

CHAPTER 1. TRUTH AND DECEPTION EXAMINERS

001. DEFINITIONS

For purposes of Chapter 1 of these regulations:

001.01. "Act" means Neb. Rev. Stat. §§81-1901 through 81-1936 (R.R.S. 2008, R.S.Supp., 2012)

001.02. "Secretary" shall mean the Secretary of State for the State of Nebraska or his or her designee.

001.03. "Examiner" shall mean a polygraph examiner or a voice stress examiner.

001.04. "Polygraph Examiner" shall mean any person, other than an intern who uses an approved polygraph to test or question an examinee for the purpose of attempting to determine truth or deception.

001.05. "Voice Stress Examiner" shall mean any person, other than an intern, who uses an instrument capable of permanently recording on a graph one or more psychophysiological reactions present in the voice of an examinee for the purposes of attempting to determine truth or deception.

001.06. "Examinee" shall mean the individual who is being tested, examined, or questioned by an examiner or intern for the purpose of verifying truthfulness or detecting deception.

001.07. "Examination" shall mean a procedure by which a person licensed under this act, using instrumentation prescribed by the act, administers voluntarily to a person tests using instrumentation to verify truth or detect deception, and provides an opinion as to a person's truthfulness or deceptiveness, based upon the tests administered during the examination.

001.08. "Test" shall mean that part of a truth or deception examination during which a person licensed under this act, solicits from a person, responses which will be recorded by instrumentation to measure psychophysiological responses for the purpose of attempting to determine truth or deception.

Annotation: Neb. Rev. Stat. §§81-1901 through 81-1936

002. PROVIDE HEARING PROCEDURE

002.01. To provide rules of procedure for appeals from determinations by the Secretary, his/her appointee or designee in any case in which the legal rights, duties or privileges of specific parties are required by law or constitutional right to be determined after an agency hearing, and where an appeal process has not otherwise been established by state law or agency administrative rule.

002.02. Request for Hearing before the Secretary. Any affected party desiring to appeal a determination of the Secretary, his/her appointee or designee may file a typewritten request for hearing with the Secretary of State. The request shall be on 8 1/2 x 11 inch paper.

002.02A. Content. A request for hearing shall contain the following:

002.02A1. The full name, address and telephone number of the person requesting the hearing;

002.02A2. The full name, address and telephone number, if known, of any person whose interests could be affected by the hearing officer's decision, hereafter referred to as an "interested party";

002.02A3. A plain and concise statement of the reasons why the determination of the Secretary, his/her appointee or designee is erroneous;

002.02A4. A certificate showing that a copy of the request for hearing has been mailed, ordinary certified or registered mail, or has been personally delivered to each person listed in section 002.02A2.

002.02B. Place and Manner of Filing. A request for hearing may be filed by personal delivery, ordinary mail, or registered or certified mail, addressed to:

Secretary of State
Suite 2300
State Capitol
Lincoln, Nebraska 68509

002.02C. Time. The request for hearing must be postmarked or personally delivered to the Secretary within 15 calendar days from the date of the determination which is the subject of the request for hearing. The Secretary may waive the time requirement for good cause shown. A written request for the waiver setting forth the reasons for the delinquency must accompany the request for hearing in order to be considered.

002.02D. Service. A copy of the request for hearing must be provided to each person whose interests could be affected by the hearing officer's decision. Service shall be accomplished at any time prior to the filing of the request for hearing in any manner permitted in section 002.02A4.

002.03. Advancement of the Case.

002.03A. Setting of Hearing.

002.03A1. Time and Place. Except as otherwise provided for by statute, the time and place of hearing will be set by the Secretary at his or her discretion.

002.03A2. Notice. The Secretary shall cause written notice to be sent to all interested parties by certified mail to their last known address at least 15 calendar days prior to the hearing. The notice shall include the time and place of the hearing and set forth the issue or issues involved.

