

Department of Homeland Security



U.S. Immigration
and Customs
Enforcement

Office of Investigations

**Psychophysiological
Detection of Deception
Examination
Handbook**

**UNICORN
RIOT**

OI HB 09-01

June 8, 2009

OFFICIAL USE ONLY

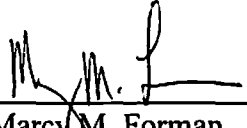
Foreword

The Psychophysiological Detection of Deception (PDD) Examinations Handbook provides a single source of national policies, procedures, responsibilities, guidelines, and controls to be followed by U.S. Immigration and Customs Enforcement (ICE) Office of Investigations (OI) Special Agents when conducting such examinations. This Handbook contains instructions and guidance to help ensure uniformity and operational consistency at all OI field offices. Oversight over the PDD Examinations Program resides with the OI Investigative Support Unit, Investigative Services Division. The PDD Examinations Handbook is available on the OI Proprietary Website.

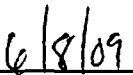
The PDD Examinations Handbook supersedes Chapter 36 of the U.S. Customs Service (USCS) Special Agent Handbook, entitled "Polygraph Operations," dated June 12, 1995, and all other policy documents on this topic issued by the former USCS, the former Immigration and Naturalization Service, or by ICE OI prior to the date of issuance of this Handbook.

The PDD Examinations Handbook is an internal policy of OI and is not intended to confer any right or benefit on any private person or party. If disclosure of this Handbook or any portion of it is demanded in any judicial or administrative proceeding, the OI Information Disclosure Unit, Mission Support Division, and the appropriate ICE Counsel and/or U.S. Attorney should be consulted so that appropriate measures can be taken to invoke privileges against disclosure. This Handbook contains information which may be exempt from disclosure to the public. Any further request for disclosure of this Handbook or information contained herein should be referred to the OI Information Disclosure Unit.

The OI Policy Unit is responsible for coordinating the development and issuance of OI policy. All suggested changes or updates to this Handbook should be submitted to the OI Policy Unit which will coordinate all needed revisions with the Investigative Support Unit.



Marcy M. Forman
Director, Office of Investigations



Date

PSYCHOPHYSIOLOGICAL DETECTION OF DECEPTION EXAMINATION HANDBOOK

Table of Contents

Chapter 1	PURPOSE AND SCOPE.....	1
Chapter 2	INTRODUCTION	1
Chapter 3	AUTHORITIES/REFERENCES.....	1
Chapter 4	GLOSSARY	2
	• 4.1 Theory of Psychophysiological Detection of Deception	2
	• 4.2 Physiological Responses.....	2
	• 4.3 PDD Examination	2
Chapter 5	USE OF PDD EXAMINATIONS.....	3
Chapter 6	QUALIFICATIONS, TRAINING, AND CERTIFICATION OF PPD EXAMINERS.....	3
	• 6.1 Qualifications	3
	• 6.2 Training.....	3
	• 6.3 Certification	3
	• 6.4 Required Approval.....	4
Chapter 7	INTERNSHIP PROGRAM	4
	• 7.1 Internship Program Content.....	4
	• 7.2 Recommendation for Certification of Intern PDD Examiners	4
	• 7.3 Performance Improvement Plan for Intern PDD Examiners	4
Chapter 8	DEMONSTRATION OF CONTINUED PROFICIENCY.....	5
	• 8.1 Methods of Determination of Continued Proficiency.....	5
	• 8.2 Performance Improvement Plan for PDD Examiners.....	5
Chapter 9	EXCLUSIONS	5

Chapter 10	QUALITY CONTROL REVIEW.....	6
Chapter 11	PDD EXAMINERS FROM OUTSIDE OI.....	6
Chapter 12	RESPONSIBILITIES.....	6
• 12.1	Director of OI.....	6
• 12.2	Deputy Assistant Director, Investigative Services Division.....	7
• 12.3	Unit Chief, Investigative Support Unit	7
• 12.4	Section Chief, PDD Operations	7
• 12.5	Special Agents	8
• 12.6	PDD Examiners	9
Chapter 13	PROCEDURES.....	9
• 13.1	Interviewing Potential PDD Examinees	9
• 13.2	Request for PDD Services	9
• 13.3	Review of Request for PDD Services.....	10
• 13.4	Preparation for PDD Examination.....	10
• 13.5	Conducting the PDD Examination.....	10
• 13.6	Quality Control Review of the PDD Examination	11
 APPENDICES		
Appendix A	Request for Psychophysiological Detection of Deception Examination	A-i
Appendix B	Acronyms	B-i

PSYCHOPHYSIOLOGICAL DETECTION OF DECEPTION EXAMINATION HANDBOOK

Chapter 1. PURPOSE AND SCOPE

The Psychophysiological Detection of Deception (PDD) Examination Handbook establishes policy and procedures governing PDD Examinations, formerly known as Polygraph Examinations, for U.S. Immigration and Customs Enforcement (ICE) Office of Investigations (OI) Special Agents (SAs).

