



SUBJECT: Computer Voice Stress Analyzer (CVSA)	PAGE <u> 1 </u> OF <u> 4 </u>
	NUMBER: 09-INV-05
RULE/CODE REFERENCE:	SUPERSEDES: 09-INV-05 dated 07/24/15
RELATED ACA STANDARDS:	EFFECTIVE DATE: October 4, 2016
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to establish guidelines for administering and using Computer Voice Stress Analyzer (CVSA) examinations within the Ohio Department of Rehabilitation and Correction (DRC) for administrative investigations.

III. APPLICABILITY

This policy is applicable to all employees, contractors, volunteers and individuals under the supervision of the DRC.

IV. DEFINITIONS

Administrative Investigation - An investigation conducted by an assigned employee of an incident or situation where the DRC has jurisdiction, as provided by policy, procedure, and state statute.

Certified Examiner - A person who has satisfactorily completed NITV training in truth verification and the use of the CVSA and has maintained their certification.

Cold Call - A forwarding of the completed test chart to another certified examiner for analysis without providing the test questions.

Computer Voice Stress Analyzer (CVSA) - A device which electronically detects measures and charts the stress in a person’s voice following a pre-formatted questionnaire.

NITV - The National Institute for Truth Verification, West Palm Beach, Florida

Overt Interview - A live interview by a CVSA examiner with a suspect, victim, witness, complainant, or prospective employee. 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 audio and/or videotape.

Structured Interview - A legally obtained audio taped interview of a suspect, victim, witness, or complainant. The interviews are designed to capture a response to preformatted questions, which is analyzed by the CVSA examiner.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to utilize CVSA examinations as an informational aid and tool to be used in conjunction with an administrative investigation. In no case shall the results of the CVSA be the sole determining factor for offering employment or a final determinant factor in an administrative investigation. The CVSA is to be used for truth verification. Therefore, the CVSA should be viewed as a means to protect the integrity of an investigation and/or the interviewee.

VI. PROCEDURES

A. Administrative Investigations

1. CVSA examinations should be used as an investigative tool in conjunction with investigative leads and interviews of available suspect(s), victim(s), and/or witness (es). CVSA examinations may be conducted during administrative investigations, on an inmate, offender, staff member, contractor or volunteer only if they freely consent to participate in the examination. No person shall be prejudiced by refusal or failure to submit to a CVSA examination.
2. 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 Truth Verification Release Form (DRC1783) has been signed.
3. The results of a CVSA examination shall not be the sole determinant of an investigation conclusion. However, admissions and other statements made before, during or after the examination shall be considered in the same manner as any other information obtained during an interview.
4. No inmate or staff member shall be found guilty in a disciplinary proceeding or otherwise discriminated against in any other institutional proceeding or assignment solely on the basis of the results of a CVSA examination, unless there is supporting evidence, which is both reliable and probative.

B. CVSA Examiner

1. The CVSA examiner shall review the available information pertaining to the case in question prior to administering an examination and meet with the investigator(s) to discuss issues of fact and evidence and to formulate questions that need to be asked. The examiner may request to be provided a written summary of the allegations and initial investigation.
2. CVSA examinations requested by persons or agencies outside the DRC must be approved by the chief inspector/designee prior to a CVSA examination being conducted.
3. All CVSA examiners shall maintain a record of all examinations they have conducted on a log as required by the NITV.
4. The CVSA examiner shall receive a second opinion (cold call) on examinations from another certified examiner external to the DRC. Whenever a second opinion is not reasonably available from a certified examiner external to the department, a second opinion may be requested from a certified examiner within DRC, with the approval of the chief inspector/designee.
5. The CVSA examiner shall refrain from examinations that may compromise their integrity or in which they have a personal interest.
6. All CVSA examiners must be re-certified every three (3) years and participate in ongoing training seminars.

C. Requesting a CVSA Examination

1. In instances where the managing officer or institution investigator are considering utilizing a CVSA examination, approval shall be requested through the Office of the Chief Inspector. Division of Parole and Community Services (DPCS) shall first obtain approval from the Managing Director of Courts and Community/designee and from the Office of the Chief Inspector.
2. The Office of the Chief Inspector shall be responsible for the training and scheduling of CVSA examiners.
3. If the Ohio State Highway Patrol (OSHP) or any other law enforcement agency is actively conducting a criminal investigation, the managing officer or investigator shall contact OSHP prior to conducting a CVSA for the administrative investigation. The managing officer or investigator shall not conduct a CVSA examination if the OSHP or other law enforcement agency intends to conduct a polygraph examination or the examination could otherwise unduly hinder the criminal investigation.

4. The managing officer or investigator shall provide the CVSA examiner with all available information concerning the investigation, progress and findings to date, for review prior to administering the CVSA.
5. The managing officer or investigator shall complete a preliminary investigation and consult with the examiner prior to the CVSA examination being scheduled. The CVSA is a supplement to, not a substitute for, a thorough investigation.
6. The managing officer or investigator is responsible for notifying the subject of the date and time for the scheduled appointment and shall notify the CVSA examiner immediately if the subject cancels the appointment. The managing officer or investigator shall remain available until the completion of the examination.

D. CVSA Records

1. Upon completion of the CVSA examination, the CVSA examiner shall prepare a report to the managing officer or Investigator with the findings of the examination. The report shall be in the standard NITV format.
2. CVSA records shall be maintained in accordance with the state record retention schedule pertaining to administrative investigations.
3. The CVSA examiner is responsible for the secure storage of all CVSA records. CVSA records shall be maintained in a secure area.

Related Department Forms:

Truth Verification Release Form DRC1783