002.03A3. Continuances. An interested party who desires a continuance shall, immediately upon receipt of the notice of hearing, or as soon thereafter as facts requiring additional time are known, make a request for continuance of the Secretary, stating in detail the reasons why an extension of time is necessary. For good cause shown the Secretary may grant such a continuance and may at any time order a continuance on his or her own motion. Only under exceptional circumstances will requests for continuance of a hearing be considered unless submitted on or before the seventh calendar day prior to the hearing date.

002.04. Conduct of Hearings.

002.04A. Hearing Officer. Hearings will be conducted by the Secretary or such hearing officer as the Secretary may designate. The Secretary or hearing officer will open the proceedings, administer oaths or affirmations, act on pleadings not previously filed, receive evidence, rule on motions and objections relating to testimony and evidence, interrogate any witnesses to ascertain additional facts, and close the proceedings.

002.04B. Counsel. Any party to the proceeding may be represented by an attorney at law.

002.04C. Proceedings. A party to the hearing will be allowed to:

- 002.04C1. Make an opening statement;
- 002.04C2. Present evidence;
- 002.04C3. Cross-examine witnesses;
- 002.04C4. Present rebuttal evidence; and
- 002.04C5. Make a closing statement.

002.04D. Testimony and Exhibits. The Secretary or hearing officer shall receive all evidence in accordance with the criteria set forth in S84-914 R.R.S. 1943, as amended.

002.04E. Findings and Orders. Upon completion of any hearing, the Secretary or hearing officer may take the matter under advisement and the Secretary shall make his or her decision and enter a written Order containing findings of fact and conclusions of law. The hearing officer may assist the Secretary in drafting suggested findings of fact and conclusions of law. The Order and accompanying findings and conclusions shall be served upon each interested party by mailing a copy, certified mail, or by personal delivery.

Disposition of the case may also be made, subject to the approval of the Secretary, by summary judgment, stipulation, agreed settlement, consent order or default.

002.05. Appeals. Except as otherwise provided by law, any party may appeal a final order of the Secretary to the district court in accordance with the provisions of S84-917 R.R.S. 1943, as amended.

002.06. Stay Pending Hearing. The filing of a request for hearing shall not automatically stay enforcement of an order issued by the Secretary. The Secretary may order a stay upon motion thereof upon such terms as are deemed appropriate. Motions for stays will generally not be granted in cases where the order being appealed from relates to the enforcement of a statute or regulation pertaining to the health or safety of employees, or the general public.

Annotation: Neb. Rev. Stat. §81-1928 and §81-1931

003. DIVULGING INFORMATION

003.01. An examiner may authorize the monitoring of an examination by, and the divulging of information concerning the examination to, a person engaged in research or education related to conducting truth and deception examinations and may also authorize the monitoring of an examination by, and the divulging of information to a person who has a substantial interest in the examination or the examinee, or both, if the examiner first obtains from such person his or her agreement to abide by the provisions of the act and these rules and regulations, except that no license requirements shall apply to the monitor.

003.02. A person who monitors an examination shall not disclose to any person, except the person requesting the examination, any information divulged by the examinee during a truth and deception examination without first obtaining specific written consent from the examinee, unless otherwise required to do so by law.

Annotation: Neb. Rev. Stat. §81-1902

004. WRITTEN CONSENT FOR DISCLOSURE

004.01. An examiner, his or her agents, or other person shall not divulge any information revealed by an examinee during an examination in explaining or responding to comparison questions introduced for diagnostic purposes without first obtaining the written consent of the examinee, except where such information specifically concerns the objectives of the examination stated and agreed to in advance by the examinee and subject to the provisions of the act and these rules and regulations. However, this shall not be construed as prohibiting lawful disclosure or use of any information concerning additional admissions or explanations volunteered by the examinee during the examination where such admissions or explanations are not responsive to comparison questions.

Annotation: Neb. Rev. Stat. §81-1928

005. EXCHANGE OF INFORMATION

005.01. The exchange of information relative to truth and deception examinations between public law enforcement agencies is permitted.

Annotation: Neb. Rev. Stat. §81-1901 et. al.

