

# Polygraph



Washington State Civil Service Conference  
2018

## Truth Verification

- Certified Voice Stress Analysis vs. Polygraph
  - Discussion?
- Timing
  - Pre-COE vs. Post-COE
- Pre-COE Pros:
  - Saves hours of Background Investigation time
- Post-COE Pros:
  - No limitations on what can be asked, i.e., addictions, treatment and frequency of drug and alcohol use

*EXCELLENT TRAINING CAN'T  
PREVAIL OVER POOR SELECTION*



**After 10 minutes,  
audience attention  
steadily drops.**



## POLYGRAPH

The Polygraph should be regarded as a decision-support tool intended to add incremental validity to risk-assessment and risk-management efforts surrounding the evaluation and selection of law-enforcement and other public-service applicants

American Polygraph Association Model Policy for Law Enforcement/Public-Service Pre-Employment Polygraph Screening examinations (3.1) [www.polygraph.org](http://www.polygraph.org)

RCW 49.44.120

Requiring lie detector tests—Penalty.

(1) It shall be unlawful for any person, firm, corporation or the state of Washington, its political subdivisions or municipal corporations to require, directly or indirectly, that any employee or prospective employee take or be subjected to any lie detector or similar tests as a condition of employment or continued employment: PROVIDED, That this section shall not apply to persons making application for employment with any law enforcement agency or with the juvenile court services agency of any county, or to persons returning after a break of more than twenty-four consecutive months in service as a fully commissioned law enforcement officer: PROVIDED FURTHER, That this section shall not apply to either the initial application for employment or continued employment of persons who manufacture, distribute, or dispense controlled substances as defined in chapter 69.50 RCW, or to persons in sensitive positions directly involving national security.

## Goals of the Polygraph

1. Deterrence
2. Disclosure
3. Detection

<https://www.youtube.com/watch?v=4blyf5lTK6s>

THINGS THAT MAKE YOU GO  
HMMM

Oregon has approximately 6194 L.E. Officers

Washington has approximately 10,245 Officers

In 2011

Oregon revoked the certifications of 122 officers

Washington revoked the certifications of 12 officers

Oregon does not allow pre-employment polygraph

## Polygraph Accuracy

Single Issue Polygraph  
Accuracy is in the 90-95 percentile

Multi-Issue Polygraph  
(screening)  
Accuracy is in the 80-85 percentile

## Polygraph Concerns

Homeland Security OIG-18-68

*"Most Complaints about CBP's Polygraph Program  
Are Ambiguous or Unfounded"*

Customs and Border Patrol administered about 33,000 examinations between 2013 and 2016

Results:

1. 28% Passed
2. 26% Made disqualifying admissions
3. 41% Failed
4. 5% Inconclusive

OIG reviewed 157 complaints about the CBP polygraph process. 6 of the complaints were true 130 were not specific or did not have enough information. 21 were not true.

## Recommendations

1. Develop additional controls to ensure polygraph quality control reviews comply with Federal polygraph standards.
2. Develop and implement a formal policy for the complaint review and response process.

## Appendix C

87 percent of the applicants do not make it to the polygraph phase.

