6.000 Post-Conviction Sex Offender Polygraph Testing (PCSOT)

The polygraph is used to add incremental validity to treatment planning and risk management decisions regarding sex offenders in community and institutional settings. The concept of “incremental validity” refers to improvements in decision making through the use of additional information sources. Benefits of polygraph testing include improved decision making, deterrence of problem behavior and access to information that might otherwise not be obtained.¹

Polygraph test results (see Section 6.151) shall not be used as the sole determining factor in the supervision and treatment decision-making process.² The Community Supervision Team (CST) should consider all existing clinical indicators that provide information about a client's overall presentation. Such indicators may include, but are not limited to, interviews, quality of treatment participation, polygraph examination results and disclosures, scores on dynamic risk assessments, psychological evaluation results, behavioral observations, and collateral reports. These indicators should thoroughly inform decisions pertaining to an offender's progress in treatment, activities in the community, and contact with potentially vulnerable persons.

Polygraph testing is one of several methods of behavioral monitoring. Additional forms of behavioral monitoring include

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¹ Research pending
drug/alcohol testing, plethysmograph testing, viewing time (VT) assessment, and other case management practices such as collateral contacts, office and home visits, employment visits, computer and phone monitoring, and increased supervision and treatment requirements.

6.001 Expectation for honesty
The CST shall set the expectation for honesty and complete disclosure from the offender. Such openness will contribute to community safety, the development of an appropriate treatment plan and successful progression through treatment.

6.002 Recommended Guidelines for Polygraph Exam Timeframes
Please note these timeframes are provided as recommendations for Community Supervision Team (CST) decision-making, which should ultimately be based on the risk, and supervision and treatment needs of the offender.

Instant Offense Exam – Implement within first 3 months of denier’s intervention, or at the start of sex offense specific treatment.

Sexual History Exams³ – Implement within first 12 months of sex offense specific treatment.

Maintenance/Monitoring Exams – Implement within first 3 months of sex offense specific treatment, and continue on a regular basis every 6 months thereafter.

³ For offenders who refuse to answer incriminating sexual history polygraph questions, including incriminating sexual offense history polygraph questions, providers shall refer to Standard 3.160 I.2 to determine how to respond.
6.010 Types of Post-Conviction Polygraph Examinations

There are four different types of Post-Conviction Sex Offender polygraph exams:

- Instant Offense Exams
- Sexual History Exams
- Maintenance Exam
- Sex Offense Monitoring Exam

CST members, including polygraph examiners, shall maintain the integrity of the distinct types of post-conviction polygraph examinations, and shall not mix questions among the various types of post-conviction exams, other than maintenance and monitoring exams which can be mixed. For example, an exam shall not combine a sexual history question regarding historical sexual offending behavior and a maintenance question regarding current alcohol consumption while under supervision.

6.011 Instant Offense Polygraph Examination

An instant offense exam is 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.

An instant offense polygraph examination shall be used by the CST to manage sex offenders in denial as specified in Section 3.544, or prior to clarification with the victim, if there are any significant discrepancies between the offender and the victim, as specified in Section 5.752 D.

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6.012 **Sexual History Polygraph Examination**

A sexual history exam investigates the sex offender's history of involvement in unknown or unreported offenses and other sexual compulsivity, sexual pre-occupation, or sexual deviancy behaviors. Information and results from these examinations should be provided to the professional members of the CST to add incremental validity to decisions pertaining to risk assessment, risk management and treatment planning.\(^5\)

Sexual history polygraph examination is most effective when initiated within the first year of treatment to assist sex offenders with treatment engagement and progress.\(^6\) The CST shall utilize the sexual history polygraph examination process as part of treatment planning as indicated in Section 3.160 I. 2., and as one clinical indicator to assess treatment progress as identified in Section 3.160 M, when clinically indicated. For offenders who refuse to answer incriminating sexual history polygraph questions, including incriminating sexual offense history polygraph questions, providers shall refer to Standard 3.160 I.2 to determine how to respond.

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