
SEX OFFENDER MANAGEMENT BOARD

An Exploratory Study of Post-Conviction Sex Offender Polygraph Exam Outcomes in Colorado

Kelly Hume, Study Coordinator

Chris Lobanov-Rostovsky, Sex Offender Management Unit Administrator

Office of Domestic Violence and Sex Offender Management

Division of Criminal Justice

Department of Public Safety



COLORADO
Division of Criminal Justice
Department of Public Safety



COLORADO
Division of Criminal Justice
Department of Public Safety

Summary Findings

All Exams

- 88% of all polygraph exams were initial exams
- 74% of all polygraph exam outcomes were "No Deception Indicated", 15% were "Deception Indicated", and 11% were "No Opinion"
- 60.8% of all polygraph exams were Maintenance/Monitoring exams

Initial Exams

- 77% of initial polygraph exam outcomes were "No Deception Indicated"
- Initial Maintenance/Monitoring polygraph exams and initial Sexual History polygraph exams had the highest rates of "No Deception Indicated" outcomes (79%) of all initial polygraph exams
- Initial Instant Offense polygraph exams had the highest rates of "Deception Indicated" outcomes (70%) of all initial polygraph exams

Re-Test Exams

- 55% of re-test polygraph exam outcomes were "No Deception Indicated"
- Sexual History re-test polygraph exams had the highest rate of "No Deception Indicated" outcomes (59%) of all re-test polygraph exams
- Event-Specific re-test polygraph exams had the highest rate of "Deception Indicated" outcomes (57%) of all re-test polygraph exams

Introduction

Concerns have been raised about large numbers of sex offenders not passing polygraph exams. In an effort to better understand this issue, outcomes of 1,298 polygraph exams were analyzed by the Sex Offender Management Board (SOMB). The findings from this analysis are presented in this report.

Definitions

Initial Polygraph Exam: The first exam of any exam type asking a series of questions to provide adjunct information for treatment planning and risk management decisions regarding sex offenders.

Re-Test Polygraph Exam: Used to clarify initial exams which resulted in deceptive or inconclusive test results, or attempts to manipulate the test results.

Event-Specific Polygraph Exam: A specific issue exam used to investigate the details of an offender's involvement in a known or alleged incident, or to resolve any discrepancies or inconsistencies in the offender's account of a known incident or allegation.

Instant Offense Polygraph Exam: An event-specific polygraph for sex offenders who deny any or all important aspects of the allegations pertaining to their present sex offense crime(s) of conviction.

Maintenance/Monitoring Polygraph Exam: An exam which is used to periodically investigate the offender's compliance with community supervision and treatment conditions.

Sexual History Polygraph Exam: An exam which assesses the sex offender's history of involvement in unknown or unreported offenses and other sexual compulsivity, sexual pre-occupation, or sexually deviant behaviors.

Methods

In this process, the SOMB contacted polygraph agencies in Colorado, to request data regarding adult sexual offender polygraph exams conducted during the last quarter of 2017 that the agencies were currently collecting. The SOMB received information from five polygraph agencies, representing 12 of 28 (43%) SOMB approved polygraph examiners. There are several reasons for why other polygraph examiners chose not to participate in the data collection process including not having aggregate electronic data readily available.

Data on a total of 1,414 polygraph exams were provided, including both initial polygraph exams and re-test polygraph exams. Data was requested on the type of polygraph exam administered, and the outcome of that exam. Polygraph exams types were categorized as Event-Specific, Instant Offense, Maintenance/Monitoring, and Sexual History. Polygraph exam results were categorized as either "No Deception Indicated" (NDI), "Deception Indicated" (DI), or "No Opinion" (NO). Personal client information was not collected. Individual records were not retained to ensure anonymity of the participating examiners.

The aggregated data were analyzed in Excel and Access. Once all data was compiled, any entries with missing or incomplete data were identified and removed. Of the original 1,414 exams received, 125 were removed leaving 1,298 exams. Test results on the included exams were coded either NDI, DI, or NO.