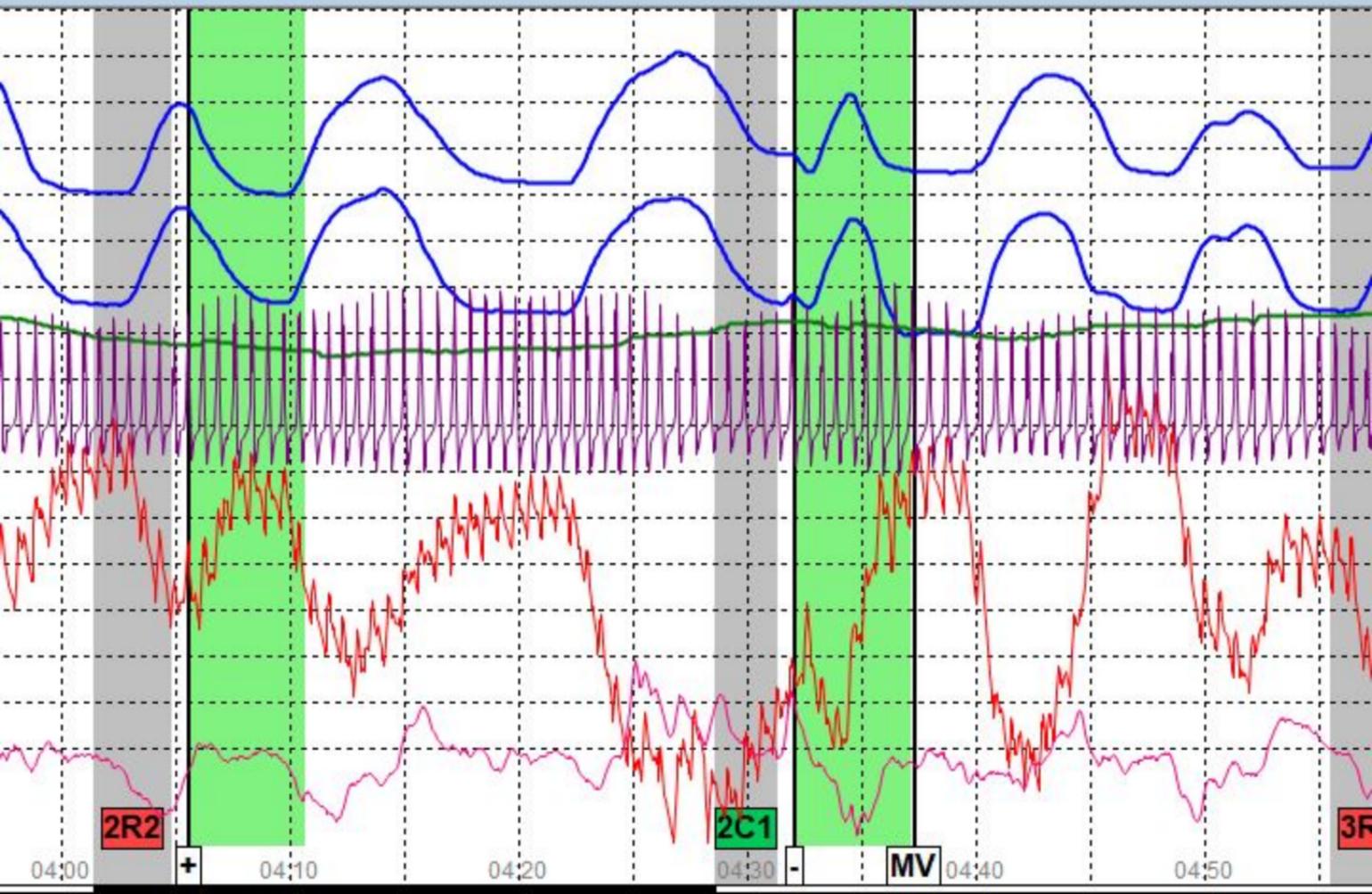
1. Does your examiner adhere to EPPA, EEOC, ADA and State Law?
2. Did your examiner graduate and pass an internship from an approved school?
3. Does your examiner belong to a professional association? (with standards and codes of conduct)
4. Is your examiner's training up to date?
5. Does your examiner use a validated technique?
6. Is the examination conducted in a suitable environment?
7. Is the equipment up to standards?
8. Does your examiner participate in Quality Control?