006. ADDITIONAL EXCHANGE OF INFORMATION

006.01. The exchange of information relative to truth and deception examinations between examiners licensed under this act is permitted.

Annotation: Neb. Rev. Stat. §81-1901 et. al.

007. PREPARATION OF WRITTEN REPORTS

007.01. An examiner shall, upon the written request of the examinee or the person requesting the examination, prepare a written report of the examination, which shall contain the following:

007.01A. A statement of arrangements for the examination including the name of the person requesting the examination, date, time, and location of the examination, type of instrumentation used to administer the examination, and a statement of purpose for the examination.

007.01B. The number and type of tests used during the examination.

007.01C. The examiner's opinion as to the truthfulness or deception of the examinee, or the examiner's statement that he or she was not able to reach a conclusion about the examinee's truthfulness or deception.

Annotation: Neb. Rev. Stat. §81-1901 et. al.

008. MAINTENANCE OF RECORDS

008.01. An examiner shall, in the case of every truth and deception examination administered by him or her, create and maintain a record for not less than 1 year. Such record shall contain, at a minimum, all of the following:

008.01A. Information pertaining to the name of the Person (company, corporation, firm or agency) requesting the examination, date, time, and location of the examination, type of instrumentation used to administer the examination, and a statement of purpose for the examination.

008.01B. All written consents and acknowledgements of the examinee as required elsewhere in these rules.

008.01C. Information volunteered by the examinee during the pretest or post-test interview that is pertinent to the objectives of the examination.

008.01D. The exact wording of the questions asked during the administration of the test series and the examinee's exact answers to those test questions.

008.01E. All polygraph and voice stress recordings, including charts, made during the truth and deception examination test. Such recordings and charts shall adequately identify all of the following.

008.01E1. The name of the examinee

008.01E2. The name of the examiner

008.01E3. The date, time and location of the test.

008.01E4. The order in which the tests were administered.

008.01E5. The identification of each test question.

008.01E6. The examinee's answer to each test question.

008.01F. All pretest interview information volunteered by the examinee relating to the examinee's background, education, health, medical history, and his or her general suitability for the examination.

Annotation: Neb. Rev. Stat. §81-1902

009. RULES OF CONDUCT

009.01. A person conducting a truth and deception examination as prescribed by this act shall, in case of every truth and deception examination, do the following:

009.01A. Conduct all examinations in the physical presence of the examinee.

009.01B. Personally obtain a written consent from the examinee prior to administering an examination, unless such examination is a requirement of law or judicial ruling. Then obtaining such a release is not required. The consent shall contain as a minimum, all of the following:

009.01B1. The name of the examinee

009.01B2. The name of the examiner, and license description.

009.01B3. The date, time and location of the examination.

009.01B4. An explanation of the nature and purpose of the examination which has been made by the examiner.

009.01B5. An explanation that the examination is voluntary and that the examinee may discontinue the examination at any time.

009.01B6. The type of instrumentation used to conduct the examinations.

009.01B7. The name of the person, company, corporation, firm or agency requesting the examination.

009.01B8. The name of the person, company, corporation, firm or agency to whom the written results of the examination will be provided.

009.07B9. The signature of the examinee or witnessed mark of the examinee.

009.07B10. The signatures of witnesses, monitors, and interns participating in the examination.

009.01C. Develop an opinion concerning an examinee's truthfulness or deception based upon the examination conducted, or an opinion that the examiner could not reach a conclusion from the testing conducted.

009.01D. The examiner shall insure the equipment used to conduct a truth and deception examination is maintained in working order, and prior to testing insure that it is in working order.

009.01E. An examiner shall, prior to examination, insure the purpose of the examination is not to circumvent or defy the law.

009.01F. No examiner shall conduct an examination of any examinee he or she believes, through observation, interview or other credible evidence, to be physically or psychologically unfit for such an examination at the time.

010. APPLICATION FOR LICENSE

010.01. A person applying for a truth and deception examiner's license under this act shall complete the application for licensing supplied by the Secretary and take a written examination provided by the Secretary.

