



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/REENTRY/FIELD**  
FACILITY/SPANISH MANUAL

REVISION DATE  
12/2/21

PAGE NUMBER  
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NUMBER  
**DOC 400.360**

**POLICY**

TITLE  
**POLYGRAPH TESTING**

**REVIEW/REVISION HISTORY:**

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**SUMMARY OF REVISION/REVIEW:**


VIII.B.1. - Updated terminology

**APPROVED:**

Signature on file

\_\_\_\_\_  
**CHERYL STRANGE**, Secretary  
Department of Corrections

11/18/21  
\_\_\_\_\_  
Date Signed

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**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 10.99.020](#); DOC 390.600 Imposed Conditions; DOC 450.500 Language Services for Limited English Proficient Individuals; DOC 550.100 Resolution Program; DOC 810.015 Criminal Record Disclosure and Fingerprinting; Polygraph Standards; [PREA Standards](#); [Records Retention Schedule](#)

**POLICY:**

- I. The polygraph is a tool used in monitoring compliance with ordered/imposed conditions of supervision.
- II. Polygraph testing will supplement, not substitute, other forms of investigation. No adverse action will be taken solely on the basis of a polygraph test that indicates deception.
- III. Polygraph testing may be required per:
  - A. The Judgment and Sentence,
  - B. Conditions established by the Indeterminate Sentence Review Board (Board),
  - C. Interstate Compact condition(s)
  - D. Conditions imposed per DOC 390.600 Imposed Conditions, or
  - E. The internal investigation process.
- IV. Individuals who are alleged victims, reporters, or witnesses in a Prison Rape Elimination Act (PREA) investigation will not be asked or required to submit to a polygraph test regarding the alleged misconduct under investigation.

**DIRECTIVE:**

- I. General Requirements
  - A. Individuals conducting polygraph testing must have a current contract with the Department and comply with the Department's Polygraph Standards.
  - B. Polygraph testing used as part of a Prison investigation will be coordinated by the Intelligence and Investigations Unit.
  - C. Individuals will be provided with necessary interpreter services per DOC 450.500 Language Services for Limited English Proficient Individuals.
- II. Responsibilities
  - A. The Assistant Secretary for Community Corrections will designate a Polygraph Program Administrator to oversee Department polygraph issues and uniform

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implementation of the Polygraph Program statewide. The Polygraph Program Administrator will:

1. Confirm that polygraph examiners adhere to the Department's Polygraph Standards.
  2. Maintain a current list of approved polygraph examiners and make the list available upon request.
- B. Superintendents will designate a Polygraph Scheduler for their facility.
- C. Each Community Corrections Supervisor (CCS) will identify a Polygraph Scheduler who will:
1. Schedule appointments and coordinate with the polygraph examiner under direction of the CCS.
    - a. The CCS/scheduler will select polygraph examiners from the approved vendor list.

### III. Application Process for Polygraph Examiners

- A. To become a Department-contracted polygraph examiner, candidates must submit the following to the Polygraph Program Administrator:
1. Letter of interest
  2. Proof of qualification
  3. Certifications
  4. Credentials
  5. Certificate of liability insurance
  6. Business license
  7. A minimum of 3 references, 2 of which are law enforcement agencies.
- B. The Polygraph Program Administrator will evaluate applications and conduct reference and background checks on candidates when necessary.
- C. Polygraph examiners will submit to a criminal background check per DOC 810.015 Criminal Record Disclosure and Fingerprinting.
- D. The Polygraph Program Administrator will forward approved application packets to Contracts and Legal Affairs.

### IV. Testing in the Community



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- A. Maintenance/monitoring polygraph testing will be conducted periodically to monitor compliance with treatment and/or identified restrictions.
- B. Maintenance/monitoring polygraph testing may also be conducted for individuals with a past sex offense(s) or a history of convictions that include a domestic violence finding per RCW 10.99.020.
- C. The case manager will impose a polygraph condition per DOC 390.600 Imposed Conditions for individuals subject to maintenance/monitoring polygraph testing, if not already ordered by the court/Board.
  - 1. A minimum of one maintenance/monitoring test will be completed every 6 months or as ordered by the court/Board.
    - a. Unless ordered by the court/Board, testing may be reduced to every 12 months with CCS approval if the individual has been supervised in the community for 5 years and has lifetime supervision.
  - 2. For individuals participating in sexual deviancy treatment, a maintenance/monitoring test may occur more frequently, but not more than every 3 months, unless otherwise ordered by the court/Board.
    - a. The case manager will consult with the treatment provider to determine the need for more frequent polygraphs and forward recommendations to the CCS for approval.
  - 3. Criminal issue/event specific polygraph testing does not meet the minimum requirement for maintenance/monitoring polygraphs.
- D. Sexual history polygraph testing will be conducted for individuals on supervision for a sex offense(s), as approved by the CCS.
  - 1. Testing will be conducted in conjunction with a certified Sex Offender Treatment Provider or Community Sex Offender Treatment Specialist to determine relevant issues to assist in formulating questions for the test.
- E. As approved by the CCS, criminal issue or event specific polygraph testing will be conducted for individuals on supervision upon reasonable suspicion that a violation of supervision has occurred.

