

Polygraph Examinations:

“The Truth Starts Here”

Lie Detector Services:

1. Post Conviction Sex Offender Testing
2. Workplace Theft
3. Criminal Investigations
4. Insurance Claims
5. Accident Statement Analysis
6. Marital Disputes
7. Probation Monitoring
8. Statement Analysis
9. Civil Dispute
10. Sexual Harassment: Workplace disputes
11. Pre-Employment: Crime and drug history, verification of information, and qualifications

How accurate is a polygraph test?

Recent research reveals that the accuracy of the new computerized polygraph system is close to 100%. The American Polygraph Association (AMPA) believes that scientific evidence supports the high validity of polygraph examinations. The AMPA has a compendium of research studies available on the validity and reliability of polygraph testing.

What type of instrument does Liberty Alliance use?

Liberty Alliance uses the most state of the art computerized polygraph system in the world. The same instrument the FBI, US Military and Police Agencies used across America.

Who uses Polygraph Examinations?

Private Sector: Companies and Corporations under the restrictions and limitations of the Employee Polygraph Protection Act of 1988 (EPPA). Private citizens in matters not involving the legal or criminal justice system.

Attorneys in civil litigation.

Law Enforcement Agencies- Federal Law Enforcement Agencies, State Law Enforcement Agencies, and Local Law Enforcement Agencies

Legal Community- U.S. Attorney Offices, District Attorneys, Public Defender Offices, Defense Attorneys, Parole & Probation Departments

What is EPPA?

On December 27, 1988, the Employee Polygraph Protection Act (EPPA) became Law. This federal law established guidelines for polygraph testing and imposed restriction on most private employers.

How does EPPA affect businesses, which are not exempt?

In general, businesses cannot request, suggest or require any job applicant to take pre-employment polygraph examination. Secondly, business can request a current employee to take a polygraph examinations or suggest to such a person that polygraph examination be taken, only when specific examination, and if an employee refuses a request or suggestion, the employer cannot discipline or discharge the employee based on the refusal to submit to the examination.

What are the conditions that an employer must meet in order to ask a current employee to take a polygraph?

1. The incident must be an ongoing, specific investigation.
2. It must be an identifiable economic loss to the employer.
3. Obtain a copy of the Employer Polygraph Protection Act of 1988.

4. Provide the employee with a written statement that includes: a. identification of the company and location of employee b. description of the loss or activity under investigation c. location of the loss d. specific amount of the loss e. type of economic loss f. how the employee had access to the loss Note: access alone is not sufficient grounds for polygraph testing g. what kind of reasonable suspicion there is to suspect the employee of being involved in the loss

5. The Statement provided to employee MUST be signed by someone other than the polygraph examiner, who is authorized to legally bind the employee, and MUST be retained by the employer for at least 3 years.

6. Read the Notice to Examinee to the employee, which should be signed, timed, dated and witnessed.

7. Provide the employee with 48 hours advanced notice (not counting weekends or holidays) to the date and time of the scheduled polygraph test.

8. Provide employee with written notice of the date, time and location of the polygraph test, including written directions if the test is to be conducted at a location other than at the place of employment.

9. Maintain a statement of adverse actions taken against the employee following a polygraph test.

10. Conduct an additional interview of employee prior to any adverse action following a polygraph test.

11. Maintain records of ALL of the above for a minimum of 3 years.

12. Employees may not waive their rights.

13. Police and investigators are not exempt and must comply if they are conducting an employment related polygraph test, i.e., when conducting a polygraph test on an internal theft for a missing deposit. Information about a polygraph provided to the employer by a police officer or investigator is prohibited under the Act, since employers are not allowed to use, accept or inquire about the results.

14. There is a \$10,000 penalty for EACH violation of the law.

15. Check out the credentials of the polygraph examiner that you use and verify that the examiner meets EPPA requirements. Never hesitate to ask for written proof of licensing, liability insurance, etc.

16. Use your company letterhead on all forms you provide to the employee. Have your corporate attorney review your actions to assure your compliance of EPPA.

Who Gets the Test Results?

According to the various state licensing laws, polygraph results can be released only to authorized persons. Generally those individuals who can receive test results are the examinee, and anyone specifically designated in writing by the examinee, the person, firm, corporation or governmental agency which requested the examination, and others as may be required by due process of law.