010.01A. The Secretary will provide a time and place for an applicant to take the written examination. All examinations will be given by appointment with the Secretary.

010.01B. The licensing fee of \$50.00 shall be paid on behalf of the applicant on the date of the examination prior to taking the licensing examination.

010.01C. The written examination may consist of multiple choice, true or false, other objective question types, and essay questions. A time limit of two (2) hours shall be observed during the administration of the examination.

010.01D. All applicants shall attain not less than 70 percent correct answers on the written examination.

010.01E. All applicants shall be notified of the results of the examination by mail not later than 15 days after the examination. The scores of the written examination shall not be released, unless otherwise required to do so by law.

010.01F. The \$50 fee is not refundable if an applicant fails the written examination, unless otherwise provided by law.

010.01G. An applicant may re-take the written examination after a period of 30 days, but not more than 90 days, from the date of the first examination. If the applicant fails the second examination, the applicant must wait six (6) months from the date of the second examination before re-applying, and must re-file a second application form up-dating previous information supplied on the first application.

010.01H. The written examination shall cover the following topics:

- 010.01H1. History
- 010.01H2. Physiology
- 010.01H3. Psychology
- 010.01H4. Instrumentation
- 010.01H5. Testing Procedures
- 010.01H6. State Law
- 010.01H7. Federal Law

010.01I. Separate written examinations shall be given for the polygraph and voice stress applicants, with at least half of the questions on each examination worded identically.

010.01J. The questions and answers for the written polygraph and voice stress examinations shall not be released, unless otherwise required to do so by law.

010.01K. Information contained on a person's application for truth and deception examiner's license shall only be released in accordance with the public records statutes

84-712 to 84-712.09 (R.R.S. 2008, R.S.Supp., 2012), unless otherwise required to do so by law.

010.01L. A licensed examiner, under this act, whose license has expired, or whose license has been revoked under provisions of this act, or these rules and regulations , shall be required to complete an application for a license, retake the written examination for a license, and pay all fees required for re-licensing.

Annotation: Neb. Rev. Stat. §81-1915 through 81-1926

011. LISTING OF LICENSES

011.01. The Secretary shall prepare and publish a list of all persons holding valid licenses issued by the Secretary. This list shall include the name and address of the licensee, license number, expiration date, and the type of license issued. Such list shall be available at no charge upon request, and shall be published on the Secretary of State's website and updated on a regular basis.

Annotation: Neb. Rev. Stat. §81-1901 et. al.

012. SCHOOLS OR TRAINING PROGRAMS

012.01. Any school or training program accredited or certified by the American Polygraph Association, the National Institute for Truth Verification, or the National Association of Computer Voice Stress Analysts shall be accepted for approval of their graduates for licensing under this act.

012.02. Any school or training program requesting said school or program be accepted for approval of their graduates for licensing under this act which is not accredited or certified by the American Polygraph Association, the National Institute for Truth Verification, or the National Association of Computer Voice Stress Analysts, shall provide the Secretary with a formal request together with a course outline, the number of hours taught for each subject, the names and professional history of its owners, staff, and instructors, proof the school has met all requirements of the Department of Education for the State of Nebraska, and submit any additional information the Secretary may desire and request, so he or she may determine that the applicant is actually an acceptable training institution. The failure of any such school or training facility to provide the requested information shall result in non-approval of the applicant and no graduate of such school or training facility may be licensed by the Secretary.

Annotation: Neb. Rev. Stat. §81-1918

013. QUALIFICATION OF INTERNS

013.01. A person is qualified to receive a license as an intern if he or she meets the requirements of the act. Before being issued an intern's license, an applicant shall submit a completed license application, provided by the Secretary which shall include the name, address, qualifications, and internship proposal identifying the intern's training supervisor.

013.02. An approved internship or internship training program shall consist of an academic training component and a practical training component, all of the following provisions apply:

013.02A. An applicant shall submit to the Secretary satisfactory evidence of enrollment or completion in a course of instruction in the theory and practice of polygraph or voice stress technique.