Chapter 2. INTRODUCTION

PDD is a term that describes methodologies or processes that analyze an individual's physiology in an attempt to determine if that individual is concealing the truth. The modern PDD Examination has evolved over the past 100 plus years and will continue to evolve as science and technology discover better and less invasive methods to monitor the body's physiological processes that are activated when a person attempts to conceal the truth.

The PDD Examination has been accepted by OI as a valuable investigative aid that can be utilized in all cases under its jurisdiction. Under the control of a competent and ethical PDD Examiner, the PDD Examination is highly reliable in detecting deception or verifying the truth in answers provided by a subject on a specific issue. It has proved to be very successful in the verification of information provided by suspects, witnesses, cooperating individuals, etc.

Through the proper use of PDD Examinations, many otherwise incomplete investigations can be resolved, with a resultant savings in hours and related costs. However, the PDD Examination cannot replace a proper and thorough investigation and should be used only as a supplement to an investigation.

Chapter 3. AUTHORITIES/REFERENCES

- 3.1 Department of Defense, Counterintelligence Field Activity, "Federal Polygraph Examiner Handbook" (October 2, 2006).
- 3.2 National Academy of Science Report entitled, "The Polygraph and Lie Detection" (October 2002).

Chapter 4. GLOSSARY

The following entries are provided for the purposes of this Handbook:

4.1 Theory of Psychophysiological Detection of Deception

The theory of PDD is predicated upon the principle that individuals typically manifest certain physiological responses when engaging in deception, particularly if the truth may result in an undesirable effect upon their personal well-being. Research reflects that a PDD Examination can differentiate between truth and deception.

4.2 Physiological Responses

The body manifests numerous physiological responses when an individual engages in deception through various organs, glands, and systems. These physiological responses are primarily involuntary in nature and normally cannot be precisely manipulated, as they are controlled by the autonomic nervous system. Research has demonstrated that respiration, electrodermal activity, and cardiovascular activity manifest certain patterns of response when an individual engages in deception and are easily monitored and recorded.

As science identifies new parameters within the body that manifest specific and consistent patterns of response when an individual engages in deception, and/or as technology allows those parameters to be effectively monitored, recorded, and measured, those new parameters will be considered for inclusion within the PDD Examination or as a process unto themselves, as long as validity, reliability, and accuracy can be established through research. Potential future stand-alone PDD processes can be differentiated from the below-defined PDD Examination through different designations, such as Thermal Imaging PDD Examination or Functional Magnetic Resonance Imaging PDD Examination.

4.3 PDD Examination

The PDD Examination is a process that determines whether an individual is engaging in deception or is being truthful about a particular matter under investigation. The PDD Examination is a process that involves the monitoring and recording of respiration, electrodermal activity, cardiovascular activity, and possibly other parameters, during which questions are presented to the Examinee. The physiological recordings are analyzed to determine if specific and consistent responses are noted that research has identified to be associated with deception. If physiological responses associated with deception are noted, the PDD Examiner will render the following opinion: *"Deception is indicated to the relevant questions."* Conversely, if no physiological responses are noted to the relevant questions under investigation, the PDD Examiner will render the following opinion: *"No deception is indicated to the relevant questions."* However, if there is insufficient physiological criteria to render an opinion, *"No Opinion"* will be indicated to the relevant questions.

Chapter 5. USE OF PDD EXAMINATIONS

OI authorizes the selective use of PDD Examinations as an investigative aid. Results from a PDD Examination are to be considered within the context of a complete investigation and are not to be relied upon to the exclusion of other evidence or knowledge obtained during the investigation.

PDD Examinations shall be administered only to individuals who agree or volunteer to take a PDD Examination, and then only in accordance with existing laws and regulations.

