying sentences were also obtained against four others for their parts in the crime that claimed Mr. Walker's life.

Credit in the case belonged to all the professionals who dedicated themselves and their skills to bringing the case to a successful close. It was an honor to include Eric Holden among that group of people.

Award to Eric Holden from the Ft. Worth Police Department Homicide Unit





Book Excerpt

Confessions of a Lie Detector: Years of Theft, Sex, and Murder

by

James Wygant

Chapter 14: Prisoner Schemes

Lyle Pettygrove was serving a long term in the Oregon State Penitentiary for rape and armed robbery. He had a previous conviction for manslaughter. He had already been at the pen for ten years when I met him. He was 42 years old and looked at least ten years older. My other Francke client, Doug Massingen, had only recently been convicted of murder and was still in a county jail, only days away from transfer to the penitentiary where he would begin serving a life sentence. He was 31 but still retained a boyish arrogance and aura of invulnerability.

I saw them in September, 1989. Michael Francke, the head of the Oregon Department of Corrections, had been murdered outside his Salem office building eight months earlier. No one had been arrested yet. For a while the police had focused on parolee John Crouse, whom they said gave conflicting stories, sometimes claiming knowledge of the murder and at other times claiming ignorance. By September the police had consigned Crouse to the category of exhausted leads. They had lost interest in him, even though his name did occasionally reappear in the press.

It was the enigmatic John Crouse that prison inmate Lyle Pettygrove wanted to talk about, even if it was a little late in the game. Pettygrove wanted to prove that he had valuable information to trade about Crouse. To do that, he needed to pass a polygraph examination.

Jim Wygant is a well respected writer and polygraph examiner in Portland, Oregon. In addition to his long-running *Polygraph News & Views*, Jim has published several books. The excerpt appears here with his kind permission. *Confessions of a Lie Detector* is available from major book outlets, or you can order it directly by clicking here: <http://www.jimwygant.com/store.html>.

Pettygrove submitted a list of 39 questions to his attorney, block printed on the lined stationery that the prison furnished to inmates. He wanted his polygraph test to consist of exactly those questions. He wanted to be asked if Crouse had described the murder, even drawing a map in the cinders of the prison exercise track. There were also questions to establish that Crouse had claimed knowledge of the murder weapon, which had never been found. Mixed in with these relatively important considerations, were an assortment of trivial details, such as “When John Crouse talked to you was he very extra depressed?” and “Did he tell you about a Buick?”

Pettygrove’s lawyer forwarded the list of 39 questions to me. Ordinarily I would have spoken with the lawyer by phone about the impossibility of Pettygrove’s proposed test. But like the Francke investigators, I felt the need to create a precise record of what I did, in case any of it ever became a topic for the media. Since it would have been inappropriate for me to correspond directly with Pettygrove while he was represented by an attorney, I sent the lawyer a letter, later explaining to him by phone that my message was primarily intended for his client. I wrote, “It would be impossible for any examiner to conduct a valid examination using those questions and I will not attempt that.” I detailed my objections to the questions. “There are too many of them, many are imprecise, many are of no consequence, and most are in a form unsuitable for polygraph testing.”

My stern tone reflected my impatience with sensationalized media coverage of the Francke investigation. I and others believed that the media’s unrestrained and uncritical acceptance of virtually any claim encouraged lies and mistakes. I concluded my letter by saying, “I will undertake this effort only within the constraints of standard procedures. To do otherwise with such a grave issue would be, at the very least, a waste of time.”

Pettygrove agreed to my terms. I arranged with the superintendent’s office at the State’s maximum security penitentiary to test Pettygrove inside the walls.

I have done many examinations inside a score of jails and prisons. Some of the facilities are new, some are old, like the Oregon State Penitentiary. In all of them the heavy doors clank behind you with the same solid finality, a signal that there is no going back except with someone else’s consent. They are all places that men cannot leave by choice, and that is the overriding atmosphere, not how fresh the paint is or how new the bunks are.

At the Oregon State Penitentiary an isolated tower like a small lighthouse oversees the entrance. A guard at the top can scan the landscaped grounds outside the prison walls and can speak by intercom to the drivers of all approaching cars. The metallic voice of the intercom directed me to park next to the nearest exterior wall. Above me, on the corners

of the high wall, were the familiar turrets manned by guards with rifles. I went inside and identified myself at the main reception desk. They already had the paperwork that authorized my visit. I waited a few minutes for my escort to arrive, a prison guard. We went through the usual security procedures, including a search through my equipment and then my own separate passage through the metal detector. With that completed, I followed the guard down a ramp to the turnkey's station, the main entrance into the secured area of the prison. All such entrances and exits into jails and prisons consist of what jailers call a "sally port". Ironically the name is taken from the double gated entrances into medieval castles, intended to keep people out rather than in. The two gates or doors enclose a small area where those passing through must wait for the first door to close completely behind them before the second door is opened.

Within the sally port at the state prison, between the two heavily barred doors, I completed a few routine procedures before the second door was opened. I surrendered my driver's license and was given a visitor's badge. The exchange was conducted through a small gap in the heavily shielded cage of the turnkey, who was locked away from everyone entering and leaving the secured area of the prison. I was also directed to stick my forearm into the turnkey's domain through the gap. I watched him imprint the back of my hand with a rubber stamp. There was no visible image where he had pressed the stamp. The ink was a kind that would only be revealed under black light. If I tried to leave later without the stamp on my hand I would not get beyond the sally port.

The guard took me to the parole board office, where I was left alone in a small room with inmate Lyle Pettygrove.

Pettygrove had spent most of his adult life locked up, and his face had the tired look of someone whose life behind the walls had conditioned him to constant vigilance and suspicion. His expression was flat, humorless, guarded. He had completed one polygraph examination years earlier on an unrelated issue. He had also begun a test only recently on the same matter on which I was to test him. That test was attempted by an examiner for the Oregon State Police. Pettygrove's distrust of the police examiner had escalated to such an extent during their brief time together that Pettygrove refused to complete the test.

Pettygrove told me that John Crouse had drawn a diagram in the cinder track at the penitentiary, pointing out where he said Francke had been stabbed. Crouse also supposedly talked about a fake alibi to establish that he was in Tennessee when the murder happened. And, according to Pettygrove, Crouse claimed to have beaten the polygraph test about Francke that he'd been given by the police.

I questioned Pettygrove carefully, and he backed away from his initial assertions. He admitted that Crouse never actually said he had been involved in the Francke murder. When I suggested a test question that asked if Crouse claimed to have “beaten” his polygraph test, Pettygrove also backed off from that assertion. He said that Crouse had only claimed to be able to beat any polygraph test, a common claim by jail and prison inmates, many of whom have failed a polygraph test at some point in their criminal careers and won’t admit it to other prisoners.

When I proposed a test question that asked if Crouse had drawn a diagram, Pettygrove requested that I include “in the dirt.” When I made that change and read it back to him, he hesitated as though harboring some lingering uncertainty.

I constructed a standard ten-question test and carefully discussed the wording of each question with Pettygrove before we began. Three of the questions would ask directly about the issues. They were:

Did Crouse draw you a diagram in the dirt showing where he said Francke was stabbed?

Did Crouse tell you he had arranged for a phony alibi in Tennessee for the Francke case?

After his Francke test, did Crouse tell you he could beat any polygraph?

Pettygrove answered “yes” to those three questions. I went through all ten test questions three separate times, while Pettygrove answered and the instrument recorded his reactions. The charts showed strong and consistent reactions that indicated lying. I told Pettygrove the results. He had no explanation. He said he didn’t know why he had done badly. He asked about taking another test, which I discouraged. His family had paid for this test. There was no point in wasting any more of their money. I packed up, returned Pettygrove to a guard, and made my way back out of the prison.

Whether Pettygrove had made up everything he claimed, or only part of it, made no difference in the test results. Any polygraph test requires that the person answering the questions be completely truthful. I suspected that Pettygrove’s claims were probably a combination of truth, lies, exaggerations, and rumors that Pettygrove had picked up from others in the penitentiary. There was enough deceit to cause him to fail the test and to make his information worthless. There was no way to know how much of it, if any, was truthful.

Read the rest of the story by ordering the book at <http://www.jimwygant.com/store.html>.



Social Media Searches

by

Stanley M. Slowik

In perhaps one of the most underreported examples of recent bipartisan cooperation – in just the first four months of 2013 – 35 states have introduced or passed legislation restricting the use of social media searches.¹ In nearly all cases, these restrictions apply to current and prospective employers as well as educational institutions but may also include landlords and others

who include social media searches as part of a background investigation. Generally titled “Job and Education Privacy Acts” this legislation prohibits employers and others from “requesting or requiring” usernames and passwords to social media accounts. The stated need for such legislation is to prevent unlawful discrimination practices since social media might reveal information regarding race, gender, religion, age,

About the author: Stanley M. Slowik has been an active APA member since 1968, has contributed frequently to both the *APA Magazine* and journal *Polygraph*, and is a respected speaker on many matters polygraph.

disabilities and sexual orientation. This being the case, having a job applicant or current employee enter their own username or password, then conducting a social media search, has already been interpreted as a violation of the spirit of the legislation.

If the language of these bills and laws were universally consistent, social media “Privacy Acts” would be of little concern to polygraph examiners since they address a methodology (social media searches) not used in conducting examinations. Unfortunately, they do not, so examiners are strongly advised to review the specific legislation in their respective states. While federal employers are presumably exempt (these are state laws), there does not appear to be any general law enforcement exemption but examiners should check bills for late arriving amendments. The Maryland Department of Corrections

was unsuccessful in persuading their legislature to allow them to search on-line for gang affiliations on applicants seeking employment as Corrections Officers.² Kansas would prohibit employer requests to “divulge social media content”³ but it is unclear if it would, by extension, be illegal for an interviewer or polygraph examiner to discuss the same content being unaware it was contained in some social media account. Anticipating objections from certain employers who currently search personal social media accounts for evidence of child pornography, Wisconsin – rather than exempting employers with a legitimate need to know – has instead statutorily limited liability in negligent hiring and detention litigation where employers comply with the Privacy Act and therefore do not conduct thorough social media background investigations.⁴ Whether such limits of liability will survive challenges is yet to be seen.

¹ National Conference of State Legislatures, www.ncsl.org/issues-research/telecom/employer-access-to-social-media-passwords-2013.

² “Maryland Corrections Agency Demanding All Social Media Passwords of Potential Hires,” *TechDirt*, Mike Masnick, February 22, 2011.

³ Kansas H.B. 2092, January 25, 2013.

⁴ Jason Stein, *Milwaukee Journal Sentinel*, April 22, 2013

Some allowance appears to have been made in most “Privacy Act” states to exempt electronic equipment provided by employers. Likewise, while devices “used exclusively for personal communication” would be protected, devices used for both personal and “business” would not have to comply with the proposed access restrictions. Finally, most states allow employers and others to request and require usernames and passwords to conduct social media searches when Just Cause has been established as part of an internal investigation, particularly with regard to issues involving financial, proprietary and confidential information.

Unlike recent legislation restricting the use of criminal and credit records, particularly when applied to pre-employment background investigations, Privacy Act legislation appears to focus on the issue of access to information

rather than the use of information obtained. It is more analogous to the Employee Polygraph Protection Act⁵ and therefore shouldn’t directly effect polygraph examiners unless the examiner is also the background investigator or internal affairs investigator and desires to include social media searches as part of an investigation. As discussed in great detail in various APA instructional presentations,⁶ the primary issue in pre-employment background investigations should always be identifying pre-hire activities - recent, performance related activities - that predict hiring disasters and using methods that obtain accurate information about these activities. In this regard, properly conducted pre-employment polygraph examinations, coupled with factual admissions elicited in a non-accusatory manner, far exceed the capabilities of even the most ambitious social media search and criminal/credit record check combined.

⁵ Employee Polygraph Protection Act, June 1988 (revised July, 2008), U.S. Department of Labor, www.wagehour.dol.gov.

⁶ Eliciting Information In The Pre-test Interview, Stanley Slowik, September 18, 2012, APA Seminar, San Diego, CA.

Practicum

Advances are made by answering questions
Discoveries are made by questioning answers

Quality Control

by

Tuvya T. Amsel

One of the most unpleasant tasks of a polygraph examiner is to review (usually by court appointment) another examiner's charts. It's getting even worse when the other examiner is a senior examiner and high ranking government or police official and an old colleague of yours. In one of those reviews, after scoring the charts the results were NDI which contradicted the examiner's final report. The examiner's response was, "This is a good example of what John Reid taught me: 'Don't burn your fingers.' I also saw the charts but I

also noticed that the examinee silenced his friend when I entered the room and that gesture (of bringing the finger to his nose) is more valid than your chart scoring. This is a deceptive person behavior." In another situation I have told another examiner that I was surprised by his deceptive decision. His answer was: "Well ... seems like I've used the **hostile** evaluation and scoring approach on this one." Such answers make you wonder how many charts went undetected, not mentioning the hundreds of cases in which examiners refused to show their charts "as a matter of principle!"

The author is a private examiner in Israel, and a regular contributor to the publications of the American Polygraph Association. The views expressed in this column are solely those of the author, and do not necessarily represent those of the American Polygraph Association. Publishable comments and replies regarding this column can be sent to editor@polygraph.org.

