

**APPENDIX A  
POLYGRAPH EXAMINATION SERVICES**

**INTRODUCTION:**

The Arizona Superior Court in Pima County on behalf of its Adult Probation Department is seeking proposals from qualified providers/agencies to provide post-sentence clinical and maintenance polygraph examinations for Adult Probationers, as described herein. Term will be for a two (2) year period with the option to extend up to three (3) additional one-year periods.

**BACKGROUND/DEFINITIONS:**

***Clinical Polygraph Examination*** means the employment of any instrumentation used for the purpose of detecting deception or verifying the truth of statements of any person under supervision and/or treatment for the commission of sex offenses. Clinical polygraph examinations are specifically intended to assist in the treatment and supervision of sex offenders.

***Sex Offenses*** meaning is as defined in A.R.S. §§13-1401 et seq., 13-3206, 13-3212, 13-3552, 13-3553, 13-3554, and 13-3560.

**SCOPE:**

This service provides examinations in conjunction with treatment and/or assessments as authorized and directed by a Superior Court Probation Officer. The type of test administered is at the discretion of the Probation Officer/Adult Probation Department as determined in collaboration with treatment team. Polygraph testing and scheduling will be conducted on an as-needed basis.

For identification, treatment and management of sexual abusers, the vendor shall provide the following services:

**Clinical Polygraph Examination and Report** is a diagnostic instrument and procedure which includes a report designed to assist in the treatment and supervision of persons by detecting deception or verifying the truth of their statements. Two types of polygraph examinations shall be administered under this category:

- 1) **Sexual History Examination:** examines a person's lifetime sexual history, including victim selection, and identification of sexual deviancy, sexual compulsivity and sexual preoccupation behaviors. May be included as part of a sex offense-specific evaluation.
- 2) **Instant Offense Examination:** examines additional or unreported offense behaviors in the context of the instant offense.

***Maintenance Examination:*** shall be conducted periodically to investigate a person's honesty with community supervision and/or treatment. Such examination shall cover a wide variety of sexual behaviors and compliance issues that may be related to victim selection, preparatory behaviors, deviant activities or high-risk behaviors. Results of such examination shall prioritize the investigation and monitoring of the person's involvement in any noncompliance, high-risk and deviant behaviors that may change over time and would signal a level of escalating risk prior to re-offending. Maintenance examinations are conducted an average of between six to twelve months, at the discretion of the Probation Officer/Adult Probation Department. These examinations are conducted throughout the period of probation.

**Records/Results:** Polygraph examiners will provide a typewritten detailed report to the client within 72 business hours of testing. The report can be mailed or delivered via approved electronic medium. Reports will include:

- Name of examinee
- Name of referring officer
- Date and time of examination
- Reason for examination/test type
- Case background (instant offense)
- Any pertinent collateral information obtained outside the examination
- Statement attesting to the examinee's suitability for testing (medical, psychiatric, developmental)
- List of examinee's medications
- Date of last post-conviction examination (if known)
- Summary of pre- and post-test interviews, including disclosures or other relevant information provided by the examinee
- Relevant examination questions and answers
- Examination results
- Reasons for inability to complete examination (if applicable)
- Any additional information deemed relevant by the examiner (e.g., behavioral observations, verbal statements)
- Identification of the equipment used for administration of the examination

All polygraph examinations shall be audio- and videotaped in their entirety and are subject to quality review. Examiners shall submit complete records for independent quality review upon request of the Adult Probation Department.

**Testing Schedules:** Testing will be scheduled by the Adult Probation Department. It is the responsibility of the Court to notify probationer of the date, time, and location of testing. If the probationer is unable to participate in testing as scheduled, the probation officer or Court representative will notify the examiner not less than eight hours prior to the scheduled time. Examiners shall notify the probation officer or designee immediately, but no later than 24 hours, if the scheduled examinee fails to report for testing, conduct violating a condition of supervision occurs, new third-party risk issues arise, or any factors that are identified which increase general risk of additional sexual offending. If the examinee refuses to submit to testing based on a Fifth Amendment concern, testing shall be discontinued immediately and guidance sought from the probation officer or designee.

**POLYGRAPH EXAMINER QUALIFICATIONS:**

The examiner shall meet the following minimum standards and conduct examinations in accordance with the following:

- Shall be a graduate of a basic polygraph school accredited by the American Polygraph Association (APA)
- Shall have a Baccalaureate degree from a four-year college or university OR five (5) years' experience as a private investigator or law enforcement officer.
- Shall have completed a minimum of 40 hours of Post-Conviction Sex Offender Testing (PCSOT) specialized training, beyond the basic polygraph examiner training, as approved by the APA
- Shall be a member of a professional organization that provides regular training on research and case management of sex offenders
- Shall complete a minimum of 30 continuing education hours every two years in coursework related to the field of polygraphy
- Shall have at least two years of experience working with adult offenders in the criminal justice system

- Shall have conducted at least 150 criminal specific issue examinations, including a minimum of 50 clinical sex offender polygraph examinations, which may include maintenance examinations
- Shall be bonded and insured

Please provide documentation for the above-listed items and attach copies of current licenses, certifications, professional associations, and training documentation for all examiners that will be providing services pursuant to this RFQ. This documentation must be submitted with your response to this RFQ.

