

PS 5110.13 POLYGRAPH TESTS, ADMINISTERING OF



Program Statement

OPI: CPD
NUMBER: 5110.13
DATE: 12/15/99
SUBJECT: Polygraph Tests,
Administering of

1. [PURPOSE AND SCOPE §551.70]

a. The Bureau of Prisons cooperates with law enforcement officials and other authorized individuals in the performance of their duties by permitting them to administer polygraph tests to an inmate if the inmate consents to the testing.]

Preferably, the testing will take place within the institution. If essential, arrangements may be made to have an inmate escorted to the agency's office for the testing.

- In that event, the inmate is to be processed in accordance with all applicable Program Statements including Escorted Trips and the Correctional Services Manual.

2. **PROGRAM OBJECTIVE.** The expected result of this program is:

Polygraph tests will only be approved in accordance with clearly written guidelines and procedures.

3. **DIRECTIVES AFFECTED**

a. **Directive Rescinded**

PS 5110.09 Administering of Polygraph Tests (2/91/93)

b. **Directives Referenced**

PS 5500.09 Correctional Services Manual (10/27/97)
PS 5538.04 Escorted Trips (12/23/96)

[**Bracketed Bold**] - Rules
Regular Type - Implementing Information

c. Rules cited in this Program Statement are contained in 28 CFR 551.70-71.

4. **STANDARDS REFERENCED.** None

5. [PROCEDURES §551.71

a. The Warden may permit polygraph tests in connection with a State or Federal criminal felony investigation.

b. The Warden may permit polygraph tests in connection with misdemeanor offenses, civil proceedings, or any other matters. This type of request, however, is generally disapproved, absent a federal court order for the test.]

— The Warden will notify the Regional Director if a test is being considered for approval.

[c. The Warden may permit a polygraph test at the request of a defense counsel or other representative of the inmate. These requests are subject to the same standards and procedures applicable to testing by law enforcement officials.

d. The Warden may deny any request for testing which may disrupt the security or good order of the institution.

e. Upon written request to conduct a polygraph examination of an inmate, the Warden may approve the request if:

(1) the validity of the request and of the examining agency can be confirmed;

(2) the request complies with this section; and

(3) the inmate gives written consent to the testing.]

The Inmate Polygraph Authorization form, (Attachment A) is to be used to obtain the inmate's consent. This form may be reproduced locally.

[f. If the request is approved, the Warden shall notify the requester that he is responsible for meeting all state and local requirements in administering the test.

g. The Bureau of Prisons maintains a record in the inmate's central file of the polygraph test, indicating the inmate's consent and the time and place of and the personnel involved in the testing.]

/s/

Kathleen Hawk Sawyer
Director