A clear and distinct line should be drawn between examiners who know that their charts do not support their decision and those who are convinced that their charts do, even though they don't. The first group is a matter for the ethics committee while the latter is the concern of this article. The first group can usually be found amongst examiners who joined the trade after practicing many years as investigators / interrogators and are used to make decisions based on their "gut feelings" regardless of the facts. For such the charts are but a nuisance. The latter group suffers from vision distortion, which is a common phenomenon that comes with aging ... in the profession as well. Visual distortions are factors that contaminate the examiner's ability to evaluate and score the charts at face value. In some cases its effect is to exaggerate the severity of a response while in others it is going as far as possible to overlook a response, and the end result is an erroneous decision.

What are those factors?

- Consumer prior expectations - Several researchers [Barland, 1975ⁱ; Elaad et al., 1994ⁱⁱ; Ben-Shakhar et al., 1986ⁱⁱⁱ; Ben-Shakhar & Furedy, 1990^{iv}] found that prior expectation from the consumer tends to contaminate the examiner and influence her/him toward the expected outcome.

- Case data – Which point toward the examinee's innocence or guilt.
- Peer group pressure – regarding the examinee's innocence or guilt.
- Selfish consideration – such as the future effect on the examiner's career / income / business if the results will contradict the consumer's prior expectations.
- General impression and image of the examinee as perceived by the examiner.
- Examinee's truthful or deceptive verbal and/or non-verbal clues observed by the examiner during the pre-test.

Most examiners are affected by these distorters unconsciously. They are aware of these considerations but their defense mechanism ignores them in order to avoid acting upon them. Add to this human's outstanding ability for self-deception, which leads them to store these factors in a forgotten drawer in the back of their mind. Gradual disregard of the distorting agents eventually leads to a distorted vision of the charts.

Unlike polygraph examiners, many professionals are capable of judging the quality of their performance by simply observing the results. With the exception of confession, field examiners face uncertainty and have no way of assessing

the quality of their work. False negative examinees naturally avoid any claim that the examiner made a mistake. The false positive examinees' protest is expressed in an identical manner to those of guilty examinees: "It's a mistake" making it impossible to differentiate the true positive from the false positive. Operating in a void without feedback eliminates the examiner's ability to develop and improve, and can make her/him blind to mistakes. In such situation the examiner's mistakes turn into a habit and instead of gaining, for example, 10 years of experience s/he actually gains one year of experience ten times. That's why examiners need some mechanism that will objectively assess the quality of their performance, and the solution is a quality control program. In spite of the fact that quality control cannot confirm the validity of the decision it can monitor the quality of the performance and feedback to the examiner if s/he followed a valid test procedure and protocol.

Regardless of the examiner ability and self-control to disregard the visual distortions, quality control can minimize its effects to almost zero. A quality control program exists in almost all government and law enforcement agencies and it is aimed toward assuring that the examiners are practicing along a pre-defined protocol, based on validated test procedures.

The majority of private examiners do not have the luxury of a quality control mechanism, yet if a private examiner is seeking for a candid opinion concerning her/his work s/he should adopt the "Buddy System", which is a basic arrangement whereby two or more persons watch out for each other. Your buddy is your mirror to observe the quality of your work. Self-control is blessed but a trained objective observation creates a constant learning atmosphere that benefits all parties involved, contributing to their professional growth.

The following manuals can be found at: AntiPolygraph.org reading room at: <https://antipolygraph.org/read.shtml>:

Federal Psychophysiological Detection of Deception Examiners Handbook, Counterintelligence Field Activity Technical Manual, October 2, 2006, pp. 2 - 5.

United State Army Criminal Investigation Command, Forensic Psychophysiological Detection of Deception Policy and Procedure, February 2005, pp. 59 – 64.

Los Angeles Police Department, Pre-Employment Polygraph Guidelines, December 2004, pp. 4 – 5.

Polygraph Guide for Standards and Practices (**GUIDE**), Polygraph Law Enforcement Accreditation (**PLEA**), Law Enforcement Sensitive Information, 14 V: 03-11-SC, pp. 14 – 15.

Quality Control Categories

The performance of polygraph test quality control should be divided into two different categories derived from the scope of the review. One is conducted in order to review the examiner's performance while the other is conducted in order to validate the accuracy of the conclusion. Therefore the definitions of the categories are:

- **Quality Control:** The act of reviewing a polygraph test in order to determine if the test was performed in accordance with a pre-defined protocol based on validated test procedures. This type of review is commonly conducted for instructional purposes thus evaluating ALL the aspects of the test such as: case data collecting, dressing code, pre-test preparations, pre-test interview, and so on.
- **Conclusion Validation:** The act of reviewing a polygraph test in order to validate or reject the accuracy of the examiner's conclusion. This type of review is conducted for forensic purposes thus the evaluation is focused ONLY on critical aspects of the test that may alter the test's conclusion such as: relevant question phrasing, comparison question effectiveness, chart clarity, numerical analysis accuracy and alike. Picking up on microscopic details may serve the adversary but it will do no just.

Review quality

Another consideration which affects the quality of the review is whether the test was recorded or not. An audio-visual recording enables the reviewer "to be physically present" in the test so to speak, which allows a very high resolution of evaluation in comparison to a low level of resolution in cases of no recording where decisions are based only on documents and charts.

Epilogue

In his book *Confessions of a Lie Detector* Jim Wygant wrote the following: "Some polygraph examiners would like to promote the notion that they are infallible. They fear that any admission of error will destroy their credibility. Many years ago I knew a police examiner who had perfected his 'delivery' of results. District Attorneys and police investigators loved him. He was always confident and absolute in saying that someone lied or told the truth. None of the law enforcement agencies that used him could remember ever getting an inconclusive result from him. I reviewed one of his tests ... and realized ... that he did not know what he was doing. The questions were poorly worded. The charts reflected poor control of his instrument. And the result could only be reported as inconclusive, not the definite deception that he had claimed. I cautioned a deputy

district attorney ... the prosecutor listened but remained unconcerned. The examiner was delivering the results that the prosecutor's office wanted to hear. A few years later that examiner retired. He began doing tests for defense attorneys. He produced a series of improbable results, all claiming that the persons he tested were telling the truth. His former law enforcement colleagues began to insist that his tests be reviewed. When that happened the tests were regularly rejected. Other examiners could not find evidence in the charts for the results that the original examiner claimed. ... Finally, his own former law enforcement

agency decided to review a number of his old police cases ... in which he had reported definite results. The re-evaluation produced startling results. Most of the tests were so poorly done that only inconclusive results were possible ... What everyone concluded was that the examiner had been telling people what he perceived they wanted to hear. Often that meant that his decision was correct, but most of the time there was no basis in his work for any decision at all ... The agency where that examiner had been formerly employed quickly instituted a program of quality control to regularly review the work of its other examiners.”^v

“Success does not consist in never making mistakes but in never making the same one a second time.”

- George Bernard Shaw

ⁱ Barland G.H. (1975). *Detection of Deception in Criminal Suspects: A Field Validation Study*. (Unpublished Doctoral Dissertation). University of Utah, Salt Lake City, Utah.

ⁱⁱ Elaad E., Ginton A., Ben-Shakhar G. (1994). The Effects of Prior Expectations and Outcome Knowledge on Polygraph Examiners' Decisions. *Journal of Behavioral Decision Making*, 7, pp. 279-292.

ⁱⁱⁱ Ben-Shakhar G., Bar-Hillel M., Lieblich I. (1986). Trial by Polygraph: Scientific and Juridical Issues In Lie Detection. *Behavioral Science and the Law*, 4, pp. 459-479.

^{iv} Ben-Shakhar G., Furedy J.J. (1990). *Theories and Applications in the Detection of Deception: A Psychological and International Perspective*. New York: Springer-Verlag.

^v Wygant, J., (2011). *Confessions of A Lie Detector*. Portland, OR: Lycetta Press, pp. 257 - 258.

Forensic Quality Control (Conclusion Validation)

Evaluation Sheet

Pre Test

Does the examiner have all case data?

Pretest Interview

Initial

Examiner introduces her/himself

Verify examinee ID

Tell examinee to turn off phone, etc

Acknowledge nervousness

Inform of A/V being recorded

Test length

About Polygraph

Prior Test

Explain physiology related to lying

Voluntary/Involuntary systems

Involuntary physiological changes when lie

Collect biographical data

Education

Suitability questions

Current medical treatment

Consuming medication

Chronic Disease

Pain

Mental Health Treatment

Alcohol last 24 hours

Illegal drugs last 24 hours

Consent to take the test

Aware of legal right to refuse

Aware of test consequences

Discussion of case data

Why are you here today?

Walk thru that day

Walk thru crime (& scene)

Establish relationship to scene

Behavior provoking questions

Directly ask relevant questions

Why wouldn't you do this?

Discussion on past and personality (CQ)

Have you done such things in the past

Are you a kind of person who can do it

Develop theme

Question phrasing

RQ

Cover the issue

Right on target

Double meaning questions

CQ

Corresponding relevant

Right on target

Proper sequence review

Other format test questions appropriate

Reviewed all test questions

Validated test format

Execution of consent/rights

Explain instrument & test behavior

Upper body tubes

EDA

Cardio Cuff

Motion detector

Give proper test instructions

Test

ACQT

- Directions for ACQT
- Explanation of ACQT
- Placement of sensors
- Test instructions
- Ease into operation
- Feedback on ACQT

Data Collection

- Watch examinee
- Read questions loud and clear
- Read all question in proper sequence
- Waveform proper size
- Proper spacing between questions
- Chart marking (annotations, sensitivity, artifacts)
- Questions asked when gained homeostatic
- Proper number of charts

Between Charts

- Adjust sensors if needed
- Discuss questions
- Change RQ/CQ if needed
- Break between charts
- Enforce physical responses

Data Analysis

- General review
- Numerical scoring
- Consider anomalies

Post Test

- Ask for explanations (if DI)
- Retest (if got explanations)
- Post-test interrogation (if ID)

Date: _____

Evaluator: _____

Instructional Quality Control Evaluation Sheet

Waiting Area

Read explanatory leaflet	✓	x
Read code of ethics	✓	x
Drink	✓	x
Bathroom	✓	x

Pretest

Initial

Examiner introduces her/himself	✓	x
Verify examinee ID	✓	x
Tell examinee to turn off phone, etc.	✓	x
Acknowledge nervousness	✓	x
Inform of A/V being recorded	✓	x
Test length	✓	x

About Polygraph

Prior Test	✓	x
Done research?	✓	x
Explain physiology related to lying	✓	x
Voluntary/Involuntary systems	✓	x
Involuntary physiological changes when lie	✓	x

Collect biographical data

Education	✓	x
Suitability questions	✓	x
Current medical treatment	✓	x
Consuming medication	✓	x
Chronic Disease	✓	x
Pain	✓	x
Mental Health Treatment	✓	x
Alcohol last 24 hours	✓	x
Illegal drugs last 24 hours	✓	x

Consent to take the test

Aware of legal right to refuse	✓	x
Aware of test consequences	✓	x

Discussion of case data

Why are you here today?	✓	✗
Walk thru that day	✓	✗
Walk thru crime (& scene)	✓	✗
Establish relationship to scene	✓	✗
Behavior provoking questions	✓	✗
Directly ask relevant questions	✓	✗
Why wouldn't you do this?	✓	✗

Discussion on past and personality (CQ)

Have you done such things in the past	✓	✗
Are you a kind of person who can do it	✓	✗
Develop theme	✓	✗

Question phrasing

RQ		
Cover the issue	✓	✗
Right on target	✓	✗
Double meaning questions	✓	✗

CQ		
Corresponding relevant	✓	✗
Right on target	✓	✗

Proper sequence review	✓	✗
Other format test questions appropriate	✓	✗
Reviewed all test questions	✓	✗
Validated test format	✓	✗

Execution of consent/rights	✓	✗
Restroom break	✓	✗

Explain instrument & test behavior

Upper body tubes	✓	✗
EDA	✓	✗
Cardio Cuff	✓	✗
Motion detector	✓	✗

Give proper test instructions	✓	✗
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ACQT

Directions for ACQT	✓	✗
Explanation of ACQT	✓	✗
Placement of sensors	✓	✗
Test instructions	✓	✗
Ease into operation	✓	✗
Feedback on ACQT	✓	✗

Data Collection

Watch examinee	✓	✗
Read questions loud and clear	✓	✗
Read all question in proper sequence	✓	✗
Waveform proper size	✓	✗
Proper spacing between questions	✓	✗
Chart marking (annotations, sensitivity, artifacts)	✓	✗
Questions asked when gained homeostatic	✓	✗
Proper number of charts	✓	✗
Change questions sequence	✓	✗

Between Charts

Adjust sensors if needed	✓	✗
Discuss questions	✓	✗
Change RQ/CQ if needed	✓	✗
Break between charts	✓	✗
Enforce physical responses	✓	✗

Data Analysis

General review	✓	✗
Numerical scoring	✓	✗
Consider anomalies	✓	✗

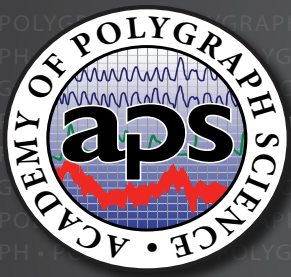
Post Test

Ask for explanations (if DI)	✓	✗
Retest (if got explanations)	✓	✗
Post- test interrogation (if ID)	✓	✗

Remarks: _____

Date: _____

Evaluator: _____



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Historical Note

Some Surprising Things about Vittorio Benussi

by

George Baranowski

During the time I attended polygraph school in the 1980's, I had already retired from the local police department and took a position as the Chief Investigator with the Prosecuting Attorney's Office. Because of my new position I was interested in obtaining as much expertise in criminal investigation processes as possible. Also in this position, I have to admit that I took advantage of the new authority to be able to send myself to numerous schools and avenues of training and investigation courses and curriculums available. Polygraph school was one of them. However, another fascinating investigation adventure in which I studied before polygraph was "Forensic Hypnosis," which is essentially using hypnosis to assist the memory of willing witnesses and victims of crimes. Forensic Hypnosis became extremely popular in the law enforcement community mainly because at that time a major crime had been solved in Chowchilla, California using this phenomenon. A bus load of children were kidnapped

along with the bus driver by two masked gunmen. They were then driven miles to an abandoned stone quarry, and then the children and the bus driver were buried 6 feet underground in a sunken semitrailer. The kidnapers were asking for a significant ransom. Everyone got involved with the investigation including



state and federal investigators and even the White House was receiving updated reports. The children and the driver however, after hours of work, were able to dig their way out of this buried container. By hypnotizing the driver of the school bus, sufficient information was obtained about the license plate numbers of the kidnapper's vehicles that caused their identification and subsequent arrest. This was information that he could not recall in a conscious state. I have my own collection of war stories to share about these phenomena. However, as a point of information about this, I taught Forensic Hypnosis at the Indiana Law Enforcement Academy, presented programs about this as forensic evidence at the law schools of Notre Dame and Valparaiso University, and for a number of years, conducted training courses at the National Guild of Hypnotists Annual Conferences held in New Hampshire that drew over 2,000 attendees yearly. I mention this only as a leading point of information that our President Barry Cushman attended my 3-day course given there years ago, and that's actually where we met for the first time. As Barry tells it, my mention of the polygraph during the hypnosis course helped develop his own interest in polygraph. In fact, I remember even recommending the school he eventually attended.

