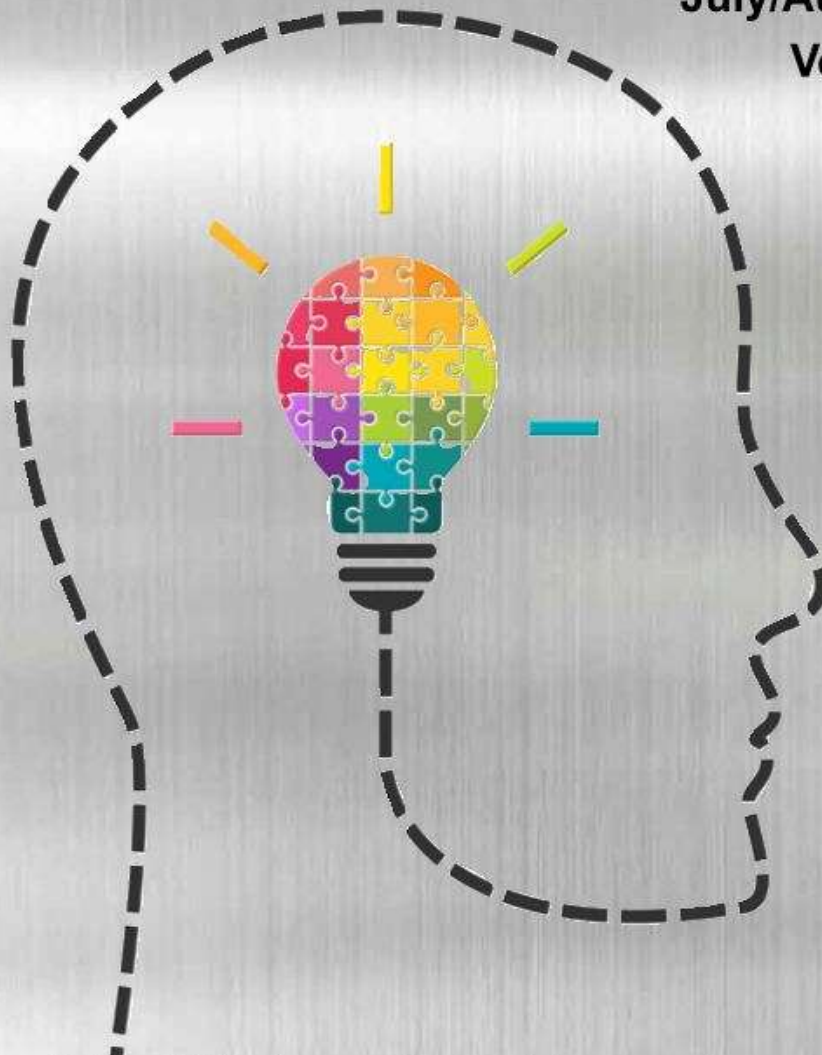


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Fortifying the Examiner

51st Annual Seminar

American Polygraph Association

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Deadlines

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Submission of Articles

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By Said R. Khamzin and Sergey Aleskovskiy

Polygraph was introduced in the Republic of Kazakhstan in the 2000s. However, active use of a polygraph instrument started after the foundation of the Almaty Polygraph Association on July 1st, 2008. It became the first organization for polygraph professionals in the history of Kazakhstan. Since then, 1st of July became official anniversary of Kazakh polygraph.

In 2012 the Association was renamed to Eurasian Polygraph Association. The Association has its members from Kazakhstan, Russia, Belarus, Bulgaria, Poland, the United States of America, Ukraine, Kyrgyzstan, Azerbaijan, Mongolia and Uzbekistan.

Today polygraph is widely used by all state law enforcement agencies, intelligence and security services of Kazakhstan. According to the Act "On Operational-Investigative Activities," use of polygraph is possible and even neces-

sary in order to improve the efficiency of operational-investigative activities. Article 11 of the Act defines the interview as one of the other general operational-investigative activities and polygraph falls into this definition as a special type of interviewing by means of technical equipment.

On May 21st 2013, the Act "On Law Enforcement Service" was amended, following regulations regarding the use of polygraph were added:

1. Regarding applicants for the law enforcement agencies of the Republic of Kazakhstan. Art. 6, par. 5: "For citizens who wish to serve in law enforcement agencies, it is mandatory to determine their medical and psychophysiological suitability for the service and to undergo an evaluation by military physician board and take a polygraph test. Those who



wish to serve in the Anti-Corruption Agency must take a polygraph test, which is held in a corresponding department of the Authority on Public Service Affairs and Anti-Corruption”.