**ADDITIONAL RESPONSE REQUIREMENTS:**

1. Proof of insurance for both business and property. Specific insurance requirements pursuant to this RFQ shall be required once respondent is notified of award.
2. Description of all polygraph hardware/instruments used by you/your agency.
3. Example of a post-polygraph report you would submit to the Court.
4. Any polygraph questionnaires and/or other forms you/your agency uses when conducting a polygraph examination.
5. Three (3) letters of recommendation from individuals/agencies familiar with your polygraph work.
6. Documentation of how many maintenance polygraphs and sexual history polygraphs your agency conducted in the last calendar year. We want to see the numbers for each polygraph conducted.

**STANDARDS OF PRACTICE FOR SEX OFFENDER CLINICAL POLYGRAPH EXAMINERS:**

1. Examiners must adhere to the established ethics, standards, and practices of the American Polygraph Association (APA), demonstrate competency pursuant to APA standards, and conduct all examinations in a manner that is consistent with the accepted standards and practice.
2. Examiners shall use a recognized Control Question Technique (CQT), plus a Searching Peak of Tension test, when necessary.
3. Examiners must use a validated state-of-the-art computerized polygraph system, at minimum a five-channel polygraph instrument, that will simultaneously record the physiological phenomena of respiration, galvanic skin response, and cardiovascular system. A seat activity sensor shall be used to detect movement.
4. A recognized scoring software must be used (e.g., the Johns Hopkins Applied Physics Laboratory scoring algorithm, Probability Analysis), or OSS, specifically OSS-3, that is designed to enhance the validity of PCSOT examinations.
5. Examiners shall not conduct more than three (3) separate clinical sessions per year on the same client. A re-examination of issues where no opinion was formed is not considered a separate session.

6. The duration of each examination (including pre-test, in-test, and post-test phases) shall be a minimum of ninety (90) minutes. Time begins when the examinee enters the examination room with the examiner and ends when the examinee departs after the conclusion of the polygraph examination.
7. Examiners shall adhere to the following testing protocols:
  - a. The client shall sign a standard waiver/release statement. The language of the statement should be agreed upon by the Court and polygrapher prior to the polygraph examination. After contract award, a copy of the waiver form will be made available.
  - b. Prior to testing, the examiner shall obtain the informed consent of the examinee. Informed consent should be obtained after an overview of the polygraph process, including polygraph instrumentation and sensors, use of video/audio recording, issues to be discussed, requirements for cooperation during testing, and the need to report information and results to the referring professionals.
  - c. Prior to testing, the examiner also shall dedicate sufficient time to identify and discuss the examination issues and potential problem areas.
  - d. The examiner shall review all test questions prior to recording the physiological responses of the examinee.
  - e. Surprise or trick questions are forbidden during the administration of primary test charts.
  - f. All test questions must be formulated to allow only yes or no answers.
  - g. An optional acquaintance/practice test may be run.
  - h. The examiner shall elicit relevant biographical and medical history information from the client prior to administering the examination and make reasonable efforts to determine the suitability of a candidate for testing,
  - i. The examiner shall conduct the examination in a neutral manner and shall not display or express any bias regarding the truthfulness of the examinee prior to the completion of testing.
  - j. The examiner should review the initial test results with the examinee, advise the examinee of any significant responses to any of the test questions, and provide the examinee an opportunity to explain or resolve any reactions or inconsistencies. The post-test interview may be done in collaboration with other treatment and supervision professionals.
  - k. Examiners shall issue a written report containing a factual and objective account of all pertinent information developed during the examination, including case background information, test questions, answers, results, and statements made by the examinee during the pre-test and post-test interviews.
  - l. The examiner's professional conclusion shall be based on the analysis of the polygraph charts and the information obtained during the examination process.
  - m. Examiners shall use an effective quality control process that allows for periodic independent review of all documentation, polygraph charts, and reports.
  - n. Examiners will be subject to periodic peer review. Numerical chart analysis, technique and question formulation, and the inspection of instrumentation used in the examination will be evaluated. Review examiners will be chosen by the staff of the Court

**CERTIFICATION:**

The Certification Page must be completed and signed by the respondent. Failure to complete and sign this page may cause the proposal to be rejected. In the event No is checked for the specifications and/or the terms and conditions, failure to fully explain exceptions taken may cause the proposal to be rejected.