But getting on to how this subject of hypnosis ties into Vittorio Benussi, the individual to whom we in the polygraph community attribute the concept of inhalation-



exhalation ratio recordings to assist in truth or deception determinations, began his research into all of this using hypnosis. I had heard of Vittorio Benussi from my hypnosis studies before I learned of his connection to lie detection experiences. Benussi was born in 1878 in Trieste, Italy. He studied philosophy in what is known today as Austria. Psychology was not yet an independent field of science. History tells us that he received a Ph.D in 1900 and lectured in philosophy in Austria while also conducting extensive experimental research in the field of perception of what he called "Forms, optical illusions and the perception of time." It was also at this time when Benussi acquired experience in hypnotic induction techniques.

From 1914 to 1919 Benussi was a faculty member of the University of Vienna and then returned to Italy. It is reported that he was quite disappointed upon his return as he was accustomed to a well-equipped laboratory, but in Padu, Italy there was no laboratory, the entire available equipment consisted of a box of chalk. Because of these limited research facilities he focused his research efforts to hypnosis.

By the way, this was all during a period of time when hypnosis was of considerable interest in either research or psychotherapeutical intervention. Benussi used hypnosis as a tool to investigate what he called “perception.” This was a new approach. He discovered that it was possible to discriminate sleep, wakefulness and the state of hypnosis by certain breathing patterns and used these patterns as a criterion of the hypnotic state he had assisted his subjects into.

Benussi carried out experiments about the respiratory symptoms of lying during his years in Austria. During this experiment he had his subjects read cards containing digits, letters and pictures. They were then questioned about the number, the nature and the arrangement of the symbols in a specific order. Certain cards, the cards subjects were supposed to lie about, were marked with a red star. When the subject

drew this card, he was instructed to lie upon every point. They were encouraged to try as hard as possible to deceive spectators who were present and observing. Benussi recorded three-to-five breathing cycles before and after the answer and calculated proportion of the inhalation to exhalation time. He reported that in the case of true statements, the average of these measurements was almost always greater before the statement than afterwards; In the case of deceptive statements, the average was smaller.

What is amazing to me is that Benussi’s interest was always to the field of perception, and even though we as polygraph examiners benefit from his research, it appears that he himself never intentionally became involved in developing his process for truth or deception determination as many of us have been led to believe. History regards him as a psychologist who conducted various experiments including observations of respiration. It appears he discovered the value of inhalation and exhalation but never promoted these discoveries for the purposes of lie detection or truth determination. Others attempted to replicate Benussi’s discoveries but the credit for the discovery of this phenomenon has always stayed with Benussi. Vittorio Benussi died pretty young at the age of 50 in Padu Italy in 1927.



Tech Talk

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On June 14th the Editor of APA Publications sent an invitation to the four major polygraph manufacturers to submit short articles for publication in the *APA Magazine* that discuss technical aspects of their products. The invitation was prompted by recent media attention that raised questions about circuitry in some computerized instruments. The following articles represent responses from three of those polygraph manufacturers. They are published in order of receipt.

Tech Talk is a recurring column that includes articles from APA members on a wide range of technical issues. The views expressed in Tech Talk are solely those of the author(s), and do not necessarily represent those of the American Polygraph Association. APA members are encouraged to send articles and responsible responses to editor@polygraph.org.

Third Party Oversight Raises the Bar on Quality and Safety*

Jamie Brown

Quality and safety of polygraph instrumentation is top of mind again these days with recent news reports questioning the reliability of polygraph. These reports are concerning because they suggest the EDA of polygraph instrumentation currently in use is seriously flawed.

Raising the bar on quality and safety has never been more important for polygraph professionals. Currently polygraph software and instrumentation are not considered diagnostic and therefore no standards or third party inspections are required. How then can an examiner (or anyone else) know whether or not his/her instrument is properly engineered?

That is why it's time to raise the bar on quality and safety. That is also why Limestone Technologies Inc. recently submitted its new Paragon Polygraph Instrumentation to third party testing that meets the standards for CE designation. The Paragon instrument has now achieved CE designation.

Achieving CE designation is important because professional examiners and their employers need to be assured there are no "bugs" in the instrumentation they rely on to make life altering decisions. Submitting polygraph instrumentation to third party testing is proof that examiners can rest assured that their instrument is reliable since it has met key scientific and engineering standards for quality and safety.

Similarly, there is no requirement that polygraph instrumentation include any inspection or premarket notification since the polygraph paradigm is not classified as medically diagnostic by the US Food and Drug Administration. Yet there is value in taking this additional precaution.

A company's listing with the FDA demonstrates a broader knowledge of compliance. The process of obtaining an FDA premarket 510K for a medically diagnostic device deepens a company's mastery of scientific and engineering

*This article will also appear in the publications of the American Association of Police Polygraphists.

standards. Would a physician trust a blood pressure cuff that failed to meet FDA standards?

Surviving the scrutiny of third party FDA standards is another reassurance for examiners that the instrumentation they rely on has met acceptable scientific and engineering standards for quality and safety.

That is why using medically approved connectors is important for examiners. It is also why meeting RF (Radio Frequencies) and ESD (Electro Static Emissions) and immunity benchmarks means a higher standard of polygraph excellence. Third party scrutiny is a key assurance of quality and safety.

Yes, obtaining third party verification of quality and safety is more expensive in the short-run. But taking shortcuts does not serve the polygraph profession well. In the long-run, polygraph examiners must be assured their instrument meets third party scientific and engineering standards. This is particularly important if the polygraph profession is to address the concerns raised in the news media and elsewhere.

The CE Declaration of Conformity of the Paragon instrument is available on request. This documentation is mandatory for any manufacturer that shows the CE mark. The CE testing of the Paragon instrument was completed by a third party and examiners can verify for themselves that the Paragon polygraph instrumentation meets the CE standard of engineering and scientific quality. For instance, the Declaration of Conformity shows:

RF Emissions - EN55011:2009/A1:2010
Class B

ESD Immunity - IEC 61000-4-2:2008
Level 2 Criterion B

RF Immunity - IEC 61000-4-3:2006
+A1:2007 +A2:2010 Level 2 Criterion B

The CE Declaration of Conformity is a precise measure of the quality and safety offered by the Paragon instrument. Like meeting FDA medically diagnostic standards, it raises the bar of polygraph quality and safety and provides additional value and peace of mind for polygraph examiners.

*Jamie Brown is President of Limestone Technologies Inc.
Contact Jamie to obtain a copy of the Paragon instrument's CE Declaration of
Conformity.*

Stoelting Software Processes and Hardware: Clarification of Issues Regarding the Recording/Utilization of EDA in PDD Testing

Guillermo Witte¹

Introduction

We have recently received a number of questions regarding our EDA measurement technology and the CPS system due to concerns raised by recent press articles on how EDA is recorded/utilized in PDD testing. This article is Stoelting's response to these questions and should serve as an explanation of our software processes and hardware circuitry.

The Computerized Polygraph System (CPSpro) is a fusion of the extensive laboratory and field polygraph research conducted at the University of Utah for over 40 years and the long and heralded tradition of Stoelting Company who has been producing polygraph instruments since 1930.

Software

Readers should know that Stoelting always uses the original, unaltered data. When we

redisplay the recordings, after collecting a chart, the system always uses the original, unaltered data, regardless of how it was displayed for viewing convenience during and/or after data collection.

When using tools such as filter, auto recenter, detrend, etc., the original data remains unchanged as our design is based on standard psychophysiological recording methods and principles. We still provide options to display data in any mode and auto recenter the tracings. These options make it easier for examiners to collect data without having to make continual adjustments and recenterings. However, this is only a visual representation of the raw data for the convenience of the examiner. Once the charts are saved, we utilize only the unaltered raw data. All of our analyses are based on the original data and shown in numerical form on the screen to indicate which question has the stronger reaction.

¹Division Manager, Stoelting Company

Acknowledgement: The author expresses special thanks to Drs. David Raskin and John Kircher for reading an earlier draft of this manuscript and for their contributions that led to the final draft.

When Filter is enabled, this implements a high pass filter designed to stabilize the baseline for viewing by the examiner. It does not affect the original data that are always recorded and stored in manual mode. Filtering allows you to display the tracings while collecting charts with the filter enabled, but by default Fusion displays the unfiltered (raw) data on chart re-display. This filter has no effect on any of the calculations used for displaying response strength or computer analysis algorithms.

When Autocenter is Enabled, CPSpro Fusion will automatically re-center the signal if the tracing hits the upper or lower boundary of the area on the screen reserved for that channel on the visual representation of the chart collection process. This function has no effect on the original data as Fusion displays the unaltered (raw) data on chart re-display.

If any of the tracings has drifted upward or downward over the course of a polygraph chart, the user has an option to detrend the signals. Detrending a tracing makes it easier to see reactions to test questions. Detrending removes overall linear and quadratic trends from the tracing without affecting the relative strength of reactions.

Stoelting has calculated parameters that utilize the original data even when looking at detrended signals. Image 1 shows a chart displayed in manual mode. Under each question is a quantitative measurement score. Scores for each channel are available individually or a composite for the entire question. The score of the EDA (shown in green) can be seen in Image 1. Image 2 shows the same chart as Image 1 but in detrended mode. Although there is a slight change in the visual representation by removing the slow upward drift of the baseline of the

