

A. USE OF POLYGRAPH:

- 1. GENERAL STATEMENT:** The use of the polygraph shall be restricted. Under certain circumstances, the Polygraph may be used, including:
 - a. Pre-employment screening;
 - b. Internal investigations of suspected misconduct or criminal activity.
- 2. PRE-PLACEMENT USE:** The polygraph may be used for pre-placement screening on a case-by-case basis if the situation meets the following criteria:
 - a. The nature of the job is such that there is potential for sufficient financial loss or harm to citizens (i.e. working with large sums of money or with children).
 - b. The Presiding Judge or designee approves in writing the classifications to be tested.
- 3. INTERNAL INVESTIGATIONS:** The Court may also use the polygraph in the investigation of allegations of misconduct against Court employees or suspicion of their involvement in incidents of a criminal nature. The Presiding Judge in making a decision regarding termination of an employee, may consider such employee's refusal to submit to polygraph examinations or the result of any such examination taken by the employee.
- 4. APPROVAL FOR USE IN INVESTIGATIONS:** The Division Head must obtain written approval from the Presiding Judge, or designee, before the polygraph can be used in an investigation. The circumstances warranting the use of the polygraph in a particular case shall be submitted in writing to the Presiding Judge for review when approval for use is sought.
- 5. GUIDELINES FOR USE:** Once the Presiding Judge or designee has approved polygraph use, the following conditions shall apply:
 - a. Questions asked of the employee which are used to make decisions on the employee's involvement shall relate specifically to their performance of official duties.
 - b. In submitting to polygraph examination, an employee shall not be required to waive his or her rights regarding the use of their responses in any subsequent criminal proceeding.