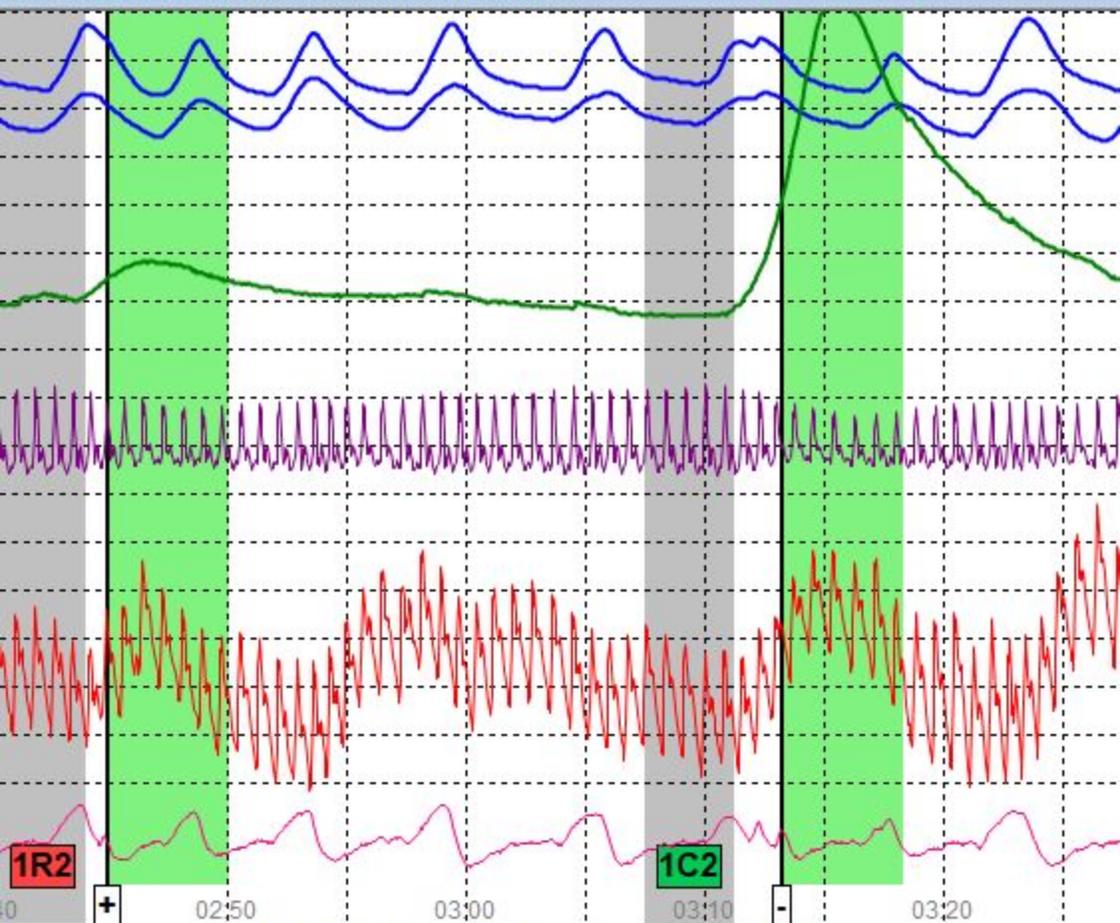
### Show and Tell

She has requested a chair with a straight back that will prevent any back pain that she suffers from due to her scoliosis. Also, she asked that different finger sensors be used, ones that do not squeeze her finger. She has previously been polygraphed and said that sensors with tape were used and that did not cause her any discomfort. And lastly, she asked if a morning polygraph would be possible due to the fatigue she can experience late in the evening. Please let me know if fulfilling these accommodations is possible.

Questions?

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Have you ever tried to hide anything from your wife?

**Jordan Ferguson**  
**Spokane Police Department**

Sergeant Ferguson has been with the Spokane Police Department since 1999. Prior to SPD, he worked as a Criminal Investigator for the Kootenai County Prosecutor's Office, a Trooper with the Idaho State Police and an Officer with the Milpitas Police Department. He has been a Field Training Officer, Polygraph Examiner, and Background Investigator. He teaches a class, Background Investigations for Law Enforcement, to agencies across the country. He has also been a guest lecturer at Eastern Washington University, Washington State University and the Washington State Civil Service Conference.

He is the owner of Empire Polygraph and Employment Consulting. He administers pre-employment polygraph examinations for agencies in Washington and Idaho.

He completed his Masters in Criminal Justice at Washington State University and graduated summer of 2018 with an emphasis in neuroscience and the affect fear has on humans.

He is currently assigned to the Major Crimes Domestic Violence Unit. The Unit is modeled after High Point, North Carolina and Chula Vista, California with focused deterrence on the offender. We are committed to the Lethality Assessment Program as well. We operate in a Family Justice Center with strong collaboration between prosecutors, advocates and law enforcement.

"My responsibilities in the Domestic Violence Unit are some of the most demanding I have experienced in my 30 year career. They are also the most rewarding. I have been able to teach strangulation investigation, trauma based interviewing and lethality assessment to officers. I review approximately one hundred domestic violence reports every week. I have been able to see when an officer 'gets it' and the light bulb comes on when they are talking with a victim and can document it in their reports. This is echoed by our advocates who tell that victims finally feel like they can trust the police and the system."