Image 1

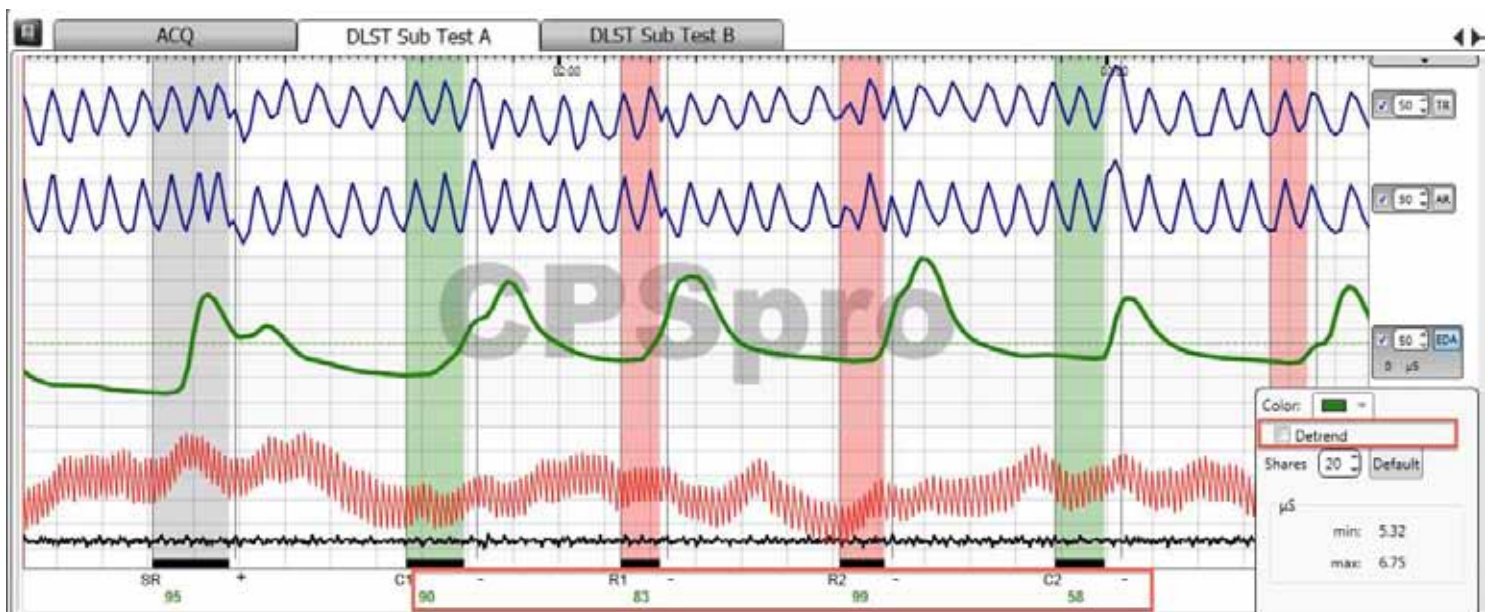
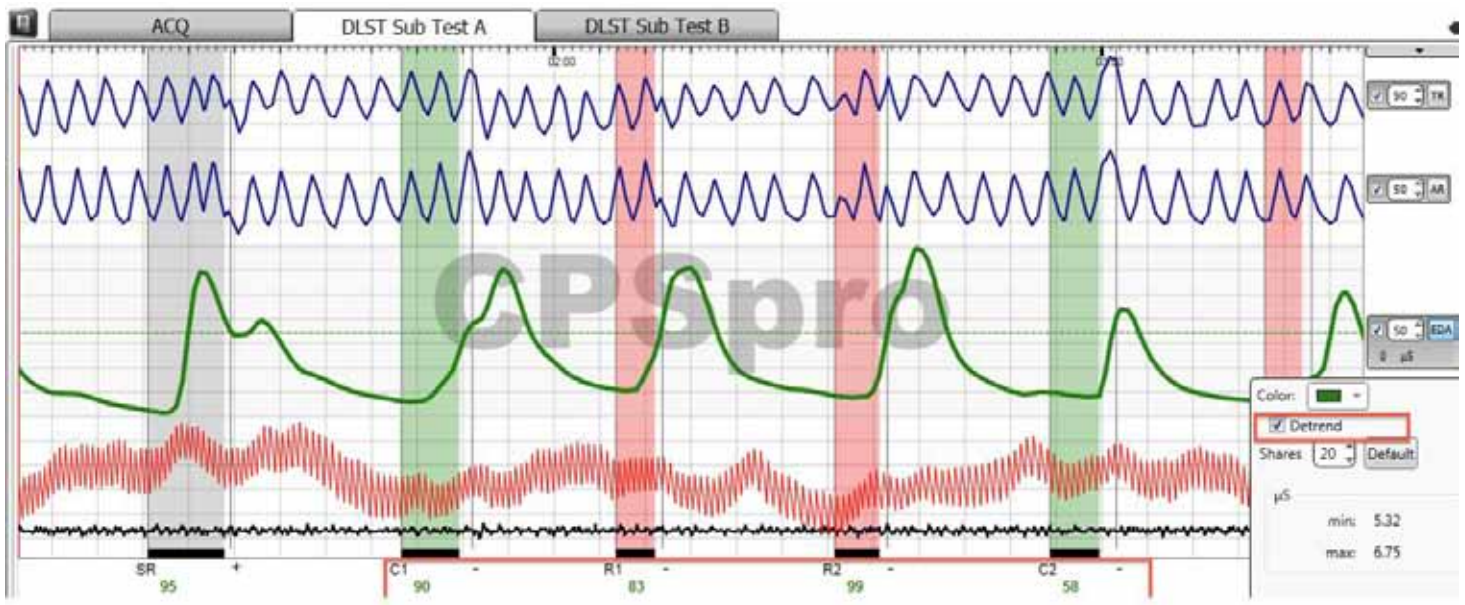


Image 2



signal, the quantitative measurement scores for each question are the same because they are based on the original raw data. You can go back and forth between detrend and manual mode after the chart is collected without losing any of the original data.

The CPSpro software makes automated calculations and provides optimal scores for computer analysis and shows them on the computer screen. They provide the basis for the relative size measurements that are displayed when numerically scoring charts. These have been established by scientific research to give optimal accuracy of scores and decisions with the CPS probability algorithm. Users are able to change these parameters when numerically scoring charts if they differ from the rules of the scoring system they employ. Any changes you make to this parameter affect only reaction measurements displayed in the numerical

scoring window and their highlighted areas. They do not affect the calculations made by the other computer analysis algorithms.

Images 3 and 4 show how these features assist examiners in making their conclusions. Again, we are showing you a chart displayed in both manual and detrend modes. When you select the Peak Amplitude of the reaction, we display the original data peak amplitude in both modes. We do the same when using our score sheet. We calculate for you which reaction is stronger and how much stronger it is.

Hardware Overview

The CPSpro uses a USB 2.0 HID connection, medical grade Swiss-precision LEMO connectors and Luer inputs. The CPSpro Fusion hardware system has the capacity to record up to 13 channels. The CPSpro Fusion 24-bit analog-to-digital

converters sample at up to 384 Hz and store each physiological signal 60 times per second. This allows full range, extremely precise measurements without any resets or switching of converters.

CPSpro comes with three (3) sensors for recording EDA; Laboratory style silver-silver chloride electrodes in reusable Velcro cup for the contact medium, snap leads for wet-ger silver-silver chloride

Image 3

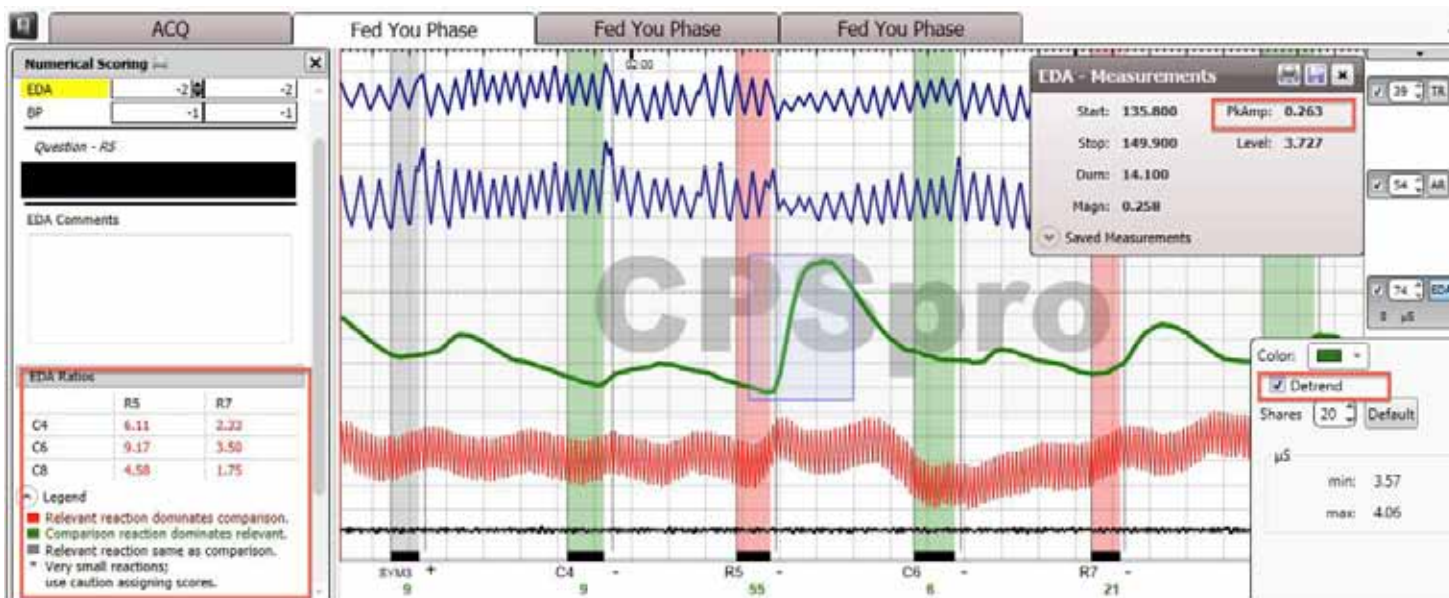
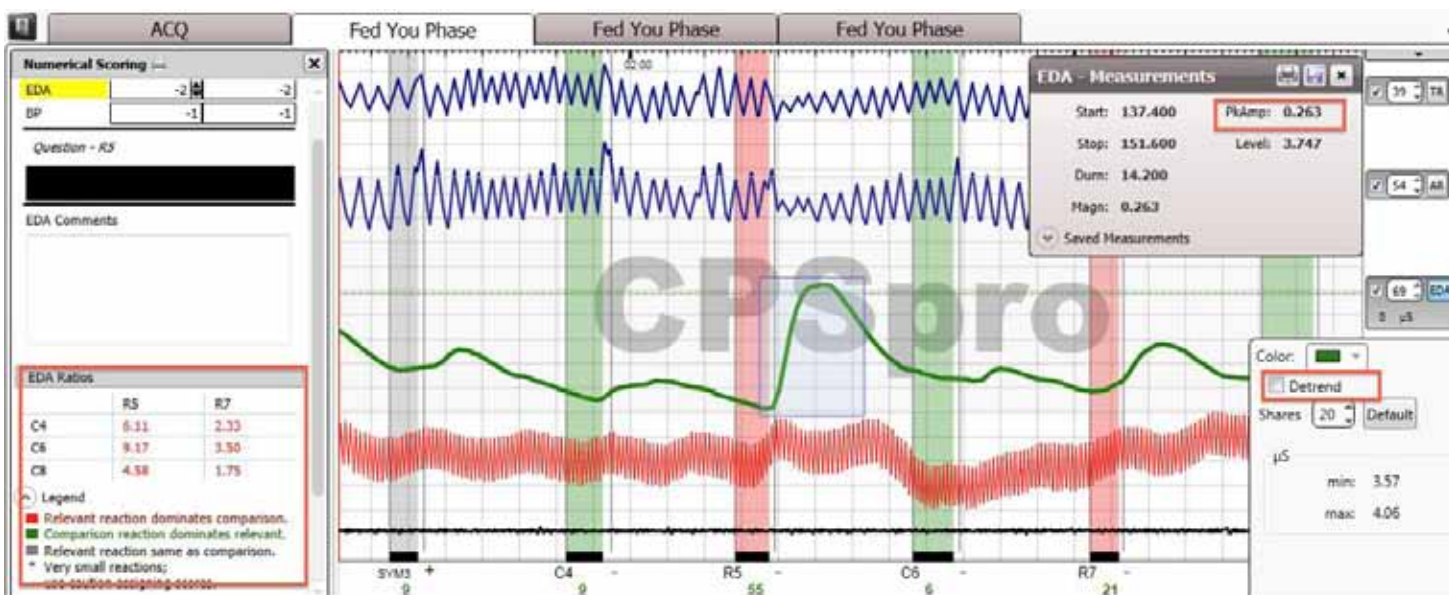


Image 4



electrodes, and classic-style gold plated finger plates. The use of the silver-silver chloride electrodes is highly preferred over the use of classic style EDA plates because

they eliminate polarization that is a major cause of baseline drift and is the standard method used by psychophysicologists.

Detailed Hardware Technical Specifications

Dimensions:	6.69”D x 6.10”W x 1.57”H (17.00 cm X 15.50cm X 4.00 cm)
Weight:	14.0 ounces (397 grams)
Connection:	USB 2.0 HID
Power Requirements:	Receives all required power through USB
Resolution:	24-bit Sigma-Delta ADC
Sampling Rate:	Up to 384hz, all data is stored at 60hz
Operating Temperature:	50 – 95°F (10 – 35°C) 0 – 90% humidity (non-condensing)

Sensor Inputs

(2) Pneumatic Respiration:	± 75 mmHG
(2) Electronic Respiration:	20 to 200 mV into a 1 Mohm load
(1) Cardio Arm Cuff:	0 - 215 mmHG
(1) Finger Cuff:	0 - 215 mmHG
(1) Plethysmograph:	Infra-red LED and photosensor, Excitation: 5VDC
(1) Skin Conductance:	0.5V Constant Voltage, Range .1 - 100µS, 3kV RMS Isolation
(1) Skin Resistance:	2.5µA Constant Current, Range 100kOhms - 10Mohms, 3kV RMS Isolation
(1) Skin Potential:	± 100mV, 3kV RMS Isolation
(2) Voice Sub / Exam:	-64dB
(1) Auxiliary Input:	10/210 /1000 µA excitation current, ± 4V
Digital I/O:	Eight TTL-compatible inputs; Eight TTL-compatible outputs

We at Stoelting Company have provided this article to explain how our software and hardware process signals. For a detailed explanation on our product or for any questions feel free to contact me at gil@StoeltingCo.com or at 800.860.9775.

Electrodermal Activity and the Lafayette Lx4000/Lx5000 Data Acquisition Systems

Raymond Nelson and Brent Smitley

The term *electrodermal activity* (EDA) was first suggested by Johnson and Lubin (1966) to describe the range of electrical phenomena associated with the skin. The unit of measurement for electromotive force is the *Volt* (V) for which small values are expressed as *microvolts* (μV). Field polygraph instruments measure EDA using exosomatic methods in which a small direct current (DC) voltage is applied to the skin, and by measuring changes in electrical activity that occur in response to test stimuli.

