

PINEVILLE POLICE DEPARTMENT

GENERAL ORDER

SECTION 3: PROFESSIONAL STANDARDS

SUBJECT: 303 COMPUTER VOICE STRESS ANALYSIS EXAMINATIONS

EFFECTIVE: 01/01/2015

1. **PURPOSE.** This order will describe the policy and procedures for the use of the computer voice stress analyzer. The computerized voice stress analyzer is a device that aids the investigator in determining the truthfulness of individuals being interviewed. The CVSA measures a person's voice modulations. Stress causes these voice modulations to decrease, thus indicating untruthfulness. The CVSA serves two purposes: it will be used for truth verification, and it directs an investigator toward questions that will ultimately obtain truthful answers.

2. **POLICY.** The Pineville Police Department has established guidelines for administering CVSA examinations in conjunction with conducting criminal investigations and pre-screening volunteers. Results will not be used as the single determinant for offering employment or the final determining factor in investigations. The CVSA is used for truth verification; therefore, the CVSA should be viewed as a means to protect the integrity of an investigation and/or the interviewee.

3. DEFINITIONS.

- A. Computer Voice Stress Analyzer (CVSA) – CVSA detects, measures, and charts the stress in a person's voice following a pre-formatted questionnaire.
- B. Qualified Examiner – a person who has satisfactorily completed training by a recognized instructor in truth verification and the use of the CVSA.
- C. Overt Interview – a live interview by a CVSA examiner with a suspect, victim, witness, complainant, or prospective volunteer. These interviews are conducted with prior knowledge and permission that certain questions will be recorded live and captured by the CVSA for analysis. At the examiner's discretion, all or portions of the interview may be recorded on audiotape and/or videotape.
- D. Structured Interviews – a legally obtained audiotape-recorded interview of a suspect, victim, witness, or complainant. The interviews are designed to capture a response to preformatted questions. The CVSA examiner then analyzes this taped interview.

4. PROCEDURE.

- A. Use of CVSA Examination for the Pre-screening of Volunteers and Persons Having Access to Restricted Areas
 - 1. CVSA examinations may be administered to volunteer applicants as well as persons having access to restricted areas of the Police Department. This is to ensure the following:
 - a. Suitability
 - b. Verification of accuracy and completeness of information on the application.

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- c. Resolution of questions or conflicts arising during the background investigation.
 - d. Discovery of previous criminal or other disqualifying behavior.
 - e. Deterrence of those seeking to penetrate law enforcement departments for improper purposes
 2. Questions to be asked will be provided to an applicant at the location of the test just prior to the interview so that applicants may have sufficient time to review the questions and discuss concerns with the examiner. The areas to be examined will be those specified in the volunteer announcement.
 3. The CVSA results alone will not be the sole determinate of volunteer status; however, an admission of wrongdoing before, during, or after the examination may be used to support decisions relevant to volunteer status.
- B. Use of CVSA Examination for Investigative Screening CVSA examinations should be utilized in conjunction with investigative leads and interviews of available suspects, victims, and/or witnesses. When practical, both the victim and the accused should be tested for comparison. These results are not to be used for arrest or legal actions, but are designed for developing leads and/or obtaining case direction.
- C. Persons Who May Be Tested
 1. Any individual who knows right from wrong (Generally children who recognize right from wrong may be tested.)
 2. Any individual at the discretion of the examiner.
- D. Persons Who May Not Be Tested
 1. Children under the age of seventeen without parental or legal guardian consent prior to testing. The consent must be in writing and in the possession of the CVSA examiner prior to the beginning of the examination.
 2. Any person who has been forced or coerced into taking the examination.
 3. Any person who has been indicted by the Grand Jury or formally charged for the crime for which the CVSA is being requested, unless there is an agreement and stipulation signed by the person to be examined, his defense attorney, and the prosecutor.
- E. Responsibilities of the CVSA Examiner
 1. The CVSA examiner will review the available information pertaining to the case in question prior to administering an examination.
 2. All CVSA examiners will maintain a record of all examinations they have conducted.
 3. The CVSA examiner will receive a second confirmation on examinations from another certified examiner whenever possible.

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4. The CVSA examiner will refrain from examinations that may compromise his integrity. A neutral examiner must not conduct any tests of friends, relatives, or persons with whom the examiner has a relationship that represents a conflict of interest. An examiner should refrain from conducting an examination on his own investigation.
 5. In the event the examiner declines to administer an examination and the decision is questioned, a second confirmation from a CVSA examiner is recommended.
- F. Responsibilities of the Officer/Investigator Requesting a CVSA Examination.
1. The investigator will complete a preliminary investigation and consult with the examiner prior to a CVSA examination being scheduled. The CVSA is a supplement to, not a substitute for, a thorough investigation. Test results will not be considered probable cause.
 2. The investigator is responsible for notifying the subject of the date and the time for the scheduled appointment.
 3. The investigator will remain available in the Criminal Investigations Section until the completion of an examination.
 4. The investigator will notify the CVSA examiner immediately if the subject cancels an examination appointment.
- G. CVSA Records
1. CVSA records may include a waiver of rights, voluntary submission forms, subject information sheet, CVSA graph, and/or statement of results.
 2. CVSA records will be maintained according to the retention schedule year period and/or until any litigation is concluded in the case or issue.
 - a. Felony – 10 years
 - c. Misdemeanor – 3 years
 3. The Examiner responsible for the storage of the CVSA records. These records will be maintained in a secure area.
- H. Internal Affairs
1. CVSA examinations may be administered during criminal investigations focusing on a department employee when the employee volunteers to participate in the examination. Written consent will be obtained from the employee and any statements or admissions made during the examination may be admitted as evidence.
 2. The Chief may order an employee at any time to submit to a CVSA examination that is directly related to an internal investigation.

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3. Civilian complainants or witnesses may be tested with the CVSA in order to determine if their complaint, allegation, or knowledge of a case is legitimate. These interviews must only be conducted after a voluntary test waiver has been signed. (In the case of a structured interview [audiotape analysis], the examiner will receive authority from the Internal Affairs commander.
4. A CVSA examination will not be the sole determinant of an investigation conclusion.

By order of

Darrell Basco
Chief of Police