



Practicum

The Pretest
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A polygraph test is a composition of three elements: an examinee, an instrument, and a test procedure. The examiner's role is to synchronize all these elements into perfection just like an orchestra conductor synchronizes the players, instruments, and music notes. The key to a fully synchronized orchestrated test is the **pre-test interview**. The pre-test is defined as "the first phase of the psychophysiological veracity examination which precedes the collection of the physiological data recorded on the polygraph charts, comprising the acquisition of examinee background data, refinement and finalization of test question formulation, and explanation of the examination procedure" [1]. This accurate albeit dry, factual, and technical definition fails to mention the crux of the matter: the examiner's ability to understand fully the examinee's mentality, mental and emotional condition, state of mind, and the way s/he perceives the situation. Settling into the examinee's shoes requires empathy, understanding, and an almost immediate bonding and rapport.

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Pre-pretest

For the examinee the pretest starts once s/he is told where and when to report for the test. As the date gets closer her/his fears – such as fear of the unknown, fear of error of the truthful examinees or fear of detection of the deceptive, fear of consequences following the test results, resentment (“A machine will determine my integrity?”), humiliation (“These tests are only made for criminals!”), insult (“I have worked here over 30 years and they still don’t trust me.”), invasion of privacy, loss of control, etc. – grow. Besides the natural “test anxiety”, all these feelings have a psychophysiological impact resulting in anxiety and discomfort condition. To ease this condition, an “incubation period” prior to the test is suggested so that the examinee could gain confidence in her/his innocence or increase concern over the outcome with the deceptive. It should either be done by the examiner on the phone or by the investigator, and include:

- informing the examinee of the test date and place *at least* 24 hours prior to the test
- informing the examinee of the examiner’s credentials
- informing the examinee that her/his anxiety is a normal phenomenon that has no impact on the results
- informing the examinee that if s/he is consuming any drugs on a regular basis s/he should continue to do so regardless of the test
- giving the examinee a brief explanation about the test procedure
- informing the examinee about the subject of the test
- informing the examinee about their legal right to refuse to take the test and the legal status of the test results, if any
- advising the examinee to try and have a good night’s rest
- avoiding any type of questioning of the examinee on the day of the test.

For the examiner, the pretest actually starts with reviewing the case data and/or discussing the case with the end user, which unwillingly forms bias and expectations. In order to eliminate them, all the examiner should do is to remember that if the examinee’s guilt or innocence was obvious, there would be no need for the test.

It is recommended that the examinee reads the leaflet containing test information described in Appendix A upon arrival. It is also recommended to have the examiner’s and her/his organization’s code of ethics as well as the APA code of ethics clearly displayed on waiting room walls. Most examinees reported that the provided information eased their tension.

Pretest interview

Once the examinee meets the examiner additional factors, such as natural uneasiness arising from alienation, eeriness, invasion of privacy, the need to open up to a total stranger on a private and confidential matter, etc. arise. All these feelings bear a negative effect on the examinee and make her/him nervous, jumpy, and snappy. It is the responsibility of the examiner to reduce these effects and to diffuse the examinee's tension and anxiety. It is simply done by being empathetic with the examinee's mental and emotional state of mind, and by avoiding any aggression or insensitivity to her/his condition, or to put it shortly by *passing no judgments*.

The best pre-interview starter is to discuss openly the examinee's anxiety and be empathetic about it, later proceeding to a brief explanation of the polygraph and the test procedure, and ensuring the examinee that her/his anxiety has no effect at all on the test outcome. ("I am operating a 'lie detector', and not a 'nervousness detector'.") An additional key factor to a successful pretest interview is to gain the examinee's trust and confidence in the examiner's proficiency. How do laymen assess the level of proficiency of a professional? Reputation, appearance, attire, and location all play minor roles. The decisive factor is trust that is gained if the professional seems a candid and understanding person, and a good active listener sensitive to the examinee's concerns.

Pretest interview approach:

In addition to empathy, the examiner should employ a non-accusatory, non-threatening approach free of any judgment, and all along constantly remind herself/himself about the presumption of examinee's innocence.

The examiner should encourage the examinee to detail and provide as much biographical, medical and case data information as possible. With the exception of critical information, if the examinee's statement contradicts her/his prior given statement, the examiner should try and clear the contradiction, but accusations should be avoided.

Pretest interview goals:

The examiner should aim for the following:

- establishing rapport by having a positive interpersonal communication using the described approach

- establishing the examiner's professionalism
- establishing the examiner's objectivity (the most important)
- establishing the validity of the polygraph and its ability to detect deception and overcome the examinee's test anxiety or countermeasures (which will reduce truthful examinee's fear of error and deceptive examinee's hope of error)
- neutralizing contaminations resulting either from the issue under investigation or any external issue
- learning the subject's idiolect ("lingo") to avoid misunderstanding when phrasing the questions
- letting the subject tell in full detail her/his version of the issue under investigation in order to take it off her/his chest so that she/he will feel that the examiner is listening to her/him, which in return creates rapport and helps to phrase the most effective relevant questions
- collecting background data to phrase the most effective comparison questions
- if using PLCQ: discussing the comparison questions in detail to become almost sure that the examinee's answers are not a probable but a certain lie
- establishing the subject's physical and mental inability to take the test e.g. because she/he is using a medication that might affect the test or her/his mental cognitive ability is too limited to comprehend the questions fully
- minimizing examinee's bias against the polygraph, examiner, situation, etc. by explaining the basics of polygraph.