Chapter 6. QUALIFICATIONS, TRAINING, AND CERTIFICATION OF PDD EXAMINERS

To serve as a PDD Examiner, an individual must meet the highest standards of competence and professionalism. In order to ensure that this criteria is met, the following requirements regarding qualifications and training apply:

6.1 Qualifications

- A. Individuals designated to be PDD Examiners must be SAs (series 1811 criminal investigators) or, if retained under contract, retired SAs (series 1811 criminal investigators) who were trained by the Defense Academy for Credibility Assessment (DACA).
- B. The SAs must have at least 3 years experience as federal criminal investigators and must possess a baccalaureate degree from an accredited college or university.
- C. The SAs shall have demonstrated superior interview and interrogation skills and have exhibited a keen insight into human nature.

6.2 Training

- A. All PDD Examiners must attend and successfully complete the Basic Course in Forensic Psychophysiology at the DACA.
- B. PDD Examiners will attend advanced training courses that are approved by DACA to earn at least 80 hours of Continuing Education Credits for each 2-year period. A total of 40 hours per year are recommended and should be budgeted for.

6.3 Certification

All OI SAs designated as Certified PDD Examiners must be authorized in writing by the Director of OI.

6.4 Required Approval

PDD Examiners may not conduct any PDD Examination unless approved by an official designated in Chapter 12 of this Handbook, in advance and in writing, including PDD Examinations conducted outside the scope of the PDD Examiner's ICE employment.

Chapter 7. INTERNSHIP PROGRAM

7.1 Internship Program Content

- A. All OI PDD Examiners must successfully complete an internship program before being designated as Certified PDD Examiners.
- B. The internship program consists of the following:
 - 1) The first 10-15 PDD Examinations after graduating from the DACA will be physically supervised by an on-site Supervisory or Senior PDD Examiner.
 - 2) The following 25 PDD Examinations will be closely monitored by a Supervisory or Senior PDD Examiner through telephonic contact prior to and immediately after the administration of a PDD Examination.

7.2 Recommendation for Certification of Intern PDD Examiners

Intern PDD Examiners who successfully complete the internship requirements will be recommended for certification by their Supervisor to the Section Chief, PDD Operations.

7.3 Performance Improvement Plan for Intern PDD Examiners

Intern PDD Examiners who require more than 15 supervised or 25 monitored PDD Examinations as a result of their inability or refusal to apply standard PDD principles will be placed on a Performance Improvement Plan (PIP).

The Section Chief, PDD Operations, will determine if an Intern PDD Examiner is conducting a proper PDD Examination by using the principles taught at the DACA and as established in the Federal Polygraph Examiner Handbook.

A Supervisory PDD Examiner will physically monitor and supervise an Intern PDD Examiner operating under a PIP until the Intern is removed from the PIP. The Intern PDD Examiner will be allowed up to 5 PDD Examinations while on a PIP to demonstrate the ability to conduct a PDD Examination utilizing standard PDD principles.

The Intern PDD Examiner will be removed from the PIP when he or she demonstrates the ability to conduct a PDD Examination utilizing standard PDD principles.

Intern PDD Examiners who cannot conduct a PDD Examination utilizing the standard PDD principles while on a PIP, as determined by the Section Chief, PDD Operations, and OI management, will be reassigned from the PDD Program.

Chapter 8. DEMONSTRATION OF CONTINUED PROFICIENCY

8.1 Methods of Determination of Continued Proficiency

The Section Chief, PDD Operations, will determine each Examiner's proficiency through a quality control review of examinations, question formulation, opinions rendered, and periodic on-site supervision of PDD Examinations conducted.

8.2 Performance Improvement Plan for PDD Examiners

PDD Examiners who exhibit a deficiency in the PDD technique will be placed on a PIP. The Section Chief, PDD Operations, will determine if a PDD Examiner is conducting a proper PDD Examination by using the principles taught at the DACA and as established in the Federal Polygraph Examiner Handbook. A Supervisory PDD Examiner will physically monitor and supervise the PDD Examiner operating under a PIP until he or she is removed from the PIP. The PDD Examiner will be allowed two PDD Examinations while on a PIP to demonstrate the ability to conduct a PDD Examination utilizing standard PDD principles.

The PDD Examiner will be removed from the PIP when he or she demonstrates the ability to conduct a PDD Examination utilizing standard PDD principles.

PDD Examiners who cannot conduct a PDD Examination utilizing the standard PDD principles while on a PIP, as determined by the Section Chief, PDD Operations, and OI management, will be reassigned from the PDD Program.

Chapter 9. EXCLUSIONS

The following areas shall **not** be examined in PDD Examinations without specific relevance to an investigation:

- A. Religious beliefs or affiliations;
- B. Beliefs and opinions regarding social matters;
- C. Information concerning sexual opinions or practices; and
- D. Political beliefs and organizational affiliations of a non-subversive nature.