Electrical conductors have the properties of both *resistance* and *conductance*. The unit of measurement for electrical resistance is the *Ohm* (Ω). High resistance levels are described using the terms *kilohms* ($\text{k}\Omega$) and 1 *megohms* ($\text{M}\Omega$). The unit of measurement for electrical conductance is the *Siemens* (S), formerly referred to as the *mho* (i.e., the inverse of the ohm) until the late 1970s. Low levels of conductance are described using the term *microsiemens* (μS) which is equal to one millionth of one Siemen. Resistance and conductance are mathematically related such that $1\text{M}\Omega = 1\mu\text{S}$ or $1\text{S} = 1/1\Omega$ and $1\Omega = 1/1\text{S}$. If the

exact value of either is known, the exact value of the other can be calculated.

Brown (1967), Venables and Martin (1967) proposed the standard terminology that is used to describe and discuss EDA in the science of psychophysiology: *electrodermal level* (EDL) refers to the *tonic* level of EDA, while *electrodermal response* (EDR) refers to *phasic* EDA responses. Both EDR and EDL are of interest to researchers in psychophysiology. Field polygraph examiners measure and score EDRs using both manual and automated scoring algorithms, but generally use EDL only to evaluate the examinee's readiness for each test question stimulus.

Like all electrical circuits, an EDA circuit is said to be *closed* when the electrodes are connected to the examinee, allowing the flow of current through the circuit. Circuits are said to be *open* when it is disconnected, preventing the flow of current. Constant voltage circuits apply a known constant voltage to the skin in series with a resistor of a known value. Resistance of the skin can be determined by first measuring the amount of current

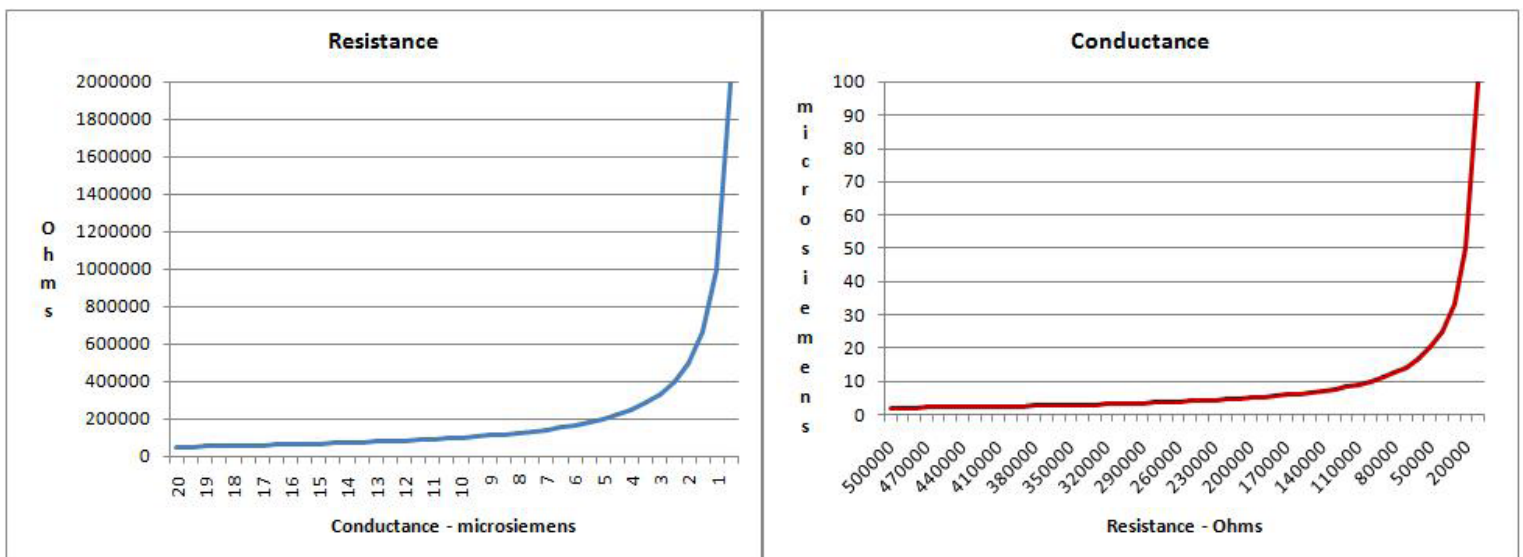
across the known series resistance and then using Ohm's law to calculate the unknown skin resistance value. Constant current circuits apply a known constant current to the skin in series with a resistor of a known value. Skin resistance can be determined by monitoring the voltage in the circuit and using Ohm's law to calculate the unknown resistance value.

Polygraph recording instruments are not medical devices, and neither polygraph examiners nor polygraph instrumentation are subject to medical standards. Nonetheless, medical safety standards can provide an informative view regarding device safety. One stringent international standard for medical equipment, IEC 60601-1, does not consider voltage levels less than 60 volts (DC) to be a danger, and does not require engineers to take any special precautions to prevent someone

from touching it. Both the LX4000 and LX5000 are powered by 5V from the USB connector, and are well within this voltage specification. An important safety standard is to ensure that any electricity that an examinee or examiner could come into contact with does not have any direct path to ground. This safety barrier is accomplished in the circuit design by electrically isolating the EDA electrodes. Isolation of this type means that if an examinee is wearing the electrodes and happens to touch a high voltage source, there would be no path to ground and the examinee would be safe from potential harm. Both the LX4000 and LX5000 devices are electrically isolated up to 2000V.

The normal range for tonic EDA has been reported as $2\mu\text{S}$ to $20\mu\text{S}$, which is equivalent to $50\text{K}\Omega$ to $500\text{K}\Omega$ (Dawson, Schell, &

Image 1. Conductance and resistance plots



Filion, 2007). Although the relationship between resistance and conductance is mathematical, it is not linear. Image 1 illustrates the potential for non-linearity, and shows that non-linearity above the upper limit of the normal range (500K Ω) may impose practical usability limits due to the potential for data instability or noise. Linear changes in resistance will produce non-linear changes in conductance. Similarly, linear changes in conductance will produce non-linear changes in resistance.

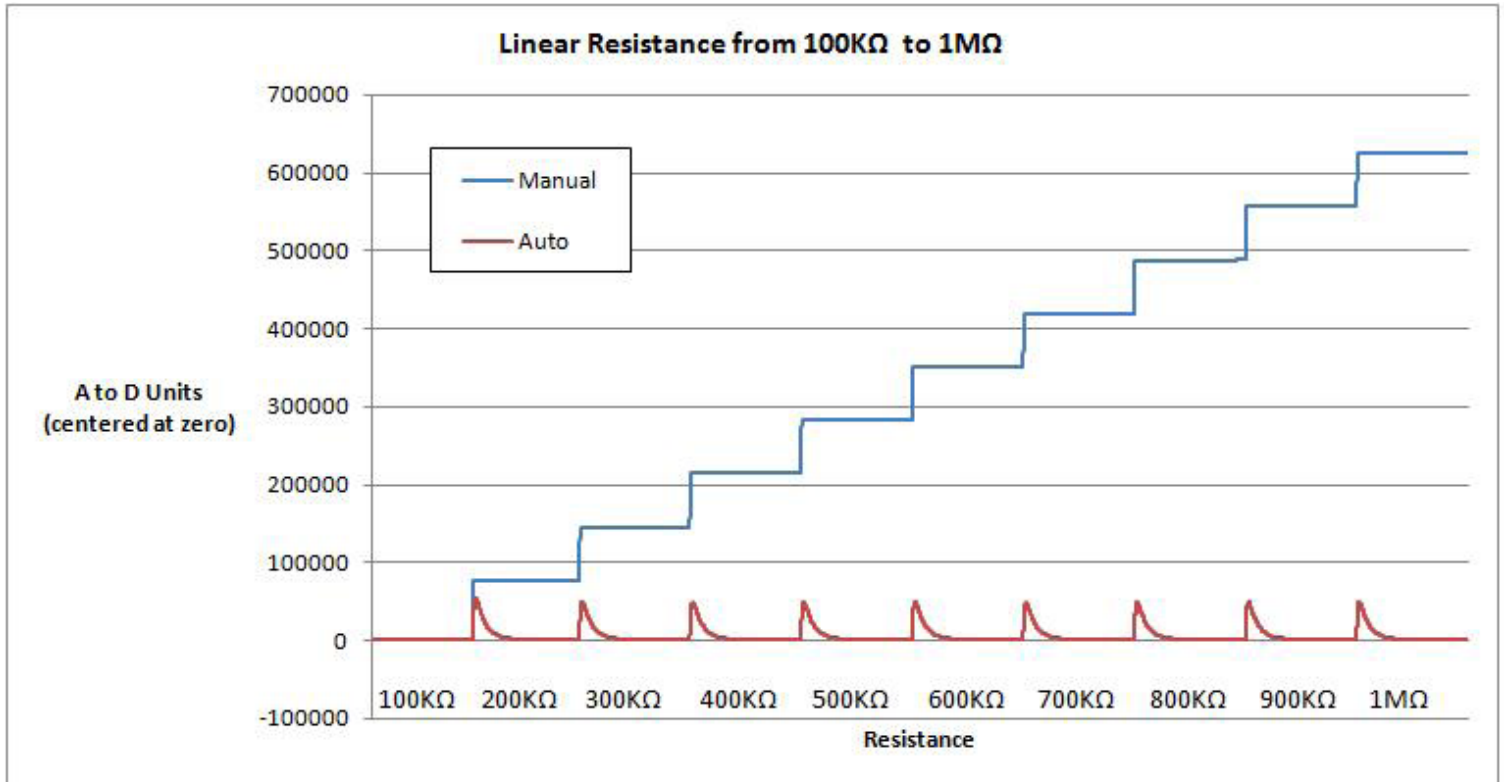
The practical meaning of this is that the diagnostic value of EDA data outside the normal range (i.e., at high resistance levels) may not provide the same diagnostic value as EDA data within the normal range. However, data within the normal range can approximate linearity more closely. This should be studied further.

Exosomatic measurement of EDA can involve the use of either *constant voltage* circuits or *constant current* circuits. Both methods make use of Ohm's law, which mathematically defines the relationship between voltage, current and resistance (Ohm, 1827; Nilsson & Reidel, 2008). Ohm's law states that $V = I \times R$ (Voltage = Current \times Resistance), which can be transformed mathematically into $R = V / I$ (Resistance = Voltage divided by Current) or $I = V / R$ (Current = Voltage Divided

by Resistance). If two of the values are known the third can be calculated. The unit of measurement for electrical current is the *Ampere* (A). Small ampere values are expressed with the term *microampere* (μ A), for which one million μ A are equal to 1A.

The design of the LX4000 EDA is a constant current circuit of 6.7 μ A and has a range of 10k Ω to 2M Ω . The design of the LX5000 EDA includes both constant current and constant voltage circuits. The LX5000 constant current circuit uses a constant current of 4 μ A and can acquire data across a range of 10k Ω to 2.3M Ω . The LX5000 constant voltage circuit uses a constant voltage that is automatically ranged for each subject when the EDA circuit is closed and uses a maximum current of 10 μ A. The advantage of the auto-ranging design is to preserve response linearity at high resistance levels. The circuit is capable of acquiring data across a range from 5k Ω to 4M Ω . Both the LX4000 and LX5000 are well within published recommended maximum current density of 10 μ A/cm² (Boucsein, Fowles, Grimmes, Ben-Shakkar, Roth, Dawson, & Filion, 2012). To illustrate further: AA batteries may have current capacities ranging from 1100mA/hour to 2700mA/hour, meaning that most small batteries are capable of providing current many thousand times greater than that of the LX4000 and LX5000 EDA electrodes.

Image 2. Linearity of resistance.



Regardless of whether *measured* using constant current or constant voltage methods, EDA measurements can be described or *displayed* using either conductance or resistance units. This is because an exact mathematical formula defines the relationship between conductance and resistance. If the exact value of one is known the exact value of the other can be calculated. Boucsien (2012) has suggested there is no actual scientific rational or plausible hypothesis suggesting one as scientifically superior to the other. Research psychophysicologists have preferred to discuss EDA in terms of conductance units, while field polygraph examiners have traditionally discussed resistance units. Processing of the EDA

data for display and analysis is a function of the LXSoftware, and data are displayed as linear resistance units for both the LX4000 and LX5000 devices. Image 2 shows the linearity of resistance response from the LX5000.

LX4000 devices acquire and transmit EDA data to the computer at 120 samples per second. LX5000 devices are capable of acquiring data from 120 to 360 samples per second. Device firmware serves only to control the acquisition of data, creation of packet transmission, and communication with the computer using 24-bit analog-to-digital technology. No signal processing is done in the firmware of the LX4000 or LX5000 data acquisition systems.

For more information, or to contribute to the discussion, please contact Mr. Nelson or Mr. Smitley directly.

Raymond Nelson, Research Specialist rnelson@lafayetteinstrument.com

Brent Smitley, Lafayette Engineering Manager bsmitley@lafayetteinstrument.com

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Quotables

A successful man is one who can lay a firm foundation with the bricks others have thrown at him.

~David Brinkley



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The Camm Murder Case

by

Robert Ennis

One of the most notorious Indiana murder cases in recent history was the execution of the family of David Camm. On the night of September 28, 2000, Camm returned to his Georgetown home from playing basketball at a nearby church to find his wife Kim, 7-year-old son Brad and 5-year-old daughter Jill shot to death. Kim was lying on the garage floor next to the couple's Ford Bronco, and his two children were in the vehicle.