Results

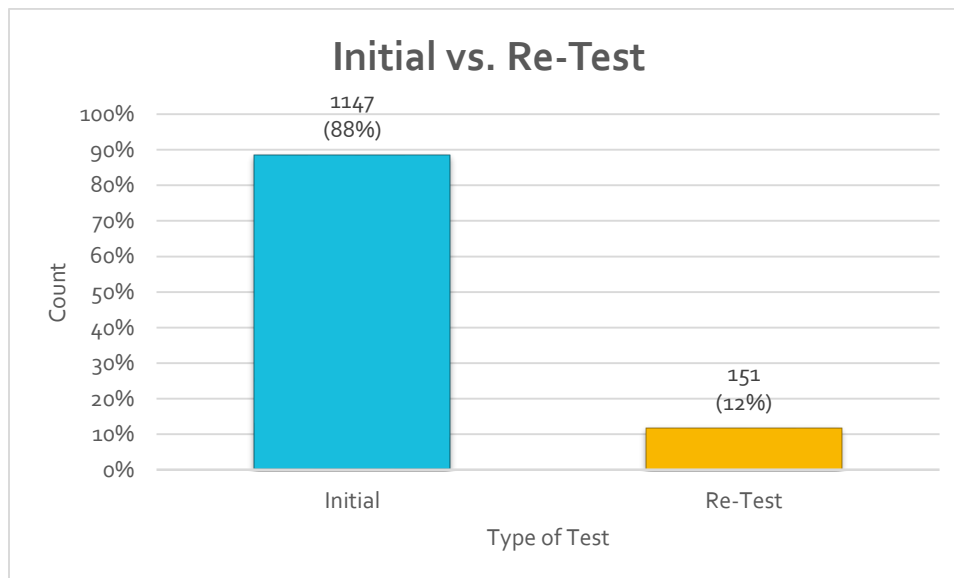
The majority (61%) of polygraph exams were Maintenance/Monitoring exams (Table 1). Instant Offense initial and Instant Offense re-test were the least common (0.8% and 0.4%, respectively).

Table 1

Type of Exam	Count	Percent
Maintenance/ Monitoring	789	61%
Maintenance/Monitoring Re-Test	105	8%
Sexual History	236	18%
Sexual History Re-Test	27	2%
Event-Specific	112	9%
Event-Specific Re-Test	14	1%
Instant Offense	10	>1%
Instant Offense Re-Test	5	>1%
Total	1298	100.0%

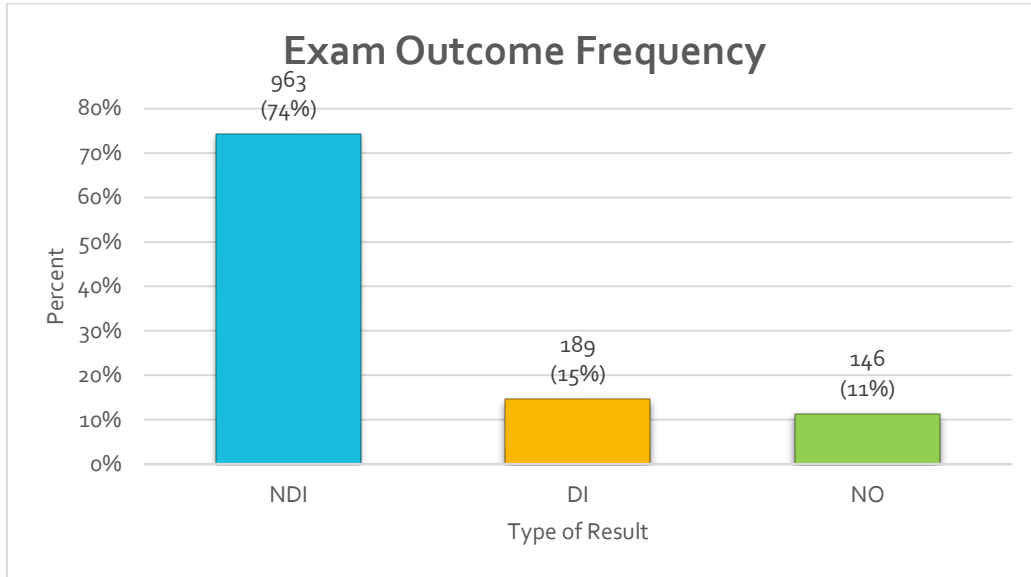
Initial polygraph tests included Event-Specific, Instant Offense, Maintenance/Monitoring, and Sexual History. Re-tests included any re-tests of the previously mentioned types. Of the 1,298 polygraphs, 88% (1,147) were initial exams and 12% (151) were re-tests (Table 2).

Table 2



Of the 1,298 exams, 74% (963) were found to be NDI, 15% (189) were DI, and 11% (146) were NO (Table 3).