Chapter 10. QUALITY CONTROL REVIEW

All PDD Examinations will be subject to an independent Quality Control Review.

The Quality Control Review shall include an analysis of test question construction, an independent evaluation of the Examinee's physiological test data, and an overall review of the technical aspects of the test to ensure that all required procedures were followed and that the recorded results are in agreement with the opinion rendered.

The Quality Control Reviewer will be the Section Chief, PDD Operations, or designee.

The PDD Examiner who conducts the Quality Control Review must have at least 3 years experience as a PDD Examiner.

Chapter 11. PDD EXAMINERS FROM OUTSIDE OI

The use of PDD Examiners from outside OI will not be authorized to administer examinations in ICE investigations, except in special situations approved by one of the officials designated in Chapter 12 of this Handbook.

In all such circumstances, the PDD Examiner must be from another federal agency and meet standards equivalent to those of OI PDD Examiners.

Chapter 12. RESPONSIBILITIES

12.1 Director of OI

The Director of OI is responsible for:

- A. Ensuring compliance with the provisions of this Handbook.
- B. Recommending for approval the use of newly-developed PDD processes, techniques, or physiological parameters that manifest specific and consistent patterns of response when an individual engages in deception. Requests to utilize new processes, techniques, or parameters to detect deception must be based on research which establishes validity, reliability, and accuracy that can be measured and stated. Such requests submitted to the Director of OI will first be forwarded to the Unit Chief, Investigative Support Unit, who will ensure that the Section Chief, PDD Operations, reviews the request so as to provide the Director of OI with recommendations on the new technology or process. If the request is approved, the Director of OI will forward the request to the Assistant Secretary for final written approval.

- C. Ensuring that there is sufficient personnel, equipment, and funding available to support all ICE PDD matters and responsibilities.
- D. Approving or disapproving, in advance, all requests for an OI PDD Examination. This authority may be delegated.
- E. Approving or disapproving, on a case-by-case basis and in writing, all requests to use a PDD Examination conducted by personnel outside the PDD Section in all OI investigative matters.
- F. Certifying, in writing, that a PDD Examiner has completed all required training and internships, upon receipt of the appropriate recommendation(s) forwarded by the Deputy Assistant Director, Investigative Services Division.

12.2 Deputy Assistant Director, Investigative Services Division

The Deputy Assistant Director, Investigations Services Division, is responsible for the executive oversight of the PDD Operations Program.

12.3 Unit Chief, Investigative Support Unit

The Unit Chief, Investigative Support Unit, is responsible for:

- A. Exercising managerial oversight of the PDD Operations Section and the PDD Operations Program; and
- B. Approving recommendations for PDD equipment forwarded by the Section Chief, PDD Operations.

12.4 Section Chief, PDD Operations

The Section Chief, PDD Operations, is the resident expert in PDD and a highly trained and experienced PDD Examiner. He or she is responsible for:

- A. Managing the PDD Operations Section and all personnel assigned therein;
- B. Managing the PDD Program;
- C. Supporting all ICE requests for PDD services;
- D. Establishing, upon approval by the Unit Chief, Investigative Support Unit, in accordance with the Federal Polygraph Examiner Handbook and other established and accepted practices in the PDD community, the procedures, processes and methodologies to be used for conducting PDD Examinations;

- E. Approving requests to employ a PDD Examination in OI investigative matters. This authority may be delegated;
- F. Conducting Quality Control Reviews of all PDD processes, including examinee physiological test data, proper test questions, proper format, proper procedures, and technical accuracy of PDD Examinations, reports, and related documents. This authority may be delegated to PDD examiners with at least 3 years experience;
- G. Making recommendations to the Unit Chief, Investigative Support Unit, for the procurement of PDD equipment needed for PDD processes and examinations; and
- H. Representing OI on all PDD matters with DACA, other agencies, and professional organizations.

12.5 Special Agents

SAs who intend to utilize a PDD Examination in the course of an investigation are responsible for:

- A. Conducting investigations to gather sufficient information required to conduct a proper PDD Examination;
- B. Fully interviewing the individual subject to the PDD Examination to cover all specific issues that will be addressed during the examination;
- C. Specifically asking the subject if he or she is willing to submit to a PDD Examination in order to verify his or her statements;
- D. Acquiring proper approval to conduct a PDD Examination from the PDD Operations Section;
- E. Thoroughly briefing the PDD Examiner prior to an approved PDD Examination;
- F. Providing an adequate location in which to conduct the PDD Examination and acquiring and paying for the services of an interpreter, if needed; and
- G. Ensuring that the case agent or someone knowledgeable of the investigation is present during the PDD Examination to serve as a witness to the overall PDD process and any potential statements that are obtained as a result of the interview.

