



Beware of polygraph examinations for specialized assignments

In January 1992, the League filed a civil complaint against the Department seeking to stop the use of polygraph examinations during the screening and hiring process for specialized assignments in the Department. On June 21, 1995, the California Court of Appeal, Second Appellate District, ruled that polygraph examinations are legal when officers voluntarily submit to the testing as part of a background investigation for specialized assignments. Since that time, polygraph examinations have been required of applicants for assignments to Gang and Narcotics Division, area narcotics enforcement details, Major Crimes Division and Detective Support and Vice Division. According to former Chief Darryl Gates, these are the assignments where the greatest likelihood of breaches of integrity can occur. Prior to last month, failing a polygraph did not necessarily disqualify an applicant from securing a position in the affected divisions. The polygraph was one part of the background investigation and was considered in conjunction with other information obtained. It was not the sole criterion used to disqualify an applicant. This practice has changed. Now an applicant can be disqualified for not passing the polygraph examination.

We are concerned that the Department may now rely too heavily on a very unreliable device, thereby jeopardizing the reputations and careers of innocent officers who may be guilty of nothing more than nervousness during the test. Whether the Department will continue to have faith in the use of polygraphs to screen candidates for specialized assignments will depend largely on how candidates are treated as a result of their performance during the polygraph examination. Or perhaps those command officers who support polygraphs will change their tune if faced with the prospect of having to take and pass one to keep their jobs.

May you and your family have a very safe and happy Halloween! ❖