



State of New Jersey

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Media Release

For Immediate Release:

11/18/09

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Study: NJ's Polygraph Testing of Sex Offenders Gives Parole Officers Vital Information

Polygraph Testing Helps Parole Officers Detect Problem Behaviors, Intensify Supervision

TRENTON – The New Jersey State Parole Board's polygraph testing of sex offenders helps parole officers detect problem behaviors, and intensify their supervision of high-risk offenders, according to a study announced today by a researcher from Rutgers University who conducted research funded through the State Parole Board with help from a Federal grant.

"One of the State Parole Board's most important and challenging roles is the containment of sex offenders who have been sentenced to lifetime supervision," Chairman Ross said. "As this report demonstrates, we continue to use the best available methods, based on nationwide research into sex offender crime prevention and psychology. Polygraph testing is an important component of our system of intense supervision, information-sharing with partner law enforcement agencies, and communication with psychological treatment providers, in our commitment for the safety of New Jersey's families and communities."

Researcher Heather Tubman-Carbone presented her findings today, during the State Parole Board's annual public meeting. The study included a review of 595 sex offenders under the agency's supervision, 40 percent of whom had been subject to at least one polygraph examination between December 2007 and April 2009. To describe how polygraph testing is used as a public safety tool, the study also included surveys of 118 New Jersey parole officers and sergeants, and 11 counselors who provide group sex offender treatment in partnership with the State Parole Board.

The Legislature has designated the State Parole Board as the lead agency responsible for sex offender supervision in New Jersey. The agency's caseload of more than 5,300 sex offenders is one of the largest in America, mainly due to Supervision for Life sentencing guidelines for sex offenders. Polygraph testing is an important component of the Containment Approach to sex offender supervision, a method based on nationwide research into sex offender crime prevention.

The State Parole Board began using polygraph testing as a supervision tool in December 2007. Eleven parole officers have completed their polygraph training at the Academy for Scientific Investigative Training in Philadelphia. The training and polygraph equipment were funded by a \$50,000 Bureau of Justice Assistance grant provided to the State Parole Board, matched by \$16,667 in state funds. Tubman-Carbone's research was funded by the same grant, which required the State Parole Board to produce a research plan to evaluate its use of the polygraph testing of sex offenders.

The State Parole Board does not use the results of polygraph exams as criminal evidence or as evidence of a parole violation. If a sex offender is found to be deceptive in a polygraph test, the State Parole Board will investigate and will respond with intensified supervision, placement on GPS

monitoring, surveillance, requirements for counseling, removal from a residence or place of employment where the agency determines there is a risk to children, or other measures.

The new study noted:

- The experiences reported by parole officers and counseling providers, and initial data on the rates at which sex offenders were found to have failed to comply with the conditions of lifetime supervision, indicate that polygraph testing creates tangible benefits for sex offender supervision and treatment. Polygraph testing elicits information that would otherwise not be known about sex offender behavior. The mere possibility of being tested encourages sex offenders to be open and honest, and to more readily discuss their risk factors and activities with their parole officers and counselors.
- In reviewing the data, the report states, “(t)his seems to indicate that polygraph testing allows parole officers to be more attuned to offenders’ behavior, and their enhanced supervision prevents problematic behavior from escalating into new crimes.”
- Forty-two percent of all polygraph examinations result in new information or deceptive test results that lead the State Parole Board to make an adjustment to the sex offender’s supervision plan.
- More than half of the adjustments to sex offenders’ supervision result in greater restrictions or prohibitions on the sex offender’s behavior, such as restriction of out-of-state travel, denial of a specific employment location that would put the sex offender in contact with minors, or removal from a residence with minors.
- Polygraph testing, and the possibility of being tested, seems to increase sex offenders’ ability to acknowledge the crimes for which they were sentenced, and to progress in counseling. In order to successfully complete Phase 1 of counseling, the sex offender must admit culpability for his or her offense and be ready to progress in treatment. This result suggests that “(t)he addition of polygraph as a treatment tool may increase treatment providers’ ability to hold offenders accountable” and “to properly diagnose their place in treatment,” according to the report.
- Eighty percent of treatment providers reported that when one individual in a treatment group undergoes a polygraph exam, the sex offender’s discussion of that experience will affect the rest of the group. If the sex offender says he was caught in a deceptive answer, others in the group will begin admitting their own behaviors. More than one-third of the treatment providers said that “simply reminding a client that they can be polygraphed has led to an admission,” according to the report.

The study also noted several case examples, provided by the State Parole Board, that illustrate the uses of polygraph testing as a public safety tool:

- Immediately prior to taking a polygraph exam, a sex offender residing in Passaic County admitted to a new sex offense committed while under lifetime supervision. He admitted to having physical contact with his grandson for the purpose of sexual pleasure. Additionally, he admitted to lewd behavior in public on multiple occasions. The admission was made during a pre-polygraph interview. It was provided to the Sussex County Prosecutor’s Office and the sex offender was arrested.
- A sex offender in Middlesex County was referred for polygraph testing as part of the assessment of his request to move into a home in which children were present. The sex

offender had appeared to be doing well in therapy. As a result of the polygraph, it was learned that the sex offender violated lifetime supervision conditions by having contact with minors without supervision, and had engaged in illegal sexual activity by purposely touching women in public places. The State Parole Board denied his request to live with minors and responded with intensified supervision.

- A polygraph test found a sex offender in Mercer County to be deceptive in answering questions about contact with minors. After the interview the sex offender admitted having unsupervised contact with a teenage boy he met in a park, and occasionally giving the boy cigarettes. As a result of the admission, the State Parole Board placed the sex offender on electronic monitoring, referred the matter to the county prosecutor's office for a review of his Megan's Law tier, and required that he return to counseling.

"These findings indicate that the polygraph, without doubt, is a useful tool for sex offender supervision and treatment," Tubman-Carbone said. "Experts point out that sex offenders are practiced and experienced at being deceptive. But the study shows the State Parole Board's polygraph testing policy clearly helps uncover information that parole officers otherwise would not know about the individuals under supervision. This supports the belief that polygraph is an essential component of the containment approach to sex offender monitoring."

The New Jersey State Parole Board (SPB) is New Jersey's lead reentry agency, and works to ensure ex-prisoners return to society as law-abiding citizens. As required by law, appointed Parole Board Members and staff conduct more than 20,000 hearings per year, solicit input from victims and decide parole matters. SPB's sworn parole officers supervise more than 15,000 offenders statewide. In addition, SPB is New Jersey's primary law enforcement agency responsible for sex offender supervision. SPB officers are also active partners with multiple Federal, State and local law enforcement agencies and task forces. Finally, SPB's Community Programs Unit partners with government, non-profit and private agencies to connect ex-prisoners with vocational, mental health and related services, targeted to break the cycle of recidivism and reduce risk of crime.

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