

TALLAHASSEE POLICE DEPARTMENT

GENERAL ORDERS MANUAL

 Proudly Policing Since 1841	SUBJECT Truth Verification Examinations		 Nationally Accredited 1986
	CHIEF OF POLICE <i>Signature on File</i>		
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AUTHORITY/RELATED REFERENCES

FS Chapter 934, Security of Communications
FS Chapter 119, Public Records
Florida General Records Schedule GS-2
General Order 17, Records Maintenance and Destruction Information Procedures
General Order 18, Criminal Investigations
General Order 29, Internal Affairs and Administrative Investigations

ACCREDITATION REFERENCES

CALEA Chapters 32, 42, 52

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POLICY

Truth verification examinations are an investigative tool designed to protect the integrity of an investigation and/or the person being interviewed. Members employing truth verification examinations shall adhere to established protocols for use of equipment and conditions under which such examinations may be administered.

DEFINITIONS

Audio Recorded Analysis: Truth verification examiner's analysis of recorded interviews where the interviewee has responded with 'Yes' or 'No' to preformatted questions.

Examiner: A member who has satisfactorily completed appropriate training and is certified in Department-approved truth verification examinations, and maintains active certification based upon mandatory training requirements and current industry standards.

Live Interview: An interview by the truth verification examiner with a suspect, victim, witness, complainant, or applicant and conducted with prior knowledge and permission that answers will be analyzed using truth verification equipment.

Requesting Member: A member who requests an examiner to conduct a truth verification examination.

Truth Verification Examination: A psychological stress evaluator that detects, measures, and charts the stress in a person's voice (live or taped) following a preformatted questionnaire.

PROCEDURES

I. AUTHORIZED USE OF EQUIPMENT

- A. Examiners are the only members authorized to operate truth verification equipment and conduct truth verification examinations (TVEs).
- B. Members shall not allow non-members to utilize Department equipment to conduct TVEs.
- C. Examiners shall utilize Department truth verification equipment only for TVEs.

II. GENERAL PROTOCOLS

- A. A TVE may be administered to any individual who knows right from wrong.
- B. A person under the age of eighteen should have parental or legal guardian consent prior to being administered a TVE, and the consent should be:
 - 1. In writing, and

- 2. In the possession of the examiner prior to the beginning of the examination.
- C. A TVE will be administered on a child under the age of six years of age only at the discretion of the examiner and when approved by the examiner's division commander.
- D. A TVE may be utilized during any investigation where veracity is a concern.
- E. No person will be forced or coerced into taking a TVE, and an examination shall cease immediately if requested by the interviewee.

III. PROHIBITED EXAMINATIONS

- A. A TVE shall not be administered to a person indicted by a grand jury or formally charged by the State Attorney's Office (SAO) for the crime which the examination is requested unless there is an agreement for such an examination that is signed by:
 - 1. The person to be examined,
 - 2. Their defense attorney, and
 - 3. The SAO representative.
- B. A TVE shall not be administered to anyone who is:
 - 1. Severely handicapped, or
 - 2. Impaired by alcohol or drugs to a point which causes the examiner concern.
- C. Members shall not ask, offer, or suggest a victim submit to a TVE during any part of a sexual battery investigation.
- D. An examiner shall not conduct a TVE for another organization unless approved by the Chief of Police or appointed designee.

IV. EXAMINER RESPONSIBILITIES

- A. In criminal and background investigations, the examiner may review the available case information prior to administering the TVE.

- B. Examiners are responsible for requesting verification of the TVE results from another examiner.
- C. Each examiner is responsible for maintaining the TVE log, denoting the examiner, the interviewee, verification examiner, date of the TVE, and whether or not deception was indicated.
- D. Examiners shall refrain from conducting TVEs that may create the appearance of a conflict of interest.
 - 1. Examinations on friends, relatives and persons with whom the examiner has a relationship shall be referred to another examiner.
 - 2. It is the examiner's responsibility to promptly inform their supervisor of a potential conflict of interest in conducting a TVE.

V. REQUESTING MEMBER RESPONSIBILITIES

- A. The requesting member should conduct a thorough investigation prior to the TVE being administered.
 - 1. Members may consult with an examiner anytime during an investigation.
 - 2. The TVE is a supplement to, not a substitute for, a thorough investigation.
- B. The requesting member shall remain available to the examiner until the completion of the TVE unless otherwise agreed to by the examiner and the requesting member.

VI. EXAMINATION RECORDS

It is the responsibility of each examiner to maintain TVE records that:

- A. Include a waiver of rights and voluntary submission forms (if applicable), subject information sheet, graphs from each examination (not separated), and a statement of results depending on the circumstances,
- B. Are maintained in accordance with applicable public records laws, and
- C. Are maintained in a designated secure area within the Department.

VII. USE IN CRIMINAL INVESTIGATIONS

- A. TVEs may be utilized in conjunction with investigative leads and interviews of suspects, victims, witnesses, and complainants.
- B. Examiners are responsible for adhering to the applicable interview and interrogation protocols set forth in General Order 18 (Criminal Investigations) when administering a TVE.
- C. Prior to conducting a TVE without the interviewee's knowledge, the examiner is responsible for obtaining approval from the requesting member's supervisor prior to conducting the TVE.
- D. With the exception of sexual battery investigations, TVEs should be administered to both the suspect and the victim, when practical, in order to add validity to the examination results.
- E. TVEs shall not be utilized to circumvent established investigative procedures.
- F. TVE results shall not be used as the sole basis for probable cause to make an arrest or take other legal action, but instead are designed for:
 - 1. Developing leads, and
 - 2. Validation of known information.
- G. When practical, audio recorded analysis should be followed up with a live interview and a TVE of the person.

VIII. USE IN ADMINISTRATIVE INVESTIGATIONS

- A. TVEs may be administered to citizen complainants and witnesses to test the veracity of their complaint, allegation, or ability to be a material witness.
- B. TVEs should be conducted only after a voluntary examination waiver has been signed by the interviewee.
- C. In cases when examinations are conducted without the interviewee's knowledge, the examiner shall first receive permission from the Internal Affairs Commander.
- D. TVEs shall not be utilized to circumvent established investigative procedures, nor be the sole determinant for an investigative conclusion.

IX. USE IN BACKGROUND INVESTIGATIONS

TVEs may be utilized in pre-employment background investigations as directed by the Chief of Police; however, TVEs may not be used as the sole determinant of employment status.

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