



<p style="text-align: center;"><b>FAIRFAX COUNTY POLICE DEPARTMENT</b></p>  <p style="text-align: center;"><b>GENERAL ORDER</b></p>	<p>SUBJECT: <b>POLYGRAPH EXAMINATIONS / CRIMINAL INVESTIGATIONS</b></p>		<p>NUMBER: <b>440.3</b></p>
	<p>EFFECTIVE DATE: <b>October 16, 2020</b></p>	<p>REVIEW: <b>October 2024</b></p>	
	<p>TOPIC: <b>POLICY</b></p>		
<p>RESPONSIBLE ENTITY: Administrative Support Bureau</p>			<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces: <input checked="" type="checkbox"/> Revised: 07/01/10
<p>ACCREDITATION STANDARDS:</p>	<p>CALEA 42.2.6</p>	<p>VLEPSC OPR.02.03</p>	

I. POLICY

While the polygraph is recognized as an important investigative aid, certain restrictions must be placed on its use. The polygraph is a valid technique when used to confirm or disprove statements which cannot be corroborated by other means. Standardization of procedures will preclude charges of misuse and harassment and offer uniform criteria which must be met prior to usage. Such limitations are intended to protect the interests of victims, witnesses and suspects without unduly hampering criminal investigations.

The Fairfax County Police Department Polygraph Section shall adhere to all regulations governing polygraph examiners set forth by the Virginia Department of Professional and Occupational Regulation.


<b>FAIRFAX COUNTY POLICE DEPARTMENT</b>    <b>GENERAL ORDER</b>	<b>SUBJECT:</b> <b>POLYGRAPH EXAMINATIONS / CRIMINAL INVESTIGATIONS</b>		<b>NUMBER:</b> <b>440.3</b>
	<b>EFFECTIVE DATE:</b> October 16, 2020	<b>REVIEW:</b> October 2024	
	<b>TOPIC:</b> <b>PROCEDURE</b>		
<b>RESPONSIBLE ENTITY:</b> Administrative Support Bureau			<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces: <input checked="" type="checkbox"/> Revised: 07/01/10
<b>ACCREDITATION STANDARDS:</b>	CALEA 42.2.6  VLEPSC OPR.02.03		

## II. PROCEDURE

- A. Polygraph examinations should not be mentioned during the initial stages of an investigation. If inconsistencies or conflicts appear, all alternate methods of checking leads will be exhausted prior to requesting a polygraph examination. The statement, "Are you willing to take a polygraph?" should be avoided in the early stages of the investigation.
- B. If, after exhausting all alternative investigative methods, inconsistencies still exist, detectives will request the use of the polygraph by submitting PD Form 168, Polygraph Examination Request. This form is to be approved by the detective's supervisor after it is determined that the need is justified, and that the necessary information cannot be obtained through other means. After receiving supervisory approval, one copy of the request will be forwarded to the Polygraph Section so a time and date for the examination may be scheduled. One copy of the request will be retained by the detective to be included in the case file. It shall be the responsibility of the detective to contact the Polygraph Section in order to determine the time and date assigned for polygraph examinations.
- C. Per [Va. Code Ann. § 19.2-9.1](#) no victim of an alleged sexual offense shall be required to submit to a polygraph examination as a condition for proceeding with the investigation of such an offense. If a victim is requested to submit to a polygraph examination during the course of a criminal investigation, such victim shall be informed in writing that the refusal of a victim to submit to such an examination shall not prevent the investigation, charging, or prosecution of the offense.


## III. SCHEDULING PROCEDURE

- A. Detectives shall contact the victim, witness or suspect to be tested one day prior to the examination being administered to confirm their presence at the

<b>FAIRFAX COUNTY POLICE DEPARTMENT</b>  <b>GENERAL ORDER</b>	<b>SUBJECT:</b> <b>POLYGRAPH EXAMINATIONS / CRIMINAL INVESTIGATIONS</b>	<b>NUMBER:</b> <b>440.3</b>
	<b>TOPICS:</b> <b>PROCEDURE</b>	


appointment. Detectives shall notify the polygraph examiner immediately of any cancellations.

- B. Detectives who have scheduled polygraph examinations shall meet in person with the polygraph examiner assigned their case a minimum of one day prior to the test being administered and present the appropriate documents required on PD Form 168.
- C. Detectives who have scheduled polygraph examinations are expected to be present on the date of the examination. If the detective cannot be present, another detective familiar with the case may represent them.
- D. Failure to comply with this procedure shall result in the cancellation of the polygraph examination and notification of the detective's supervisor. Emergency situations resulting in non-compliance will be considered on a case-by-case basis.

<b>FAIRFAX COUNTY POLICE DEPARTMENT</b>    <b>GENERAL ORDER</b>	SUBJECT: <b>POLYGRAPH EXAMINATIONS / CRIMINAL INVESTIGATIONS</b>		NUMBER: <b>440.3</b>
	EFFECTIVE DATE: <b>October 16, 2020</b>	REVIEW: <b>October 2024</b>	
	TOPIC: <b>TRAINING</b>		
RESPONSIBLE ENTITY: Administrative Support Bureau			<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces: <input checked="" type="checkbox"/> Revised: 07/01/10
ACCREDITATION STANDARDS:	CALEA 42.2.6  VLEPSC OPR.02.03		

IV. TRAINING

All examiners employed by the Department shall hold a valid Virginia polygraph license issued by the Virginia Department of Professional and Occupational Regulation (DPOR). They shall attend an approved polygraph school and fulfill all training requirements set forth by the Virginia Department of Occupational Regulation.

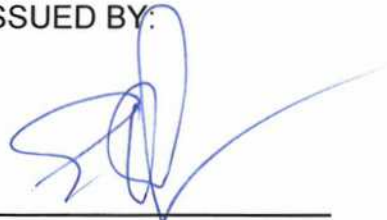
<b>FAIRFAX COUNTY POLICE DEPARTMENT</b>    <b>GENERAL ORDER</b>	<b>SUBJECT:</b> <b>POLYGRAPH EXAMINATIONS / CRIMINAL INVESTIGATIONS</b>		<b>NUMBER:</b> <b>440.3</b>
	<b>EFFECTIVE DATE:</b> October 16, 2020	<b>REVIEW:</b> October 2024	
	<b>TOPIC:</b> <b>LEGAL REFERENCES</b>		
<b>RESPONSIBLE ENTITY:</b> Administrative Support Bureau			<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces: <input checked="" type="checkbox"/> Revised: 07/01/10
<b>ACCREDITATION STANDARDS:</b>	CALEA 42.2.6  VLEPSC OPR.02.03		

V. LEGAL REFERENCES

- A. [Va. Code Ann. § 19.2-91.1](#): Written notice required for complaining witness who is requested to take polygraph test.
- B. [Va. Code Ann. § 54.1-1800](#): Definitions.
- C. [Va. Code Ann. § 54.1-1801](#): Licenses.
- D. [Va. Code Ann. § 54.1-1802.1](#): Powers and duties of the Department.
- E. [Va. Code Ann. § 54.1-1803](#): Approval of school to teach courses of instruction.
- F. [Va. Code Ann. § 54.1-1804](#): Submission of fingerprints.
- G. [Va. Code Ann. § 54.1-1805](#): Instrument to be used.
- H. [Va. Code Ann. § 54.1-1806](#): Prohibition of use of certain questions on polygraph tests for employment.

This General Order becomes effective on October 16, 2020, and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:



Chief of Police

APPROVED BY:



County Executive