V. Polygraph Testing Process


- A. The requester will:

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1. Obtain and witness the individual's signature on DOC 05-753 Polygraph Testing - Authorization for Release of Information.
  2. Submit a request to the Polygraph Scheduler to schedule an appointment for a polygraph test.
    - a. The requester will inform the polygraph examiner of relevant issues to assist in formulating questions for the test.
    - b. For sexual history, criminal issue, and event specific testing in the community, the case manager will provide written approval from the CCS.
  3. Initiate DOC 05-507 Indigency Approval for Polygraphs.
    - a. In the community, the case manager will determine what portion of the polygraph testing fee the individual is responsible for, based on indigency level, and forward the form to the CCS for approval before the polygraph test.
    - b. In Prisons, the requester will indicate on the form that a co-payment is not required.
- B. The Polygraph Scheduler will:
1. Schedule a polygraph test with one of the Department contracted polygraph examiners and provide the requester with the name of the examiner and the date and time of the test. Any exceptions to the following must be authorized by the Polygraph Program Administrator:
    - a. The same examiner will not conduct more than 4 polygraph tests in a row on the same individual.
    - b. A polygraph examiner will not be scheduled to conduct more than 5 polygraph tests per day.
  2. Ensure that the Department office space available for the testing provides adequate safeguards for protecting the rights and privacy of the individual being tested.
    - a. For individuals supervised in the community, polygraph testing will typically be conducted at a Department facility/office or a county jail.

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- 1) The CCS may approve administering a polygraph in another location (e.g., polygraph examiner's office) under special circumstances if the office space provides adequate safeguards.
  - a) An employee/contract staff must be present for any off-site polygraph testing.
3. Inform the polygraph examiner of the type of polygraph needed and provide access to the individual's file.
4. Notify the individual of the scheduled polygraph test.
  - a. For individuals supervised in the community, DOC 05-754 Polygraph Letter will be used for notification.
    - 1) On the scheduled testing date, the scheduler will provide the completed DOC 05-507 Indigency Approval for Polygraphs to the polygraph examiner.
5. Document the following in the individual's electronic file:
  - a. Date of the scheduled polygraph
  - b. Date the individual was notified of the polygraph
  - c. Amount the individual is required to pay, if applicable
  - d. Any cancellations/rescheduling
  - e. Name of the polygraph examiner
  - f. Name of interpreter used, if applicable
  - g. Date and results of the test
  - h. The final decision and justification for testing conducted without full payment.
- C. If an individual supervised in the community fails to bring the full payment, the polygraph examiner will immediately contact the case manager/CCS for a decision on whether the testing will be conducted.
  1. If the decision is to not conduct the polygraph test, it will be considered a no show.
    - a. The case manager will document the individual's failure to submit to a polygraph and include the reason(s) the testing was not conducted in the individual's electronic file.

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b. The polygraph examiner will document the final decision and its justification on DOC 05-507 Indigency Approval for Polygraphs.

D. The polygraph examiner will immediately notify the requester of the findings and follow up with a written report.

#### VI. Cancellations

A. The requester or the individual being tested may cancel the polygraph by notifying the Polygraph Scheduler at least 24 hours in advance of the scheduled polygraph testing, excluding weekends and holidays.

B. The Polygraph Scheduler will notify the polygraph examiner of the cancellation.

1. If the polygraph test is not cancelled with 24 hours' notice, or the individual scheduled for testing fails to show for the scheduled appointment, the individual will pay for the unexcused/missed appointment at the no show rate.

#### VII. Billing Process

A. The polygraph examiner will forward the following to the CCS/Polygraph Scheduler for each test administered:

1. A [State of Washington A-19-1A Invoice Voucher](#) documenting:

- a. The date the testing was administered
- b. Name and DOC number of the individual tested
- c. Amount paid
- d. Amount billed


2. A completed, signed DOC 05-507 Indigency Approval for Polygraphs.

B. The CCS/Polygraph Scheduler will review the Invoice Voucher and Indigency Approval and, if approved, forward to the applicable Business Office for payment.

C. Copies of the Invoice Voucher and corresponding indigency forms will be maintained per the Records Retention Schedule.

#### VIII. Complaint Process

A. Resolution requests regarding polygraph examiners or testing procedures submitted by an individual being tested will be addressed per DOC 550.100 Resolution Program.

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- B. Other concerns regarding a polygraph or polygraph examiner must be submitted in writing to the Polygraph Scheduler or CCS, as appropriate.
1. The Polygraph Scheduler/CCS will review the complaint and, if appropriate, forward it to the Polygraph Program Administrator and Superintendent, Reentry Center Administrator, or Field Administrator, as applicable.

**DEFINITIONS:**

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

**ATTACHMENTS:**

None

**DOC FORMS:**

- DOC 05-507 Indigency Approval for Polygraphs
- DOC 05-753 Polygraph Testing - Authorization for Release of Information
- DOC 05-754 Polygraph Letter