It should be emphasized that *any* objections to the test expressed by the examinee must be dealt immediately, postponing or ignoring them does result in constant conflicts. Ask for the source of the objection, and try to disarm it with counterexplanation

Examiners should keep in mind that they are not technicians who deal with lifeless objects. Examiners handle individuals with emotions, fears, concerns, imagination and much more, which in return requires being sensitive to the examinee's feelings and needs. This does not mean that the examiner should satisfy the examinee's desire to pass the test. It simply calls for sympathizing with the stress and anxiety that have nothing to do with their truthfulness or deception but only with the situation. The more objective the examiner, the more confident the examinee, which will have an impact on the chart clarity.

Internalize Thomas Jefferson's phrase (paraphrasing Aristotle):

"There is nothing more unequal than the equal treatment of unequal people."

References:

Matte, J.A., (1996), *Forensic Psychophysiology Using The Polygraph*, J.A.M Publications, Williamsville NY, p. 697.

Appendix A. The explanatory leaflet (To be read by the examinee in the waiting area)

Hi and welcome to our laboratories,

This is probably the first time when you, like many others, are undertaking such a test. So, naturally, there are concerns, anxiety and perhaps a bit of fear. Most examinees with whom we have spoken have also expressed concern about the unknown. Truthful examinees are usually concerned about failing the test in spite of being truthful while deceptive examinees naturally fear detection and exposure due to the accuracy and validity of the polygraph. Some examinees have reported various feelings such as: insult, humiliation, etc. In order to set the record straight, we bring you the most common questions and answers presented to us:

What is a polygraph? The polygraph is an instrument that uses sensors to measure uncontrollable physical changes such as increased blood pressure, pulse changes, skin conductivity changes, and others that occur in the examinee's body when she/he is lying. The polygraph sensors are placed on and attached to the examinee's body externally so there is no need to undress and/or invade the examinee's body

Is the test painful, harmful or hazardous to my health? The test does not involve any pain except for slight discomfort caused by the blood pressure cuff. There is no impact on your health, and the test does not cause any physical harm.

Can a sick person or someone who consumes medication take the test? Generally speaking the answer is YES. Nonetheless, the examiner will discuss your physical condition prior to the test, and in addition she/he will perform an adjustment test to verify your ability to take the test. Please, reveal your medical status to the examiner. It is for your own benefit.

Does my nervousness and anxiety bear any effect on the test outcome? This is the most common concern amongst examinees, concern that despite being truthful

they will fail the test. The answer to this concern is clearly a NO. The examiner and the polygraph can differentiate between situational anxiety and deception. So if you are truthful you will pass the test and if you are deceptive your body will disclose it.

What is the test procedure? After verifying your identity and a short explanation about the test and the instrument, you will be asked to submit biographical and medical data and full details of the events that have led to this test. Based on your information the examiner will phrase the questions that you will be asked in the test. Only then will the polygraph sensors be attached to you and the test will commence. During the test these questions will be presented to you at least three times in order to establish your truthfulness or deception.

Can I refuse to take the test? Definitely YES!!! And your refusal could not be taken against you.

What is the accuracy of the polygraph? Researchers point to an accuracy of around 90%, which is a higher and better accuracy rate than that of most forensic and medical diagnostic tools.

Are polygraph test results admissible in court? You should consult your lawyer for an accurate answer but generally speaking the admissibility differs from state to state and is subject to stipulation between the parties involved.

“I don’t want an instrument to determine my innocence or guilt” We have heard this statement many times and it is totally incorrect. The polygraph is ONLY a diagnostic tool used by a qualified examiner and she/he is the only one who determines the results.

Our examiners are accredited, qualified, and experienced members of the American Polygraph Association and other professional associations, expert witnesses in court, with government and law enforcement background. Moreover, we have conducted these tests for over [XX] years with great success.

Brief background of the examiner and the experience of the organization’s polygraph unit

Appendix B

Pretest step-by-step check list:

Prior to the test

- obtain all case data, including the purpose of the test set by the end user
- decide if the case is testable
- pay attention to your appearance and attire
- calibrate the instrument if necessary
- set up the examination room: temperature, lack of noise, etc.

Upon the examinee's arrival in the office

- should be acknowledged by the receptionist
- the receptionist should ask the examinee to read the information leaflet (Appendix A)
- have your organization's and association's code(s) of ethics displayed in the waiting area

Upon entering the examination room

- greet the examinee
- have some small talk
- identify the examinee
- discuss her/his anxiety
- briefly describe the polygraph and the test procedure
- gain examinee's trust in the polygraph instrument and procedure
- decrease fear of error and increase fear of detection, using expressions that will demonstrate examiner's professionalism and objectivity
- ask for biographical and medical data to help the examiner establish rapport, collect background information for comparison questions and assessment of the examinee's psychological and physiological capacity to undergo the test
- verify verbally her/his consent to take the test
- obtain a detailed description of the events leading to the test from the examinee
- phrase the test questions (by order of relevant, comparison, irrelevant & sacrifice)
- ask the examinee to sign the consent form (by doing so at this stage instead of an earlier one, the examinee gives her/his consent to the test questions as well)
- review the questions making sure that the examinee has understood them fully
- attach polygraph components to the examinee
- instruct the examinee how to behave during the test
- start the test.