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BSCRIM

1. Describe the applications of polygraph testing in criminal investigation, employment and security screening and in the clinical testing.

Polygraph tests are used to detect truthfulness of individuals in such important fields as crime investigation departments, national security agencies, and business and industry. However, accuracy of polygraph tests and ethical issues associated with the tests are highly debated. A polygraph is a device that collects and enables the analysis of human physiological responses through sensors physically connected to the individuals examined by this system. Polygraphs are employed to detect deception while the examinee answers a set of questions. They are utilized in different sectors, such as law enforcement agencies, the legal community to support forensic investigations, the private sector, and the U.S. federal government. In addition to criminal investigations, they are used to conduct pre-employment screenings.

The most common polygraph is the Comparative Question Test (CQT; Reid, 1947), which consists of monitoring the variations of physiological parameters, such as blood pressure, breathing, and dermal responses during an interview. CQT relies on two types of questions: those relevant to the purpose of the investigation and control questions, typically utilized as a baseline to evaluate and analyze physiological responses associated with lying. Deceptive subjects are expected to show more intense physiological responses in answering to the relevant questions, in comparison to responses elicited by the control questions.

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The primary purpose of the polygraph test in security screening is to identify individuals who present serious threats to national security. To put this in the language of diagnostic testing, the goal is to reduce to a minimum the number of false negative cases (serious security risks who pass the diagnostic screen).Polygraphs are employed to detect deception while the examinee answers a set of questions. They are utilized in different sectors, such as law enforcement agencies, the legal community to support forensic investigations, the private sector, and the U.S. federal government

1. Enumerate the responsibilities of the examiner to a tests subject.

POLYGRAPH EXAMINER RESPONSIBILITY

The polygraph examiner is responsible for the proper conduct of an examination according to current regulations. The examination must be administered under properly controlled conditions to accomplish the desired objective.

The examiner is prohibited, by regulation, from conducting an examination when, in the examiner's opinion, the person fits one of the following descriptions:

* 1. Mentally or physically fatigued. This precludes successful administration of the polygraph test, since the basic precept of the polygraph technique depends upon the ability of the subject to respond physically to mental stimuli.
* 2. Unduly emotionally upset, intoxicated, under the influence of marijuana, a sedative, or stimulant, or is known to be addicted to narcotics. Any of these conditions work to the detriment of the polygraph technique through modification of physical response.
* 3. Known to have a mental disorder. Psychosis and severe neurosis and, in some instances, pathological behavior patterns render a subject unfit for the polygraph examination.
* Experiencing physical discomfort of significant magnitude or having physical disabilities or defects that might cause abnormal responses to the polygraph test.

1. Enumerate the responsibilities of the investigator to the examiner.

1. Duties and responsibilities. A polygraph examiner or an intern shall:

B. Ensure that confidential information protected under section 7365 is disclosed only as authorized by that section; [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

C. Inform a subject to be examined of the nature of the examination; [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

D. Inform the subject of an examination of the examination results on request at the completion of the examination; [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

E. Provide within a reasonable time information requested by the commissioner as the result of a formal complaint to the commissioner alleging a violation of this chapter; and [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

F. Immediately report to the Department of Health and Human Services when the examiner knows or has reasonable cause to suspect that a person 14 years of age or younger will be the victim of a sexual assault crime as provided under Title 17‑A, chapter 11 or is in imminent danger of substantial bodily injury or death.

The duty to report provided in this paragraph does not abrogate any other duty an examiner has to report by virtue of the examiner's profession pursuant to Title 22, section 3477 or 4011‑A. [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

[PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

2. Prohibitions. A polygraph examiner or an intern may not:

A. Aid or abet another to violate this chapter or a rule adopted under this chapter; [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

B. Allow the person's license issued under this chapter to be used by an unlicensed person in violation of this chapter; [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

C. Make a material misstatement in an application for the issuance or renewal of a license; [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

D. Make a misrepresentation or false promise or cause the printing of a false or misleading advertisement to directly or indirectly obtain business; [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

E. Conduct an examination without the informed consent of the subject of the examination; [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

F. Administer a polygraph examination to a minor without the written consent of a parent of the minor or the minor's legal guardian; [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

G. Make a false report concerning an examination for polygraph examination purposes; or [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

H. Commit a criminal offense, including, but not limited to, an offense that directly relates to the duties and responsibilities of a polygraph examiner. [PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

[PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

3. Disciplinary action. A person who fails to comply with this section is subject to disciplinary action pursuant to section 7388.

[PL 2013, c. 316, §3 (NEW); PL 2013, c. 316, §5 (AFF).]

SECTION HISTORY

PL 2013, c. 316, §3 (NEW). PL 2013, c. 316, §5 (AFF).

1. Define and describe the classifications of clinical testing

****Treatment Research**** generally involves an intervention such as medication, psychotherapy, new devices, or new approaches to surgery or radiation therapy.

****Prevention Research**** looks for better ways to prevent disorders from developing or returning. Different kinds of prevention research may study medicines, vitamins, vaccines, minerals, or lifestyle changes.

****Diagnostic Research****refers to the practice of looking for better ways to identify a particular disorder or condition.

****Screening Research**** aims to find the best ways to detect certain disorders or health conditions.

****Quality of Life**** ****Research**** explores ways to improve comfort and the quality of life for individuals with a chronic illness.

****Genetic studies**** aim to improve the prediction of disorders by identifying and understanding how genes and illnesses may be related. Research in this area may explore ways in which a person’s genes make him or her more or less likely to develop a disorder. This may lead to development of tailor-made treatments based on a patient’s genetic make-up.

****Epidemiological studies**** seek to identify the patterns, causes, and control of disorders in groups of people.

An important note: some clinical research is “outpatient,” meaning that participants do not stay overnight at the hospital. Some is “inpatient,” meaning that participants will need to stay for at least one night in the hospital or research center. Be sure to ask the researchers what their study requires.