013.02B. The course of instruction referred to in section 13.02A shall be conducted at a polygraph or voice stress school approved by the Secretary.

013.02C. The successful completion of the in-house phase of the school's training by an applicant shall be verified by a letter from the training facility.

013.02D. To qualify for an examination for a full license, a school shall issue a certificate that an applicant has met all requirements of the school.

013.03. During the course of his or her internship, and subsequent to his or her completion of academic training, an intern shall do all of the following:

013.03A. Personally administer not less than 40 polygraph or voice stress examinations, of which not less than 15 shall be specific issue examinations. The first 25 examinations conducted by the intern shall include not less than 5 specific issue examinations, and all 25 examinations shall be supervised on-site by a polygraph or voice stress examiner who holds a current and valid license issued under this act, to act as trainee supervisor. On-site supervision means that a trainee supervisor is personally and immediately available for consultations with the intern and directly observes, either by audio or visual means, or both, the actual conduct of the intern in administering the examination.

013.03B. Following the completion of the administration of the first 25 examinations set forth in sub-division (a) of this sub-rule, the intern shall personally administer not less than 15 additional examinations under the supervision of an approved trainee supervisor. The supervision of these additional examinations may, at the discretion of the trainee supervisor, be either direct, on-site supervision or remote supervision.

013.03C. The trainee supervisor need not be personally present at the time of the examination, but after the examination the trainee shall provide the trainee supervisor with all relevant data in order that the supervisor may evaluate and critique the intern's performance.

013.04. All interns shall maintain a chronological record of all examinations conducted. Such record shall contain as minimum, all of the following information.

013.04A. The name of the examinee.

013.04B. The name of the trainee supervisor.

013.04C. The date, time and location of the examinations.

013.04D. The nature of the examination and whether on-site or remote supervision.

013.04E. The number of tests administered during the examination and the intern's opinion on each test.

013.05. From the chronological record, the Secretary may randomly select not less than 10 separate examinations, all records, and supportive data which the intern shall make available to the Secretary for inspection. The intern shall verify that the records called for by the Secretary are complete and are the records pertaining to examinations which the Secretary has requested.

Annotation: Neb. Rev. Stat. §81-1919

014. INTERNSHIP TRAINEE SUPERVISORS

014.01. Internship trainee supervisor status shall be granted for a 24-calendar-month term to an applicant who meets the following minimal requirements and who has applied for this status with the Secretary:

014.01A. Holds a current public or private polygraph or voice stress examiner's license in the State of Nebraska.

014.01B. Has satisfactorily completed a formal course of instruction in polygraph or voice stress technique approved by the Secretary.

014.01C. Has had not less than two (2) continuous years of experience in administering polygraph or voice stress examinations before application for intern trainee supervisor status, during which period he or she personally conducted a minimum of 75 such examinations.

014.01D. Provides satisfactory evidence that he or she has done one or more of the following in a 24-calendar-month period immediately before his or her application.

014.01D1. Attended one or more seminars or workshops relating directly with the polygraph or voice stress technique where such workshops or seminars total not less than 16 hours of attendance. Such workshops or seminars shall involve topics related to polygraph or voice stress testing. Satisfactory evidence of attendance and substantive areas covered in such workshops shall be submitted to the Secretary.

014.01D2. Completed not less than 15 semester hours of academic course work at an accredited college or university.

014.01D3. Completed not less than 10 semester hours of academic course work at an accredited college or university, and attended one or more seminars or workshops approved by the Secretary relating directly with the polygraph or voice stress technique, where such workshops or seminars total not less than 6 hours of attendance.

Annotation: Neb. Rev. Stat. §81-1901 et. al.

015. REPORTS TO SECRETARY OF STATE BY SUPERVISOR

015.01. An intern supervisor shall immediately submit written notice to the Secretary, if any of the following occur:

015.01A. Any action or inaction by the intern in violation of the act or these rules and regulations.