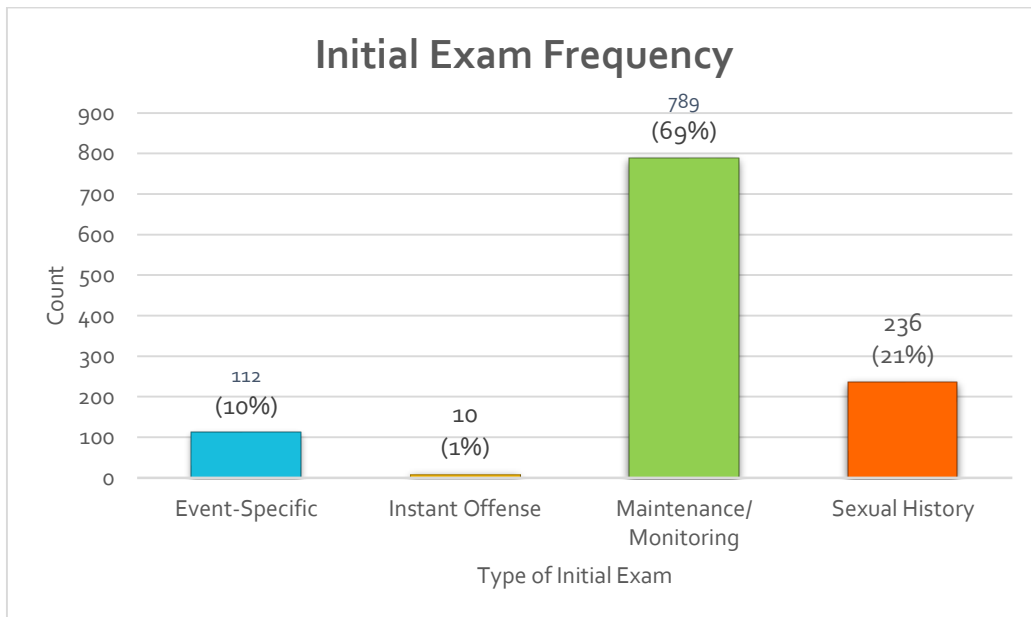
Table 3



Initial Exams

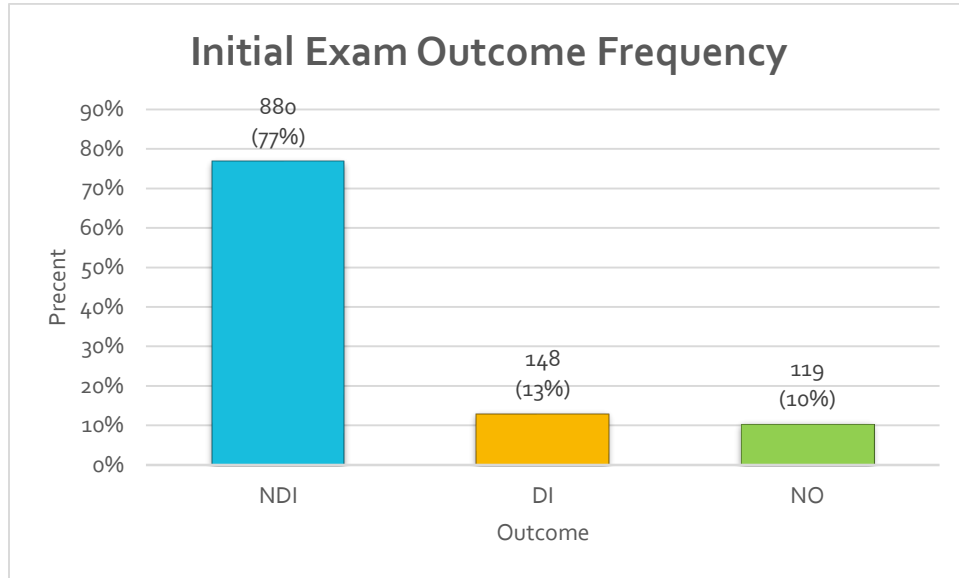
Of the 1,147 initial polygraph exams, 69% (789) were Maintenance/Monitoring, 21% (236) were Sexual History, 10% (112) were Event-Specific, and 1% (10) were Instant Offense related (Table 4).

Table 4



Over three-quarters (77%) of all initial exams resulted in NDI, 13% resulted in DI, and 10% resulted in NO (Table 5). Instant Offense exams had the highest rate of DI (70%) and Maintenance/Monitoring had the lowest rate (10%). All exam types, except for Instant Offense, had a NDI rate of 60% or higher.

