

ARTICLE 7. POLYGRAPH EXAMINERS

Rule 1. Certification

240 IAC 7-1-1 Definitions

Authority: IC 25-30-2-2

Affected: IC 25-30-2

Sec. 1. All terms defined in the regulation of polygraph examiners, IC 25-30-2, shall have the same meaning when used in these rules and regulations [240 IAC 7]. (*State Police Department; Polygraph Examiners; Rule I; filed Mar 6, 1984, 2:50 pm: 7 IR 813; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935; readopted filed Jul 2, 2007, 3:01 p.m.: 20070711-IR-240070255RFA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA*)

240 IAC 7-1-2 Forms

Authority: IC 25-30-2-2

Affected: IC 25-30-2

Sec. 2. (a) Application form. All applications for certification of polygraph examiners shall be submitted on a form as prescribed by the superintendent. The application form shall be completed in full by all individual applicants.

(b) Certification form. The certification form, when issued, shall be in a form as prescribed by the superintendent and no other.

(c) Pocket card. The pocket card, issued to each certified polygraph examiner, shall be in the form as prescribed by the superintendent and no other. (*State Police Department; Polygraph Examiners; Rule II; filed Mar 6, 1984, 2:50 pm: 7 IR 813; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935; readopted filed Jul 2, 2007, 3:01 p.m.: 20070711-IR-240070255RFA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA*)

240 IAC 7-1-3 Experience requirements

Authority: IC 25-30-2-2

Affected: IC 25-30-2

Sec. 3. Applicant must show proof of successful completion of an accredited polygraph school or show proof of satisfactory completion of at least 100 criminal case examinations or at least 200 non-criminal case examinations. (*State Police Department; Polygraph Examiners; Rule III; filed Mar 6, 1984, 2:50 pm: 7 IR 814; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935; readopted filed Jul 2, 2007, 3:01 p.m.: 20070711-IR-240070255RFA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA*)

240 IAC 7-1-4 Felon denied certification

Authority: IC 25-30-2-2

Affected: IC 25-30-2

Sec. 4. A polygraph examiner's certificate will not be issued to any one who has been convicted of a felony under the statutes of the state of Indiana. (*State Police Department; Polygraph Examiners; Rule IV; filed Mar 6, 1984, 2:50 pm: 7 IR 814; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935; readopted filed Jul 2, 2007, 3:01 p.m.: 20070711-IR-240070255RFA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA*)

240 IAC 7-1-5 Nonresident applicants

Authority: IC 25-30-2-2

Affected: IC 25-30-2

Sec. 5. All non-resident applicants shall furnish to the superintendent of the Indiana state police all forms required under the regulation of polygraph examiners, IC 25-30-2 or these rules and regulations [240 IAC 7]. (*State Police Department;*

Polygraph Examiners; Rule V; filed Mar 6, 1984, 2:50 pm: 7 IR 814; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935; readopted filed Jul 2, 2007, 3:01 p.m.: 20070711-IR-240070255RFA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA)

240 IAC 7-1-6 Fees; validity of certificate

Authority: IC 25-30-2-2

Affected: IC 25-30-2

Sec. 6. (a) The fee for processing a certification of polygraph examiner will be ten dollars (\$10).

(b) The certificate will be valid for the lifetime of the applicant unless revoked for cause by the superintendent of the Indiana state police. *(State Police Department; Polygraph Examiners; Rule VI; filed Mar 6, 1984, 2:50 p.m.: 7 IR 814; filed Nov 1, 1996, 4:30 p.m.: 20 IR 738; readopted filed Sep 17, 2002, 3:20 p.m.: 26 IR 546; readopted filed Jul 2, 2007, 3:01 p.m.: 20070711-IR-240070255RFA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA)*

240 IAC 7-1-7 Exemptions

Authority: IC 25-30-2-2

Affected: IC 25-30-2

Sec. 7. (a) Persons who operate the polygraph solely for federal, state, county or municipal criminal justice agencies are exempt from all certification requirements while in the performance of their official duties.

(b) If persons, as described in section A of this rule *[subsection (a)]*, desire to operate a business for personal gain, they are required to obtain a polygraph certificate and comply with all rules and regulations to obtain a certificate. *(State Police Department; Polygraph Examiners; Rule VII; filed Mar 6, 1984, 2:50 pm: 7 IR 814; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935; readopted filed Jul 2, 2007, 3:01 p.m.: 20070711-IR-240070255RFA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA)*

240 IAC 7-1-8 Suspension and revocation

Authority: IC 25-30-2-2

Affected: IC 4-21.5; IC 25-30-2

Sec. 8. (a) The superintendent may suspend or revoke a certificate issued under this chapter if he determines that the polygraph operator has:

- (1) Made any false statement or given any false information in connection with an application for certification.
- (2) Violated this chapter.
- (3) Violated any rule of the superintendent adopted pursuant to the authority contained in this chapter.
- (4) Been convicted of a felony under the statutes *[sic.]* of the state of Indiana.

(b) The proceedings under this chapter shall be conducted in accordance with IC 4-22-1 *[Repealed by P.L.18-1986, SECTION 2. See IC 4-21.5.]* and the superintendent has all powers granted therein. *(State Police Department; Polygraph Examiners; Rule VIII; filed Mar 6, 1984, 2:50 pm: 7 IR 814; readopted filed Oct 17, 2001, 10:05 a.m.: 25 IR 935; readopted filed Jul 2, 2007, 3:01 p.m.: 20070711-IR-240070255RFA; readopted filed Dec 2, 2013, 10:29 a.m.: 20140101-IR-240130458RFA)*

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