About the Author: Robert Ennis is a former police polygraph examiner now in private practice, a former Army CID agent, and until 2011 he was a Command Sergeant Major in the Army Reserves. Mr. Ennis has been an instructor for the Department of Defense and Kentucky Law Enforcement. In addition to his private polygraph practice Mr. Ennis represents Lafayette Instrument Company.

Camm called the Indiana State Police post in Sellersburg to report the crime, and then ran across the street to where his uncle lived to tell him what had happened. Camm had previously been an Indiana State Police trooper, but left the force months earlier to work on a family business.

Early evidence pointed to David Camm for having committed the murders. In particular, blood coming from his wife was found on his shirt, and identified by a state expert as high velocity spatter resulting from a gunshot. Camm was charged with three counts of murder, and the jury in his 2002 trial convicted him on all counts.

Camm appealed his convictions, which were then overturned due in large part to the presentation at trial of evidence of Camm's pattern of marital infidelity. The Indiana State Police followed up with a new investigation, and in early 2005 investigators discovered DNA matching that of Charles Boney on the collar of a sweatshirt found under the body of Camm's son Brad. Boney was picked up, and brought in for questioning.

Boney acknowledged that the sweatshirt was his, but that he had donated the

shirt at a Salvation Army drop box in the summer of 2000, a month or two before the Camm murders. Boney denied having any weapons, being at the crime scene, helping David Camm in the killing, or of even knowing Camm.

Boney accepted an invitation to take a polygraph examination to confirm his denials of involvement in the Camm murders. He also stipulated to the admissibility of the results in court.

I conducted the test of Charles Boney on February 17, 2005 at the Louisville Metro Police Department Headquarters. The instrument was an LX4000, and the testing technique was the ZCT. Below are all of the test questions:

1. Is this the month of Feb?
2. Regarding the shooting, do you intend to answer all my questions truthfully?
3. Are you completely convinced that I will not ask you a question on this test that has not already been reviewed?
4. Prior to 2000, did you wish someone you knew personally would die?
5. Did you shoot any of those people in Indiana?

6. Have you ever committed a crime and not gotten caught?
7. Were you there when they were shot?
8. Is there something else you are afraid I will ask you a question about, even though I have told you I would not?
9. Are you really as trustworthy as you say you are?
10. Did you see who shot them?

Manual scoring produced spot scores of -2, -5, and -5 for questions 5, 7 and 10, respectively, and the decision was DI. Also, because Boney denied knowing the caliber of weapon used in the murders, I next ran a Peak of Tension test. The items were;

1. Was the gun used a 22 cal?
2. Was the gun used a 38 cal?
3. Was the gun used a 40 cal?
4. Was the gun used a 9 MM?
5. Was the gun used a 380 cal? (KEY)
- 6 Was the gun used a 45 cal ?
7. Was the gun used a 357 cal?

I concluded that Boney recognized the caliber of the weapon. Boney was then interrogated by Indiana State Police investigators, who were not successful

in obtaining any admissions from Boney. Boney was released.

The following month the police lifted Boney's palm print from the exterior of the Camm's Bronco. Upon this discovery Boney was questioned again by police. He continued his denials, but when the palm print was mentioned to Boney, he requested an attorney, and then stated "(a)ll I know is David Camm was the shooter...that's all I'm gonna say until I get an attorney."

Boney was then arrested and charged for his involvement in the three Camm murders. A while later Boney expressed an interest in meeting again with investigators, this time without a legal advisor present. During this new interview he provided a 5-page statement in which he implicated David Camm, and admitted to selling him the murder weapon for \$250. He ultimately also added that he was present outside the garage when Camm shot his family.

As an accomplice Boney was convicted of murder in January 2006. David Camm has been convicted twice for the murders, but both decisions were overturned. He was charged for a third time in 2009, and is due to go to trial later in 2013. Charles Boney is scheduled to testify in that trial.