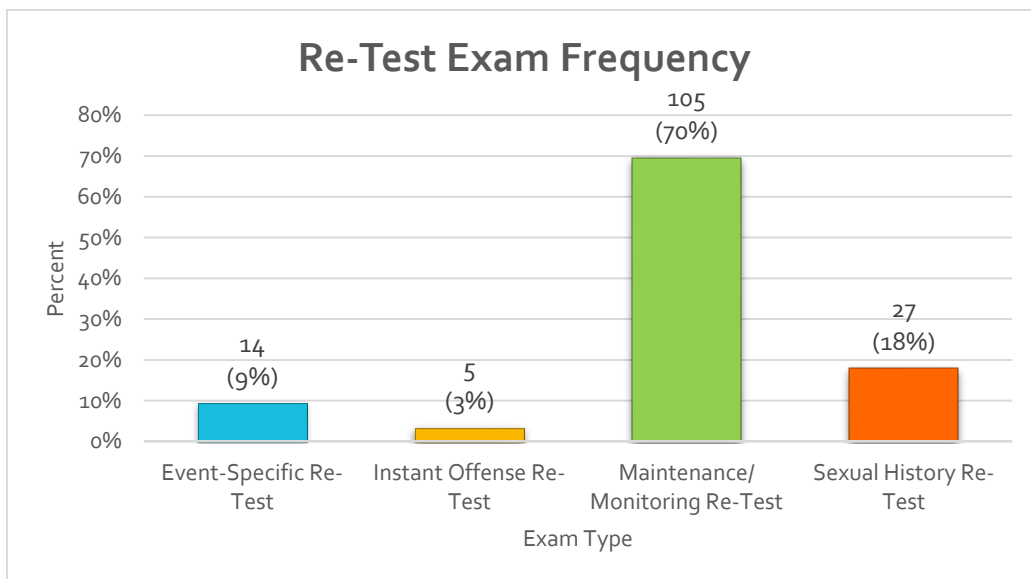
Table 5



Re-Test Exams

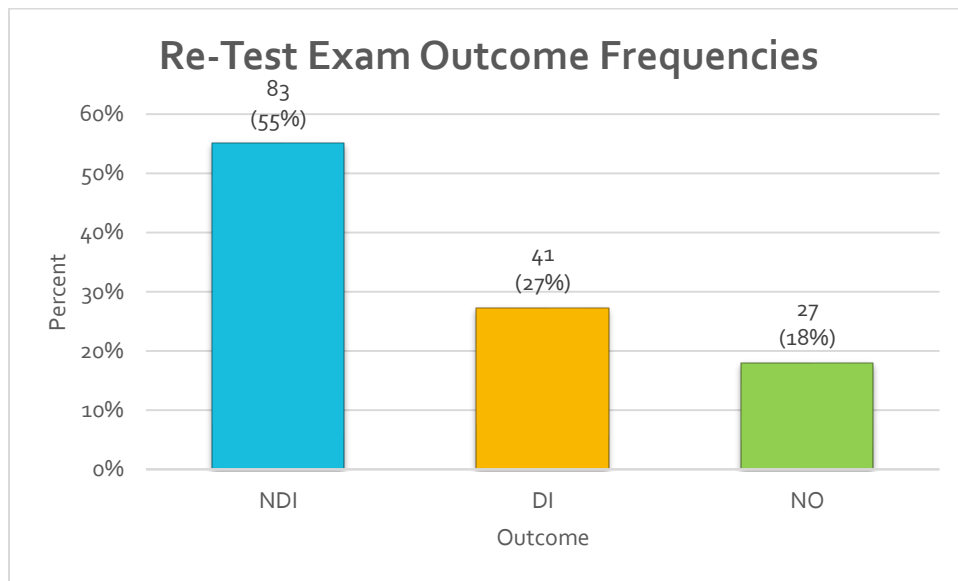
Of the 151 re-tests, 70% (105) were Maintenance/Monitoring re-tests, 18% (27) were Sexual History re-tests, 9% (14) Event-Specific re-tests, and 3% (5) were Instant Offense re-tests (Table 6).

Table 6



Just over half (55%) of all re-test polygraph exams resulted in NDI, 27% resulted in DI, and 18% resulted in NO (Table 7) Event-Specific re-test exams had the highest rate of DI (57%) and Maintenance/Monitoring re-test exams had the lowest rate (22%). All exam types had a NDI rate over 40%, and both Maintenance/Monitoring re-test exams and Sexual History re-test exams had NDI rates over 50%.

Table 7



Summary

The SOMB invited all SOMB-approved polygraph agencies in Colorado to submit data regarding the outcomes of adult sexual offender polygraph exams conducted during the last quarter of 2017. The SOMB received information from five polygraph agencies, representing 12 of 28 (43%) SOMB approved polygraph examiners.

A total of 1,298 polygraph exams were analyzed, including Event-Specific, Instant Offense, Maintenance/Monitoring, and Sex History exams. Each exam had an outcome of either "No Deception Indicated" (NDI), "Deception Indicated" (DI), or "No Opinion" (NO). Almost three-quarters (74%) of all exams were found to have an outcome of NDI. Fewer than 12% were re-test exams and of those re-test exams, over half (55%) were found to have an outcome of NDI.

These preliminary results suggest that polygraph exams are not barriers to the majority of sex offenders' success while on supervision and in treatment. The highest DI rates were found in Instant Offense and Event-Specific Re-Test exams.

The findings of this small study reflect the value of implementing the data collection plan that was drafted by the SOMB at the request of the General Assembly. Such information and any subsequent analyses can be used to guide updates to the *Standards and Guidelines*.