

POLYGRAPH: THE USE OF POLYGRAPHY IN THE ASSESSMENT AND TREATMENT OF SEX OFFENDERS

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WHAT IS IT?

The polygraph is often described as a lie detector. Its use is based on the notion that lying induces a 'stress response' in the automatic nervous system, a part of the Central Nervous System that is largely outside conscious control and which regulates the body's internal environment. The effect of this can be observed in changes in cardiovascular activity, breathing, and sweating. The basis of the polygraph examination involves individuals being asked a series of questions while activity in these systems is recorded, with certain reactions said to be indicative of deception. A definitive review carried out by the National Research Council (2003) in the United States concluded that the accuracy of polygraph testing is likely to be in the region of 80 – 90%.

HISTORY AND RESEARCH

A large trial of Post Conviction Sex Offender Testing (PCSOT) in England involving sex offenders managed by the probation service took place between 2003 and 2005 (Grubin, 2006). In this study, polygraphy was introduced on a voluntary basis to sex offenders taking part in programmes in 10 probation areas, with polygraphed offenders compared with 180 sex offenders in four probation areas where polygraphy was not introduced. Over two years, 347 sex offenders attended for testing. Feedback from probation officers was received in respect of 68% of all the tests that were carried out.

In brief, probation officers reported that new disclosures relevant to treatment or supervision were made in 70% of first tests, compared with 14% of non-polygraphed offenders making similar disclosures over the previous six months. The disclosures made by polygraphed offenders were rated as 'medium,' severity (that is, relating to behaviours indicative of increased risk) or 'high' (actual breaches or offences) in over 40% of cases. The odds of a polygraphed offender making a disclosure relevant to his treatment or supervision were 14 times greater than they were for non-polygraphed ones. When probation officers were asked about the impact of testing on treatment and supervision, polygraphy was rated as being 'somewhat' or 'very' helpful in over 90% of cases.

A trial of mandatory polygraph testing of paroled sex offenders in two English regions has recently been completed, and is due to report its results in 2012.

CURRENT PRACTICE

In the United States polygraph testing is used widely in the treatment and supervision of sex offenders. McGrath, et al (in press) found that nearly 80% of community treatment programmes for adult male sex offenders in the United States, and over half of residential programmes, make use of the technique. In England a trial of mandatory polygraph testing of paroled sex offenders is currently underway in two probation regions.

Polygraph testing of convicted sex offenders has two main aims: to enhance treatment and to improve supervision. In terms of the former, it is claimed that polygraphy provides fuller and more accurate information about an offender's history, paraphilic interests and offence behaviour, enabling treatment need to be better identified and targeted (Ahlmeyer, et al, 2000; Grubin, et al., 2004; Heil, Ahlmeyer & Simons, 2003); in respect of supervision, supporters argue that it both acts as a deterrent to reoffending and aids in the detection of reoffending when it occurs (Abrams & Ogard, 1986; Grubin, et al., 2004; Madsen, Parsons & Grubin, 2004).

Sex offender testing that takes place in the context of treatment and supervision is often referred to as Post Conviction Sex Offender Testing (PCSOT). Unlike its use in police or security settings, the focus of PCSOT is not on the passed or failed test, but on facilitating disclosures and enhancing engagement. Offenders are (or should be) tested at regular intervals, and are often rewarded with positive feedback for being more honest. The polygraph result, while not immaterial, is less important than the disclosures, which can be useful regardless of test outcome. Test outcome is not considered in isolation, but in the context other information known about the offender – a 'failed' test in the absence of disclosures or other concerns may indicate the need for further scrutiny, and a 'passed' test may offer reassurance.

In PCSOT, one of four types of test is employed, depending on circumstances:

Sexual History Disclosure: the purpose of this test is to obtain a fuller account of an offender's sexual history.

Maintenance: a screening type of test relating to an offender's compliance with the requirements of treatment and supervision.

Denial, or Index Offence Disclosure: this test seeks to gain from the offender a fuller account of the circumstances associated with his index offence, often with the aim of overcoming minimization or denial, including claims of poor recall.

Specific Issue: these tests, also called monitoring exams, look at single issues about which there may be concern, for example, whether an offender has had contact with a previous victim.

CONCLUSION

Polygraph testing of convicted sex offenders has its critics. There are arguments about its validity, usefulness and ethics (British Psychological Society, 2004; Cross &

Saxe, 2001). A published debate airing all of the issues in respect of sex offender testing can be found in Grubin (2008) and Ben-Shakhar (2008).

The evidence base is supportive of PCSOT in respect of its ability to contribute to sex offender treatment and supervision, but a proper cost-benefit evaluation of PCSOT still remains to be done.

Polygraph testing should only be administered by PCSOT trained examiners whose work is quality controlled. Tests should always be visually recorded, and reports of the tests provided.

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