2. Regarding law enforcement officers during efficiency evaluation - Art. 47 par. 5, pp.3-1: “Staff Certification includes a series of sequential steps: ... taking a polygraph test.”

3. Regarding law enforcement officers under the internal investigation - Art. 58 par.1: “... If necessary, during the official investigation a polygraph test is conducted.”

On June 19th, 2014 “The Rules of Polygraph Examination in Law En-

forcement Agencies of the Republic of Kazakhstan” were approved. The rules determine a polygraph testing procedure for those who join law enforcement agencies, as well as law enforcement officers during routine and special evaluations.

Every year several hundreds of agency-level polygraph examiners conduct over 30.000 polygraph tests.

Unfortunately, the legislators did not develop regulations on polygraph use in court proceedings and on polygraph use as a type of forensic examination. Polygraph use in the mentioned areas is still anecdotal. For instance, in 2015 there were no more than 20 such cases.



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Commercial polygraph is widely used in Kazakhstan. Most major banks have full-time staff polygraph examiners, sometimes more than one examiner. Largest trading and extractive companies either have a polygraph examiner as a staff member or have a contractor from Eurasian Polygraph Association. Polygraph is commonly used during internal investigations. More than 50 examiners are employed in this area, conducting on average from 30 to 100 examinations per year each.

Polygraph examinations are conducted in many cities of Kazakhstan: Almaty, Astana, Chimkent, Petropavlovsk, Aktobe, Karaganda and many others.

Polygraph examiners from Kazakhstan use Russian-manufactured polygraph instruments and equipment, such as “Diana”, “Chris”, “Energy”, as well as American-manufactured instruments and equipment, such as “Axiton” and “Lafayette”.

For over a decade Kazakhstan has its own polygraph examiner training program. The program is a part of the Eurasian Polygraph Association Training Center. Instructors are experienced Kazakh polygraph examiners, such as S. Aleskovskiy, A. Gaydamashev, B. Baysahalov, M. Milshtein and others. As of today, more than 400 students had completed a training course and dozens had completed an advanced



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course for polygraph examiners. In March and April of 2013, 20 police officers from Mongolia had completed a full training course which was held in Ulan-Bator. A training course for polygraph examiners of the State Personnel Service of the Kyrgyz Republic was conducted in Bishkek by the instructors of the Training Center.

In April of 2016 the International Scientific-Practical Conference "Polygraph in Kazakhstan: Current Issues and Development Prospects" was held in Almaty. More than 50 polygraph examiners, law enforcement officers, scientists and polygraph equipment manufacturers took part in the conference. Professionals from Kazakhstan, Russia, Poland, Bulgaria, Belarus, Ukraine and Kyrgyzstan shared their knowledge and experience.

The speeches focused on the following problems of applied psychophysiology:

- Theoretical and methodological aspects of the polygraph use;
- Polygraph examination practices;
- Psychology of polygraph tests;
- Legal issues of polygraph use.

In the spring of 2017, the Eurasian Polygraph Association will hold an international conference in the capital city of Astana. Polygraph professionals from the USA, Russia, Europe and from former Soviet Republics will be invited to take part.

In August 2015, a group of polygraph examiners from the Eurasian Polygraph Association participated in the 50th Seminar of the American Polygraph Association in Chicago.

Polygraph is successfully used in Kazakhstan. In 2015 law enforcement agencies and special intelligence services of Kazakhstan provided their departments with at least 75 new polygraph instruments of different models. 168 polygraph examiners for different law enforcement agencies were trained in the Eurasian Polygraph Association Training Center.

A new professional qualification of a polygraph examiner is now officially recognized in Kazakhstan.

Courts of different levels now take polygraph examination reports into consideration during court trial. Attorneys of suspects and accused persons use polygraph examinations to obtain additional evidence of their client's in-



nocence in crimes.

However, development of polygraph in Kazakhstan faces many problems, some of them are:

- There is no free competitive market of polygraph manufacturers in Kazakhstan. A number of officials from the law enforcement agencies openly lobbying for a single model of the polygraph instrument;
- Kazakhstan is flooded with unqualified polygraph examiners, who had only completed a weekly express training courses, often external courses;

- Law enforcement authorities do not spend financial resources on training and advanced training of their polygraph examiners. It results in a decrease of quality and accuracy of polygraph examinations results;

- The Ministry of Justice of Kazakhstan does not take any actions to introduce polygraph for the use during court proceedings and as a new type of forensic examination.

However, even with the existing issues, it cannot be disregarded that the speed of implementation of the polygraph use in Kazakhstan today is considerably far ahead of neighboring countries in Central Asia.



