

Criminal Investigation

Department of the Army Polygraph Activities

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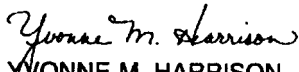
Criminal Investigation

Department of the Army Polygraph Activities

By Order of the Secretary of the Army:

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General, United States Army
Chief of Staff

Official:


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Administrative Assistant to the
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History. This UPDATE printing publishes a revision of this publication.

Summary. This regulation contains policies, responsibilities, and procedures for use of polygraph in the Department of the Army.

Applicability. This regulation applies to the Active Army, the Army National Guard, and the U.S. Army Reserve. It also

applies to Department of Defense and Army contractors when they are subject to authorized polygraph examinations.

Proponent and exception authority.

The proponent of this regulation is the Deputy Chief of Staff for Operations and Plans. The proponent has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. Proponents may delegate this approval authority, in writing, to a division chief under his or her supervision within the proponent agency who holds the grade of colonel or the civilian equivalent.

Army management control process.

This regulation contains management control provisions, but does not identify key management controls that must be evaluated.

Supplementation. Supplementation of

this regulation and establishment of command and local forms are prohibited without prior approval from HQDA (DAMO-ODL), WASH DC 20310-0400.

Interim changes. Interim changes to this regulation are not official unless they are authenticated by the Administrative Assistant to the Secretary of the Army. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAMO-ODL), WASH DC 20310-0400.

Distribution. Distribution of this publication is made in accordance with the requirements of DA Form 12-09-E, block 3188, intended for command levels C, D, and E for Active Army, ARNG, and USAR.

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*This regulation supersedes AR 195-6.

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Chapter 1

Introduction

1-1. Purpose

This regulation contains policies, responsibilities, and procedures for using the polygraph in the Department of the Army.

1-2. References

Required and related publications and prescribed and referenced forms are listed in Appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in the regulation are explained in the Glossary.

1-4. Responsibilities

a. Commanding General (CG), U.S. Army Criminal Investigation Command (USACIDC), and CG, U.S. Army Intelligence and Security Command (INSCOM), are authorized to—

- (1) Conduct polygraph examinations.
- (2) Procure or possess polygraph equipment for operational purposes.
- (3) Have assigned polygraph examiners.
- (4) Certify, decertify, and recertify polygraph examiners.
- (5) Conduct quality control of polygraph examinations.
- (6) Designate USACIDC and INSCOM Polygraph Program Managers to oversee administration of polygraphs.
- (7) Designate members of the Department of Defense (DOD) Polygraph and DOD Polygraph Institute (DODPI) Oversight Committees.

b. The CG, USACIDC, in coordination with the Deputy Chief of Staff for Operations and Plans (DCSOPS) is responsible for—

(1) Exercising overall Army Staff (ARSTAF) responsibility for the Department of the Army (DA) Polygraph Program.

(2) Ensuring the execution of responsibilities assigned to the Secretary of the Army by DOD Directive 5210.78 for support to the DODPI.

(3) Providing ARSTAF policy guidance on using polygraph in criminal investigations.

c. Deputy Chief of Staff for Intelligence (DCSINT) is responsible for—

(1) Providing ARSTAF policy guidance on the use of the polygraph in intelligence and counterintelligence (CI) activities.

(2) Designating the DCSINT member of the DOD Polygraph and DODPI Oversight Committees.

d. CG, United States Army Training and Doctrine Command (TRADOC) is responsible for—

(1) The execution of Army responsibilities for the DODPI as prescribed in DOD Directive 5210.78.

(2) Providing and maintaining facilities for the DODPI.

(3) Providing administrative, logistical, and special funding support to the DODPI.

(4) Providing personnel to the DODPI for practical exercises and research, to include paid examinees from local universities and communities as clinical and research requirements dictate.

1-5. Statutory authority

Titles 10 and 18, United States Code; DOD Directive 5210.48; and DOD Regulation 5210.48-R are the statutory authority for this regulation. The Defense Authorization Act for FY88-89 is the statutory authority for the DOD CI Polygraph Program.

1-6. Overall policies

Army investigations depend on relevant evidence secured through skillful investigation and interrogations. The polygraph is a useful investigative aid to secure and verify evidence. It will be used only as an aid in support of other investigative means. Use of the polygraph is not necessarily the final action of an investigation.

a. Questions asked will relate to the relevant issue under inquiry.

b. Unless directly relevant to the inquiry, the following issues will not be covered:

- (1) Religious beliefs and affiliations.
- (2) Beliefs and opinions regarding racial matters.
- (3) Political beliefs and affiliations of a non-subversive nature.
- (4) Opinions on the constitutionality of legislative policies.
- (5) Sexual orientation or preferences of subject.

c. No adverse action will be taken against persons refusing or unwilling to be examined by polygraph; nor will such