



POLICY DIRECTIVE

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| Policy: | DOC 3.1.26 POLYGRAPH TESTS FOR OFFENDERS |
| Effective Date: | 12/01/1997 Page 1 of 1 |
| Revision Date(s): | 06/01/2011; 04/24/2026 |
| Signature/Title: | /s/ Eric Strauss, Director |

I. POLICY

The Department cooperates with law enforcement agencies that conduct criminal investigations or prosecutorial activities that may include polygraph examinations for offenders. The Department's response to polygraph examination requests are guided by applicable federal and state statutes.

II. APPLICABILITY

Department and contracted secure facilities, as specified in contract.

III. DEFINITIONS (see Glossary)

IV. REQUIREMENTS

A. Approval

1. Upon notification from an authorized law enforcement agency, the facility administrator may request that the chief of security arrange for an offender polygraph examination.
2. Facility administrators will work with local, state, and federal law enforcement to facilitate a polygraph examination when informed by the law enforcement jurisdiction that an offender has agreed to a polygraph exam.

B. Location

1. The chief of security will accommodate the scheduling of a polygraph at the request of an investigating law enforcement officer or jurisdiction to the extent possible.
 - a. If staffing problems make scheduling an immediate polygraph exam impossible, then a mutually agreeable time will be arranged.
 - b. Security will only be assigned for an exam at:
 - 1) the request of the polygraphist; or
 - 2) the recommendation of the chief of security.
2. The facility administrator will assist off-site polygraph examinations.
3. The Department will not provide escort services for off-site polygraphs, unless the escort is mutually agreed between the facility administrator and the law enforcement jurisdictions requesting the polygraph exam, or otherwise stipulated in a court order.

C. Civil Cases

1. Facility administrators will not grant permission for offenders to submit to polygraph examinations in civil matters while in secure facility custody.
2. The facility administrator will honor the order of a court of competent jurisdiction in granting civil case requests after conferring with Department Legal Services.

V. CLOSING

Questions about this policy should be directed to the Department Legal Services.

VI. REFERENCES

- A. 53-1-203, MCA