015.01B. Any judgment of the intern supervisor that the internship should be terminated and the reasons therefore.

015.02. An intern supervisor shall submit a report of Internship to the Secretary of State's Office upon completion of the first 25 and 40 examinations by the intern being supervised. Such report shall include, but not be limited to:

015.02A. The name of the intern and name of the supervisor.

015.02B. The time period covered by the report.

015.02C. Subject matter of the examinations, i.e. pre-employment, sexual assault, etc.

015.02D. An evaluation and rating of the intern's performance on examinations given during the report period.

015.03. An intern supervisor shall appear before the Secretary of State, provide a verbal report of the intern's progress and answer questions pertaining to the internship for the Secretary of State and the Truth and Deception Examiner's Advisory Board prior to the licensing of the intern as an examiner.

Annotation: Neb. Rev. Stat. §81-1902

016. RENEWAL OF LICENSES

016.01. Prior to December 31 of each year, the Secretary shall notify each public and private licensed examiner that they must renew their license. The Secretary shall provide each licensed examiner with a short form renewal application, which the licensee shall complete and return to the Secretary with a \$25 renewal fee prior to December 31st of each year if they wish to remain licensed. The renewal application form will be an affidavit and will contain the necessary information required by the Secretary for license renewal.

016.02. Public and private licenses shall expire on December 31st of each year. A person whose license has expired shall reapply for licensing and meet all requirements of the act and these rules and regulations.

Annotation: Neb. Rev. Stat. §81-1921 and §81-1926

017. ADVISORY BOARD

017.01. The Secretary may at his/her discretion seek the advice and counsel of persons holding valid public and private truth and deception licenses on such matters as the Secretary deems necessary. Further, the Secretary may at his or her discretion create an advisory board of persons holding valid truth and deception licenses of which this board will be made up. The board will be made up of four persons holding polygraph examiner's licenses and four persons holding voice stress examiner's licenses. This board shall serve in a non-paid capacity and at the pleasure of the Secretary of State. Notice of a Board meeting shall be given and meetings shall be held as required by the Nebraska Open Meetings Act. The purpose of the board is to advise the Secretary on points concerning the licensing act. This may include but not be limited to:

017.01A. Internship requirements

017.01B. Development of the written examination.

017.01C. Development of rules and regulations

017.01D. Reviewing applications for intern licenses, examiner licenses, training facilities, and intern trainee supervisor applications.

017.01E. To review procedures under which examinations are administered.

017.01F. To assist during the investigation of complaints against examiners.

017.01G. To conduct on-site inspections of intern examiner's facilities, examiner's facilities for license renewal, and to inspect equipment used for testing to verify the equipment's condition.

017.01H. To assist during the administration of the written examinations for licensing.

017.01I. To provide technical advice to the Secretary in areas of interest to the administration of the licensing act.

Annotation: Neb. Rev. Stat. §81-1902 and §81-1928

018. MISREPRESENTATION.

018.01. A person holding a valid license issued under this act shall not make any willful misrepresentation or false promises or cause to be printed any false or misleading advertisements for the purpose of directly or indirectly obtaining business or interns.

Annotation: Neb. Rev. Stat. §81-1935

019. PROFESSIONAL CONDUCT AND STANDARDS

019.01. All persons who are licensed will conduct themselves at all times as professionals, placed in a unique position of private and public trust, respecting and protecting both the dignity and civil rights of those with whom they have professional dealings; maintaining the highest standards of qualification, taking on no task for which they are not thoroughly prepared; devoting themselves to truth.

Annotation: Neb. Rev. Stat. §81-1901 et. al.

020. APPLICATIONS AND OTHER FORMS

020.01. The following forms shall be available to applications for licensing under the Act:

- 020.01A. Application for Polygraph or Voice Stress Examiner's License
- 020.01B. Affidavit as to Truthfulness and Completeness
- 020.01C. Internship Proposal
- 020.01D. Truth and Deception Examiner's Internship Trainee Supervisor Application
- 020.01E. Sponsor's Report of Internship
- 020.01F. Renewal/Extension Application
- 020.01G. Nonresident Consent for Service of Process

020.02. The forms listed in this section and attached hereto shall be made available to all applicants for license under the Act and shall be incorporated by reference into these rules and regulations.