Chart 1

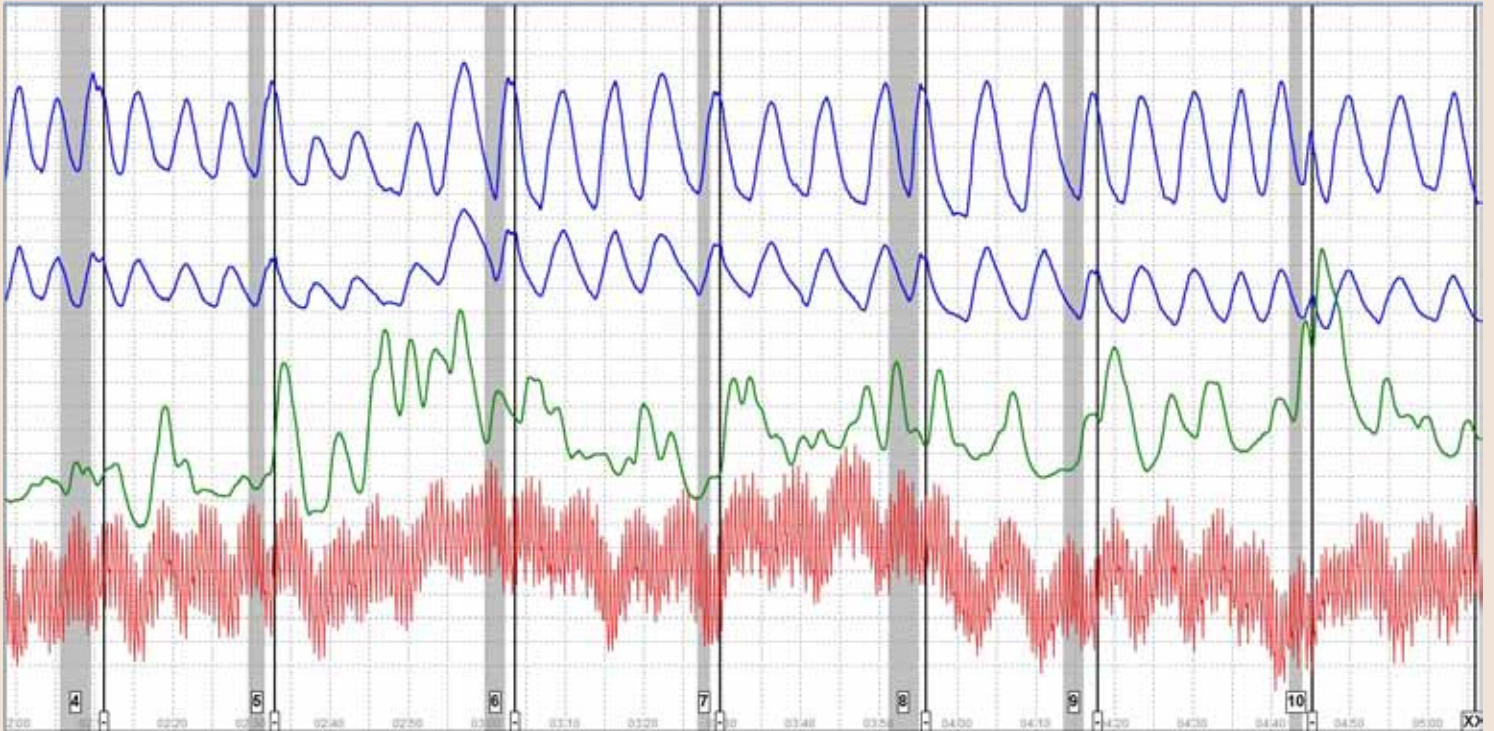


Chart 2

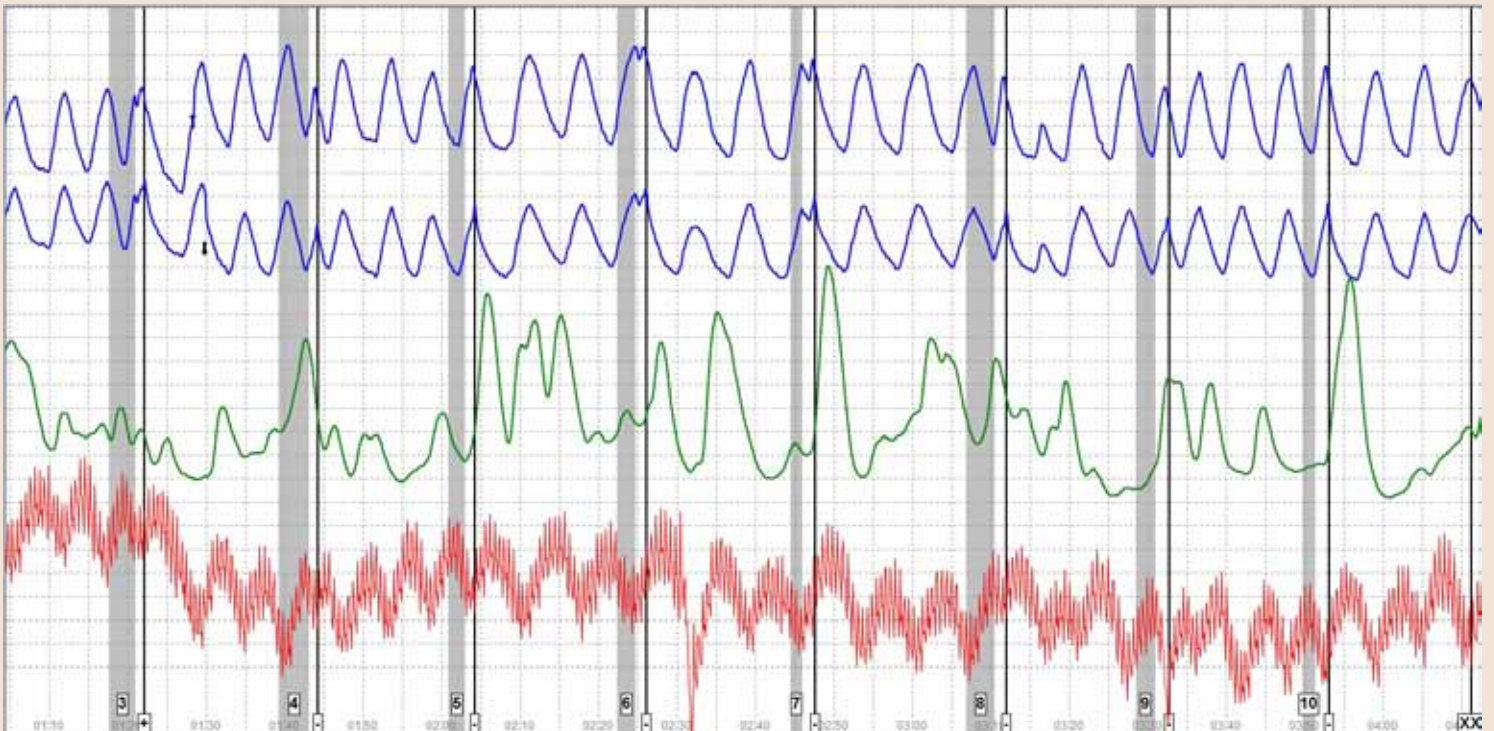


Chart 3

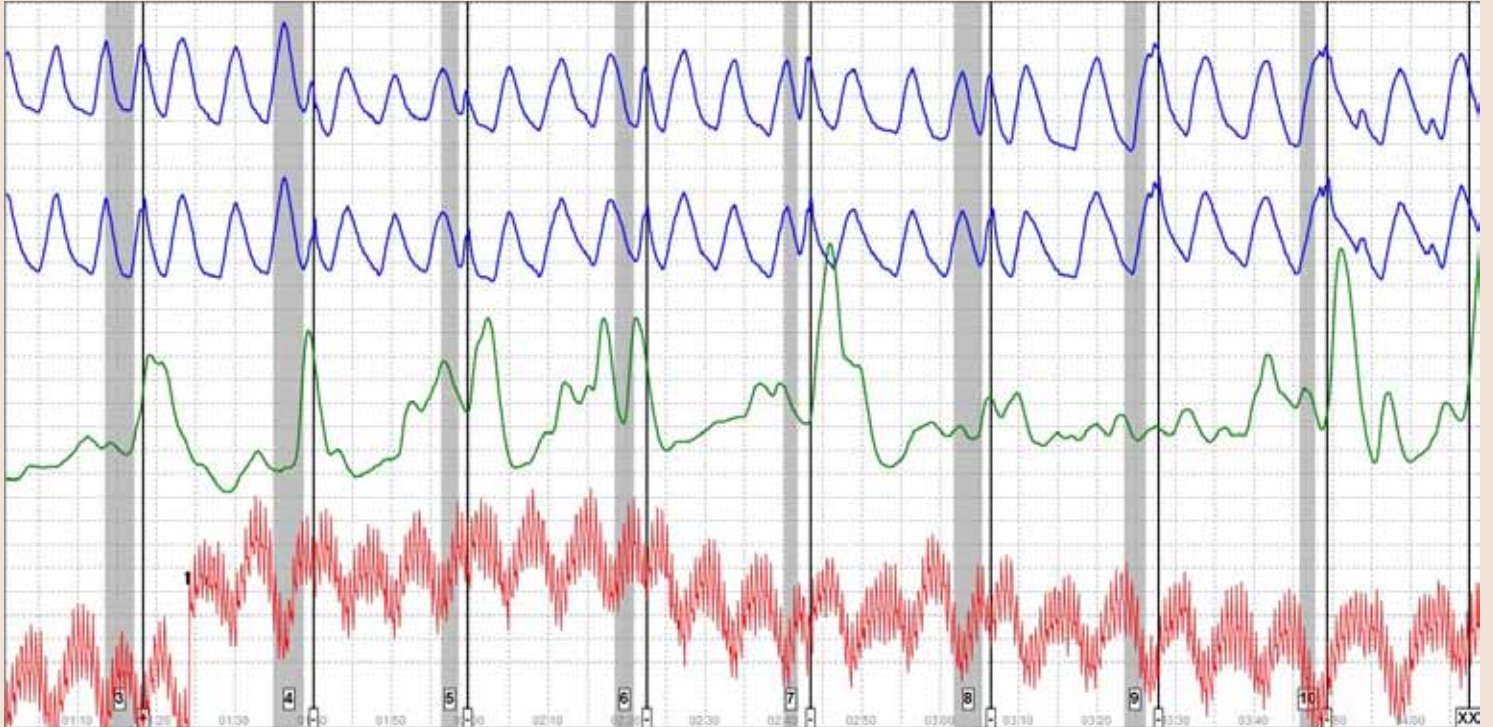


Chart 4

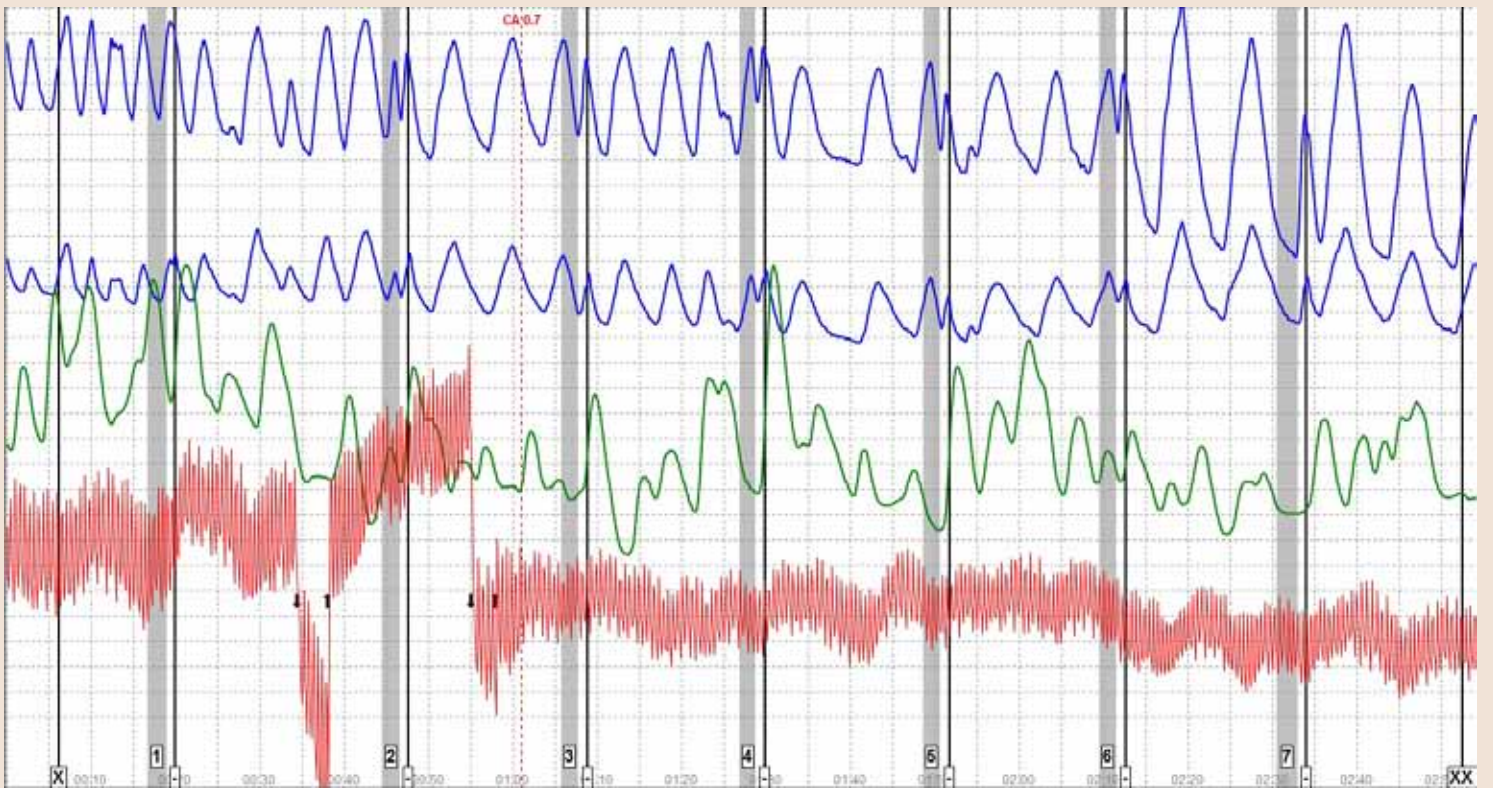


Chart 5

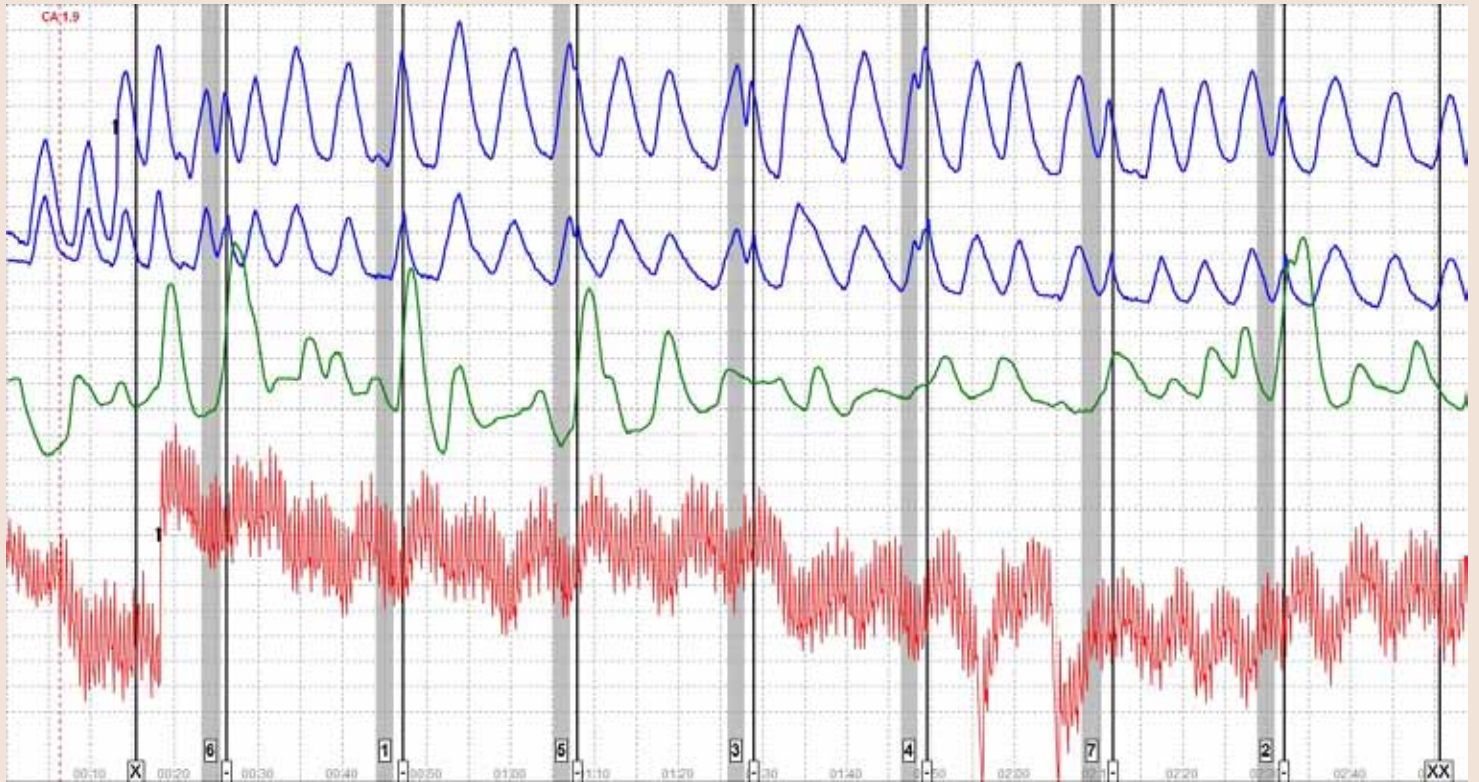
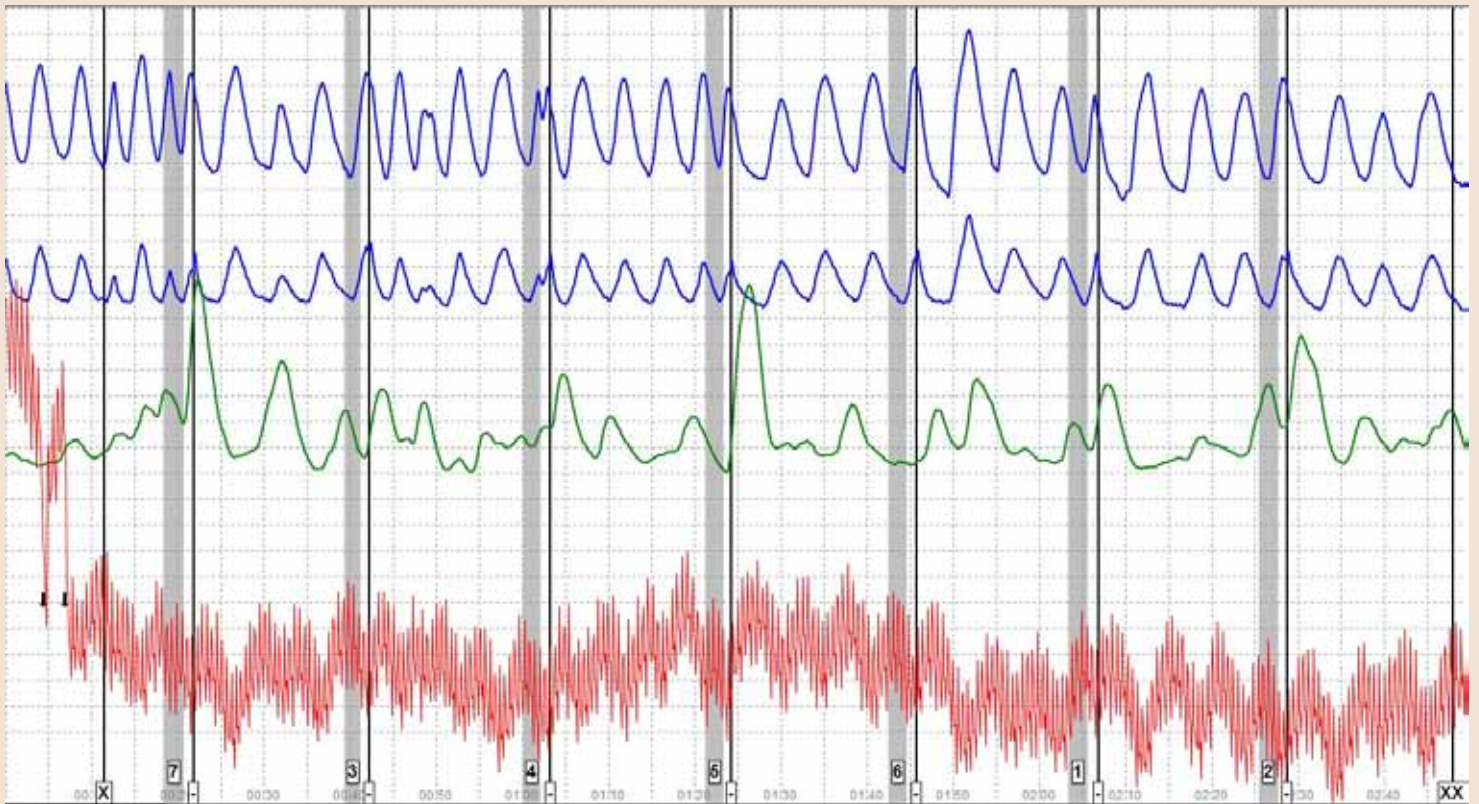


Chart 6





Differential Saliency

by

Michael Lynch

Future Comparison Questions

by

Michael B. Lynch

Polygraph examinations conducted in the environment of post-conviction sex offender testing (PCSOT) present some unique challenges to the examiner. Traditional comparison questions exclude the time during which the examinee could have committed the instant offense, include the nature of the instant offense, and are intended to produce probable lie responses.