12.6 PDD Examiners

PDD Examiners are responsible for:

- A. Conducting approved PDD Examinations in compliance with the provisions of this Handbook, the Federal Examiner Polygraph Handbook, and any additional guidance as established by the Section Chief, PDD Operations, for conducting PDD Examinations;
- B. Notifying SAs and Examinees that all PDD Examinations are subject to a Quality Control Review and that the results of the PDD Examination are not final until the Quality Control Review reflects concurrence by the PDD Examiner;
- C. Conducting Quality Control Reviews when directed to do so by the Section Chief (the authority to conduct a Quality Control Review may be delegated only to PDD Examiners with at least 3 years experience); and
- D. Completing a PDD Technical Report of Investigation within 5 days upon completion of the PDD Examination itself for all criminal and administrative cases.

Chapter 13. PROCEDURES

13.1 Interviewing Potential PDD Examinees

SAs who intend to request a PDD Examination on an individual must first interview the potential PDD Examinee prior to formally requesting a PDD Examination. When conducting this interview, the SAs must:

- A. Ask the potential Examinee all relevant questions expected to be examined during the PDD Examination; and
- B. End the interview by specifically asking the potential Examinee if he or she is willing to consent to a PDD Examination to verify the truthfulness of his or her answers given during the preceding interview.

13.2 Request for PDD Services

Once the subject has been interviewed and agrees to submit to a PDD Examination, SAs will request PDD services by submitting a "Request for Psychophysiological Detection of Deception Examination" (see Appendix A) to the PDD Operations Section.

The decision to utilize a PDD Examination in an investigation should be made with the awareness that the results of the PDD Examination might have an impact on a decision regarding subsequent judicial prosecution.

Therefore, the U.S. Attorney's Office or appropriate prosecuting Attorney's Office should be consulted when the potential exists for criminal prosecution of subjects involved in the investigation.

13.3 Review of Request for PDD Services

The Section Chief, PDD Operations, will review the submitted "Request for Psychophysiological Detection of Deception Examination" and either approve or disapprove the request. If approved, the Section Chief will assign a PDD Examiner to conduct the examination and provide the Examiner with written authorization to conduct the examination.

13.4 Preparation for PDD Examination

When their request for a PDD Examination has been approved, SAs will:

- A. Thoroughly brief the PDD Examiner and provide the Examiner with any relevant reports or documents;
- B. Acquire an adequate location where the PDD Examination can be conducted; and
- C. Secure, and cover the costs of, any interpreters, if needed, to conduct the PDD Examination.

13.5 Conducting the PDD Examination

Once an adequate location and interpreters, if needed, have been secured, the PDD Examiner will conduct the examination in compliance with the provisions of this Handbook, the Federal Examiner Polygraph Handbook, and any additional guidance established by the Section Chief, PDD Operations, for conducting PDD Examinations.

An ICE PDD Examiner's opinion regarding the veracity of a PDD Examinee must be based on an evaluation of the respiration and electrodermal and cardiovascular physiology recorded during the PDD Examination.

No other physiological parameter shall be relied upon to make a determination of truthfulness or deception of an individual without prior written approval of the Director of OI or designee.

13.6 Quality Control Review of the PDD Examination

Once the PDD Examination is concluded, the Section Chief, PDD Operations, or designee will submit it for an independent Quality Control Review. The PDD Examiner will advise the Examinee and SA(s) of this Quality Control Review requirement and inform them that the results of the PDD Examination are not final until the Quality Control Review reflects concurrence by the PDD Examiner.

The Section Chief, PDD Operations, or designee will conduct the Quality Control Review and make a determination as to whether or not the results are valid and can be designated as final.



**Request for
Psychophysiological
Detection of Deception
Examination**



REQUEST FOR PSYCHOPHYSIOLOGICAL DETECTION OF DECEPTION EXAMINATION

ICE Form 73-016 (06/09)

ACRONYMS

A-C

D

DACA Defense Academy for Credibility Assessment

E-H

I

ICE U.S. Immigration and Customs Enforcement

J-N

O

OI Office of Investigations

P

PDD Psychophysiological Detection of Deception
PIP Performance Improvement Plan

Q-R

S

SA Special Agent

U

USCS U.S. Customs Service

V-Z

**UNICORN
RIOT**