JOHN A. GALE
Secretary of State
402-471-8606 (Phone)



State Capitol, Suite 1305
Lincoln, NE 68509
402-471-2530 (Fax)

APPLICATION FOR POLYGRAPH OR VOICE STRESS EXAMINER'S LICENSE

INSTRUCTIONS: Please answer all questions where applicable. Use extra sheets, if necessary. Any false or misleading statements in this application shall be cause for denial, suspension or revocation under Sections 81.1901-81.1936.

TYPE OF LICENSE APPLIED FOR: (Check appropriate box (es):)

Intern's License Non-resident Public Examiner's License Private Examiner's License

1. Full Name: _____

All Previous Names: _____

2. Age: _____ 3. Date of Birth _____ 4. Place of Birth _____

5. Residence Address: _____ Zip: _____

Telephone Number: _____

6. Business Address: _____ Zip: _____

Telephone Number: _____

7. List All Previous Residential Addresses: (Last 7 years)

8. Citizen of U.S.? Yes No 9. Social Security _____

10. Have you ever served in any branch of the armed forces? Yes No If "yes", please furnish date(s)
of service and type of discharge(s) received _____

11. Employment History: List all previous employment beginning with present or last position. (7 years)

Job Description or Title	Employer	Dates Employed
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

12. Education History: List high school, college, university or any other (include G.E.D. results). Verified by Registrar.

Name of School	City and State	Graduated	Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

List all polygraph/voice stress seminars and workshops you have attended, if any

Date	Subject
_____	_____
_____	_____
_____	_____

13. Polygraph/Voice Stress History. Name of any polygraph/voice stress facility you have attended.

Address: _____

Dates of Attendance: _____

Names of Principal Instructors _____

Successfully completed () Yes () No Certificate? () Yes () No How long administering examinations? _____

Dates: _____

For what governmental or commercial organizations? _____

14. List the governmental law enforcement or governmental investigative agencies you have worked for as an investigator.

Name of Agency	City and State	Inclusive Dates
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15. Do you now hold or have you ever held a polygraph/voice stress examiner's license in any other state?

Yes No If "yes", list the states and type of license held. _____

16. Have you ever applied for a license that was denied or held any license that was suspended or revoked? (Include private detective license, driver's license or any other) yes No If "yes", give details.

17. List any criminal arrests (Felonies and Misdemeanors).

Charge	City and State	Date	Disposition
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18. Have you been refused admission or dismissed from training by any polygraph/voice stress training Facility? Yes No If answer is "yes", explain. _____

19. Has any governmental agency or person filed a criminal action or a civil action against you?

Yes No If answer is "yes", explain each occasion, except minor traffic citations.

20. Have you ever deliberately falsified, concealed, or otherwise illegally manipulated evidence?

Yes No If "yes", explain. _____

21. Have you within the last six months used any controlled substance without prescription?

Yes No If "Yes", explain

22. Have you ever deliberately falsified in any way polygraph/voice stress or investigative report?

Yes No If "yes", explain. _____

23. Have you ever given perjured testimony? yes No If "yes", explain.

24. Have you resided in Nebraska for at least 6 consecutive months prior to the date of this application?

Yes No

NOTE: If any figures listed in items 27 through 29 below are estimates, you shall so indicate and identify for each of the appropriate figures. Also indicate an absolute minimum and maximum range figure for each estimate (Example: Item 27 At least 150 hours, but not more than 180 hours.)