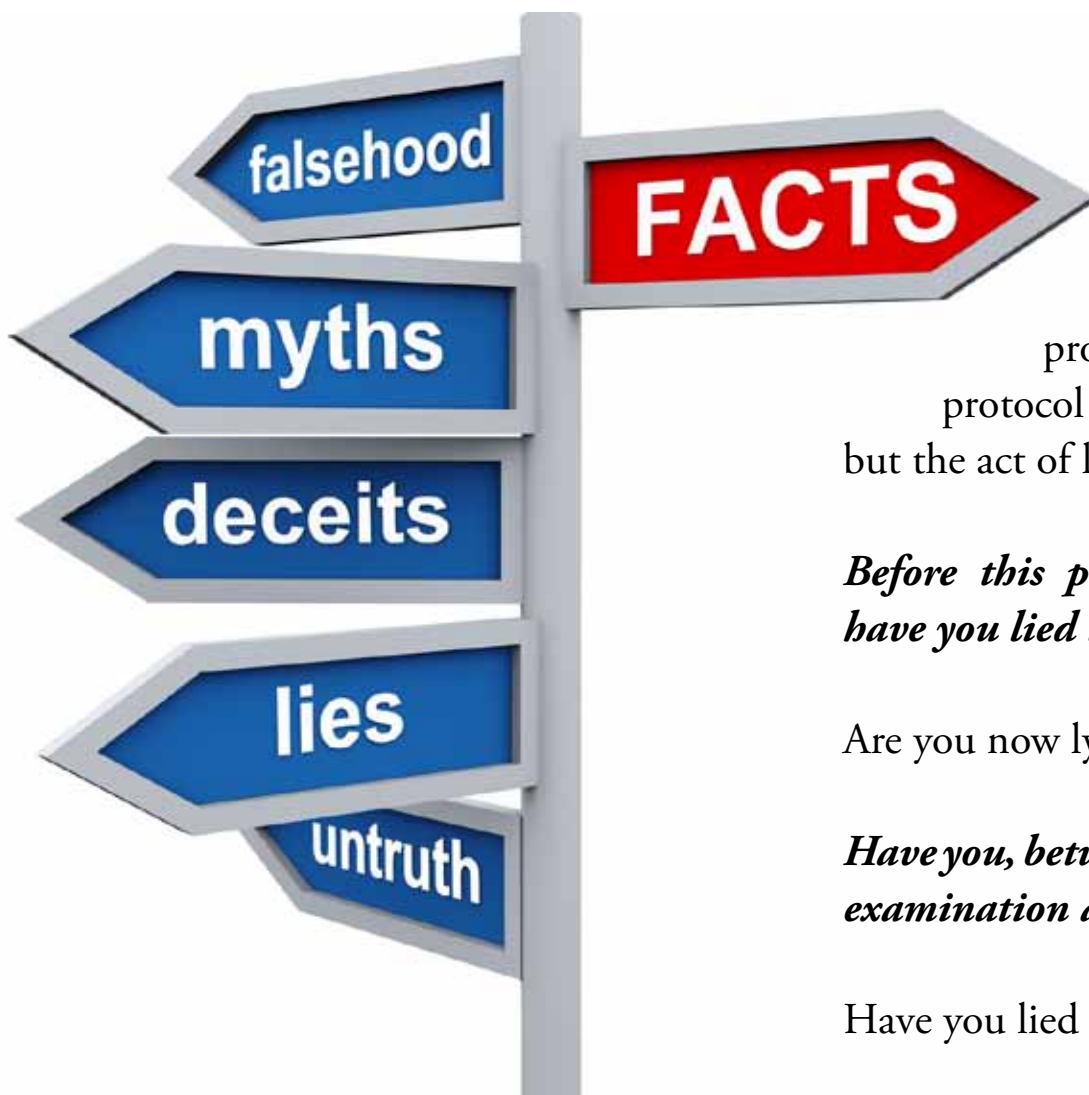
PCSOT polygraph examinations present two distinct problems in the development of effective comparison questions. First, all examinees have

committed and been convicted of at least one sex offense prior to the current issue of possible re-offense. Therefore, comparison questions which would ask:

Before last year did you ever commit a sex offense for which you could be arrested?

Between the ages of 18 and 25 did you ever do something sexual you knew was wrong?

wrongly include the time of the original offense in the period embraced by the comparison questions.



Attempts to address these problems have been advanced with a lie protocol. The issue in this protocol is not sexual behavior but the act of lying:

Before this polygraph examination, have you lied to . . . ?

Are you now lying when you say . . . ?

Have you, between your last polygraph examination and today, lied to . . . ?

Have you lied to me today about . . . ?

Reference to the future presents an alternative for PCSOT maintenance or monitoring exams. The examinee can be asked comparison questions to evaluate his future life expectations – Future Comparison Questions (FCQ).

If granted continued probation, would you seriously consider lying to your probation officer?

As a condition of continued probation, would you lie to a friend about your sexual conduct?

Second, a “NO” answer would not pose a threat to the immediate well-being of the examinee, as he has already been convicted of a sex crime and is in no further jeopardy over it. A “YES” answer would likewise pose no threat, as he is admitting behavior that has already been disclosed. In either case, the most probable outcome would be a false positive – deception wrongly indicated – because the relevant question could produce the dominant response.

Do you feel you can be totally truthful with your probation officer in the months ahead?

Because FCQ's are barred – from today forward – they successfully avoid asking about the same period of time as covered in the relevant questions. However, they may still conflict with the primary issue. If the examinee has confessed crimes to a probation officer during the period covered by the examination, the FCQ might be compromised. Admissions accompanied by lying may contaminate the frame of reference. This problem can be remedied by asking a probationer about lying to a therapist, rather than a probation or parole officer.

If granted continued probation, would you seriously consider lying to your therapist?

Since your last polygraph examination have you violated even one of the conditions of your probation?

As a condition of continued probation, would you lie to your therapist about your sexual conduct?

Since your last polygraph examination, have you committed any physical sex act with a person under the age of 18?

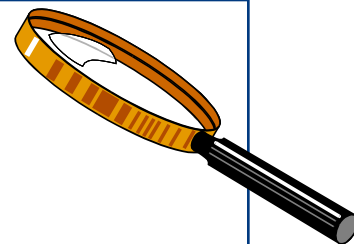
In the months ahead, do you feel you can be totally truthful with your therapist?

Since your last polygraph examination, have you committed any physical sex act prohibited by the terms and conditions of your probation?

Because the examinee is motivated to continue his status on probation or parole, it is unlikely he will answer “yes” to the Future Comparison Question, and thus his answer will be a probable lie.

About the author: Michael Lynch is a Primary Instructor with Marston Polygraph Academy. He can be reached at mlynch@lawyerspolygraph.com. The opinions and comments expressed in this article do not necessarily reflect those of Marston Polygraph Academy or the American Polygraph Association.

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Director: Charles E. Slupski
Ph: 770.960.1377
Fax: 770.960.1355
E-mail: aiip@qpolygraph.com
Webpage: www.polygraphschoo.com

Backster School of Lie Detection

861 Sixth Avenue, Suite 403
San Diego, California 92101-6379
Director: Cleve Backster
Ph: 619.233.6669
Fax: 619.233.3441
E-mail: clevebackster@cs.com
Webpage: www.backster.net

Canadian Police College Polygraph Training School

P.O. Box 8900
Ottawa, Ontario
Canada K1G 3J2
Director: Donald Macaulay
Ph: 613.998.0886
E-mail: donald.m.macaulay@rcmp-grc.gc.ca

Centro de Investigacion Forense Y Control de Confianza S.C.

Rodriguez Saro #523, Int. 501-A Col. Del Valle
Del. Benito Juarez
Mexico, D.F. C.P. 03100
Director: Jaime Raul Duran Valle
Ph: 011.52.55.2455.4624
Webpage: www.el-poligrafo.com

Centro Mexicano de Analisis Poligrafico y Psicologico, S.C.

Manuel M. Ponce 125 A, Despacho 3
Col. Guadalupe Inn
C.P. 01020 Mexico D.F.
Director: Maria Fernanda Gadea Lucio
Ph: 011.52.55.5418.5464

Gazit International Polygraph School

29 Hamered, Industry Building
P.O.Box 50474
Tel Aviv 61500 Israel
Director: Mordechai (Mordi) Gazit – 972.3.575.2488
E-mail: mordi@gazit-poly.co.il
Webpage: www.polygraph-school.com

Horowitz-Ginton Credibility Assessment Academy

11 Ben-Gurion, Vita Towers
Bnei-Brak 51260 Israel
Director: Dr. Avital Ginton
Ph: 972.3.616.1111
E-mail: ginton@zahav.net.il

Instituto Latinoamericano de Poligrafia Mexico

Genova 33, Despacho 503
Col. Juarez Del Cuauhtemoc
C.P. 06600 Mexico D. F.
Director: Sandra Zambrano
E-mail: ipi2007@gmail.com

International Academy of Polygraph

1835 South Perimeter Road, Suite 125
Fort Lauderdale, Florida 33309-3066
Director: Scott A. Walters
Ph: 954.771.6900
Fax: 954.776.7687
E-mail: dci@deception.com

International Polygraph Studies Center

Insurgentes Sur No. 1877, Piso 2
Ofi. 204 Col. Guadalupe Inn
Deleg. Alavaro Obregon
C.P. 01020 Mexico D. F.
Director: Raymond Nelson – 303.587.0599
E-mail: international@poligrafia.com.mx

Israeli Government Polygraph School

P.O. Box 17193
Tel-Aviv 61171 Israel
Director: Eyal Peled
E-mail: igpolyschool@012.net.il

Latinamerican Institute for Credibility Assessment

Calle Los Petirrojos, # 438
 Urbanizacion Corpac
 Distrito de San Isidro
 Lima, Peru
 Director: Manuel Novoa – 511/226-8450

Latin American Polygraph Institute

Carrera 46 #93-70
 Barrio La Castellana
 Bogotá, Colombia
 Director: Sidney Wise Arias
 Ph: 571.236.9630
 571.482.9421
 E-mail: swarias@bellsouth.net

Marston Polygraph Academy

390 Orange Show Lane
 San Bernardino CA 92408
 Director: Cynthia Saenz
 Ph: 877.627.2223
 e-mail: mail@marstonpolygraphacademy.com
 Webpage: www.marstonpolygraphacademy.com

Maryland Institute of Criminal Justice

8424 Veterans Highway, Suite 3
 Millersville, Maryland 21108-0458
 Director: Billy H. Thompson
 Ph: 410.987.6665 or 800.493.8181
 Fax: 410.987.4808
 E-mail: MDMICJ@aol.com
 Webpage: www.micj.com

Mexico Polygraph Studies Unit

Calle Cuauhtemoc # 168
 Colonia Tizapan de San Angel
 Mexico D.F. 01059
 Director: Luz Del Carmen Diaz
 Ph: 011.52.55.5616.6273
 E-mail: ldgalindo@entermas.net

MINDEF Centre for Credibility Assessment

Block 13, Mandai Camp 2
 Mandai Road
 Singapore
 Director: V. Cholan – (65) 67684147
 E-mail: cholana@starnet.gov.sg

National Academy of Training and Investigations in Polygraph Analysis

Reforma #364, Colonia Juarez
 Delegacion Cuauhtemoc
 Mexico, D.F. CP 0660
 Director: Jesus Sandoval Escalante
 Ph: 011.52.5.552.410313

National Center for Credibility Assessment

7540 Pickens Avenue
 Fort Jackson, SC 29207
 Director: William F. Norris
 Ph: 803.751.9100
 Fax: 803.751.9125 or 37
 Registrar e-mail: registrar@ncca.mil
 Webpage: www.ncca.mil
 Federal, State, and Local Law Enforcement only

National Polygraph Academy

1890 Star Shoot Parkway, Suite 170-366
 Lexington, KY 40509
 Director: Pam Shaw
 Phone: (859) 494-7429
 E-mail: shaw.national@gmail.com
 Website: http://www.nationalpolygraph.com

New England Polygraph Institute

15 Glidden Road
 Moultonborough, NH 03254
 Director: David J. Crawford
 Ph: 603.253.8002
 E-mail: kacdc@worldpath.net

Northeast Counterdrug Training Center Polygraph Program

c/o Dept. of Military & Veteran's Affairs
 Building 8-64 Fort Indiantown Gap
 Annville, PA 17003-5002
 Director: Elmer Criswell
 Ph: 717.861.9432
 E-mail: lietestec@aol.com
 Municipal and State Agencies only

Texas Department of Public Safety Law Enforcement Polygraph School

P.O. Box 4087
 Austin, Texas 78773-0001
 Director: Charles M. Hicks
 Ph: 512.997.4093
 Fax: 512.424.5717
 Local, State, and Federal agencies only

The Polygraph Institute

19179 Blanco Road, Ste. 105, #812
 San Antonio, TX 78258
 Director: J. Patrick O'Burke
 Ph: 817.290.0033
 E-mail: JPOBurke@thepolygraphinstitute.com
 Webpage: www.thepolygraphinstitute.com

Tudor Academy

Carrera 66, No. 42-103
 Barrio San Juaquin
 Medellin, Colombia
 Director: Charles Speagle
 Webpage: www.tudoracademy.com

Veridicus International Polygraph Academy

Domingo Gonzales #35 Bis, Col. San Antonio Culhuacan
 Del. Iztapalapa
 Mexico DF. C.P. 09800
 Director: Yasmin Rios
 Ph: (01152) 15591033522
 Webpage: www.veridicusinc.com

Virginia School of Polygraph

7885 Coppermine Drive
 Manassas, Virginia 20109
 Director: Darryl Debow
 Ph: 703.396.7657
 Fax: 703.396.7660
 E-mail: Polygraph11@comcast.net
 Webpage: www.virginiashoolofpolygraph.com

