

SHORT TITLE: Polygraph examinations; modifying certain prohibition by authorizing use of certain mechanical devices or instruments by certain persons in criminal investigations; effective date.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 442

By: Littlefield

AS INTRODUCED

An Act relating to polygraph examinations; amending 59 O.S. 1991, Section 1454, which relates to minimum instrumentation requirements; modifying certain prohibition by authorizing use of certain mechanical devices or instruments by certain persons in criminal investigations; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 1454, is amended to read as follows:

Section 1454. ~~Any~~ A. Except as provided in subsection B of this section:

1. Any instrument used to test or question individuals for the purpose of detecting deception or verifying truth of statements shall record visually, permanently and simultaneously:

- ~~1.~~ a. a subject's cardiovascular pattern,
- ~~2.~~ b. a subject's respiratory pattern, and
- ~~3.~~ c. galvanic skin response pattern~~;~~

2. Patterns of other physiological changes ~~in addition to 1, 2 and 3~~ may also be recorded~~;~~ and

3. The use of any instrument or device to detect deception or to verify truth of statements which does not meet these minimum

instrumentation requirements is hereby prohibited and the operation or use of such equipment shall be subject to penalties and may be enjoined in the manner hereinafter provided.

B. A mechanical device or instrument which records vocal frequency modulations, vocal fluctuations or other such vocal prints or patterns may be used by a licensee, qualified by the Polygraph Examiners Board in the use of such mechanical device or instrument, for the purpose of detecting deception or verifying truth of statements made by a person in the course of a criminal investigation involving that person.

SECTION 2. This act shall become effective November 1, 1997.

46-1-0823

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