POLICY/PURPOSE:
The Cedar Rapids Police Department (CRPD) maintains a polygraph unit to conduct polygraph examinations. The polygraph examiner shall be a graduate of an American Polygraph Association certified school. [32.2.5; 42.2.6]

CRITERIA FOR TESTING:
- No person shall be tested who is believed to be physically or mentally unfit for testing. In case of doubt, an appropriate professional will be consulted.
- Prior to any testing, full and complete information pertaining to the case in question will be furnished to the examiner.
- All candidates seeking employment as police officers and employees of the police department with access to confidential information will be tested.

Polygraph testing could shorten many investigations by providing a means to corroborate questionable evidence. Examples could include, but not be limited to:
- Conflicting accounts of an incident from victims, witnesses, or suspects.
- When a suspect, victim, or witness' statement contradicts most evidence or clearly established facts.
- When all known investigative leads have failed to identify the perpetrator or have failed to eliminate suspicion or suspects among multiple, logical suspects.
- When there is need to verify a victim or witness' statement, to exonerate a suspect, to confirm or disprove an allegation that cannot be verified or disproved by direct or circumstantial evidence; or when a logical suspect admits only a portion of the alleged offense.

PROCEDURE:
Criminal Investigations
- The polygraph will not be used as a substitute for sound investigative procedure.
- Each request for polygraph examination will be approved by an investigative commander to ensure that it is not being used as a substitute for proper investigative techniques.

Employment
- The use of results of polygraph examinations or other instruments for the detection of deception as the single determinant of future or continued employment status is prohibited. [32.2.6]
- The polygraph will only be used as an investigative aid.
POLICY TITLE: Polygraph  
STANDARD REF #: 32.2.4; 32.2.5; 32.2.6; 42.2.6

APPROVED BY: Wayne Jerman, Chief  
REVIEWED DATE: 3/3/2016

REQUIRED REVIEWERS: Criminal Investigations Commander  
REVISED DATE: 3/3/2016

- An admission during the pretest, test, or post-test interview, together with other information, may be sufficient to support decisions relevant to employment status.

After initial approval, the polygraph examiner will determine the appropriateness for each polygraph test. Generally, the decision will be based on availability, case circumstances, and severity, as well as the psychological, emotional, and physical condition of the person to be tested.

- The polygraph examiner will set the date and time for the examination. The requesting officer will notify the person to be examined of the date and time of the examination.
- The officer requesting the examination or with few exceptions, an officer acquainted with the investigation, will observe the entire examination, including pre and post-test phases.
- The examinee will sign a waiver of liability and waiver of rights form prior to the examination.
- All questions to be asked on the polygraph examination shall be discussed with the examinee prior to the examination. [32.2.4]
- The opinions of the polygraph examiner shall be based solely on the analysis of polygraph charts following at least three (3) complete polygraphs in which relevant questions are asked.
- Upon completion, the examiner will notify the requesting officer of the result, as well as filing a written supplemental report for the polygraph file.
- All employee polygraph tests and reports will be stored for a minimum period of five (5) years in the case of individuals who are not hired. Tests and reports for personnel that are hired will be kept in the polygraph office files.

SUBJECTS NOT QUALIFIED FOR EXAMINATION:

- Someone who has been previously examined on the same matter by another law enforcement examiner.
- Someone who is mentally or physically exhausted.
- Someone who is emotionally upset.
- Someone under the age of 18 without a signed parental, guardian, or court order/waiver unless the offense involves a Class A felony or extreme circumstances.
- Someone who is injured to the point that it would interfere with the testing apparatus.
- A female who is pregnant or who has delivered less than two (2) months prior to testing.
- A member of a law enforcement agency.
- Someone who refuses to sign a polygraph application form.
- Someone who’s doctor has prohibited the examination.
- A subject who has been arrested for a crime unless that subject is accompanied by a signed stipulation between the defense attorney and prosecuting attorney that the outcome of the examination may be used in court as evidence.
POLICY TITLE: Polygraph
STANDARD/REF #: 32.2.4; 32.2.5; 32.2.6; 42.2.6

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REQUIRED REVIEWERS:
- Criminal Investigations Commander

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- Polygraphs of sexual assault victims and witnesses to sexual assault investigations will be conducted in accordance with Section 915.44 of the Iowa Code. Officers should consult with a polygraph examiner prior to asking victims of and witnesses to sexual assault investigations to take a polygraph exam.

PROCEDURE FOR DISCLOSURE OF POLYGRAPH INFORMATION:
A person, other than the examinee, shall not disclose information obtained during a background investigation or polygraph test, except as provided in this section. A polygraph examiner may disclose information acquired from a background investigation/polygraph test only to:

- The examinee or any other person specifically designated in writing by the examinee;
- The Chief of Police, or his designee;
- Any court, governmental agency, arbitrator, or mediator, in accordance with due process of law, pursuant to an order from a court of competent jurisdiction
- Another law enforcement agency for employment purposes providing the examinee signs a written authorization to release the information.
- A governmental agency, but only to the extent the disclosed information is an admission of criminal conduct;
- An agency that has requested the CRPD to administer a criminal polygraph in regards to their criminal investigation.