25. Specifically list the number of hours of formal (school) polygraph/voice stress classroom hours you have completed, if any. _____

Explain _____

26. Specifically list the number of polygraph/voice stress examinations conducted during your internship, if any.

Explain _____

27. Specifically list the total number of polygraph/voice stress examinations you have personally conducted in each of the following categories:

Specific issue _____ Pre-Employment _____

Explain _____

Routine Periodics _____ Research _____

Explain _____

28. Do you hold a baccalaureate degree from an accredited college or university? () Yes () No
If "no", do you have at least 60 semester hours of college credits or equivalent? () Yes () No

29. Do you have at least four years of continuous investigative experience with a government agency?
() Yes () No

30. Did you receive your polygraph/voice stress training by some means other than an accredited polygraph/voice stress training school? () Yes () No (If answer is "yes", complete and forward attached "Affidavit or Equivalency".)

THE FOLLOWING QUESTIONS ARE TO BE ANSWERED ONLY IF YOU ARE SELF-EMPLOYED

31. Company Name: _____

32. Business Address: _____

33. With whom are you associated in this venture? _____

34. Indicate licensing status of each member of the corporation, partnership, or firm.

Name	Status
------	--------

_____	_____
_____	_____
_____	_____
_____	_____

35. How long have you been in this business? _____

36. Does your business employ polygraph/voice stress examiner interns? _____

37. How many? _____. List names and license numbers:

Name

License Number

_____	_____
_____	_____
_____	_____
_____	_____

38. Business (Company or Agency): _____

39. Name of officers and owners:

Name

Address

_____	_____
_____	_____
_____	_____
_____	_____

40. Business Address: _____

Zip: _____

41. What is the title of your position: _____

42. How long have you held this position: _____

INTERNSHIP PROPOSAL

Date _____

Applicant's Name _____ Zip _____

Applicant's Address _____

Name of Proposed Internship Supervisor _____

All internship supervisors must meet the requirements of, and be formally approved by the Secretary of State's Office as a licensed Truth and Deception examiner. Please check the appropriate box and provide the license number for the internship supervisor.

Polygraph License Number _____

Voice Stress License Examiner's Number _____

Principal Location Where Internship Training Will Be Conducted:

Description of Facilities to Be Used: (include physical layout, monitoring arrangement, type and model of instrument(s) utilized.)

I hereby agree to abide by the provisions of 81-1901-81-1936, and all promulgated rules, regulations and policies issued pursuant thereto.

(Applicant Signature)

I hereby assert that I have been formally licensed by the Secretary of State of Nebraska. I hereby agree to undertake all responsibilities required by the Secretary of State to act as an Internship Training Supervisor for:

(Applicant's Name)

Internship Signature of Supervisor

Printed Name

JOHN A. GALE
Secretary of State
402-471-8606 (Phone)



State Capitol, Suite 1305
Lincoln, NE 68509
402-471-2530 (Fax)

TRUTH AND DECEPTION EXAMINER'S INTERNSHIP TRAINEE SUPERVISOR APPLICATION

Date of Application _____ Applicant is a: Resident* _____ Non-Resident** _____

Name _____

Address _____ City, State, Zip _____

Current Employer _____ Business Phone _____

Home Phone _____ *License Number _____

1. Number of continuous years of experience in administering polygraph or voice stress examinations _____

- Have you personally conducted at least 200 polygraph or voice stress examinations? _____
- Were at least 100 of those examinations specific issue examinations? _____

2. Do you:

- Hold a bachelor's degree from an accredited college or university? _____
- Have at least four years of investigative experience at the federal, state, political sub-division or private licensed investigator level immediately prior to your submission of this application? _____
- Have at least four years experience administering polygraph or voice stress examinations? _____

3. In the 24 month period immediately prior to your submission of this application, have you:

- Attended one or more seminars or workshops relating directly with the polygraph or voice stress technique? _____
If so, do these seminars and workshops total not less than 24 hours of attendance? _____
- Completed not less than 15 semester hours of academic course work at an accredited college or university? _____
- Completed a combination of at least 10 semester hours of academic course work and attended a total of at least 16 hours at workshops or seminars relating directly with polygraph or voice stress technique? _____

You will need to provide satisfactory evidence of seminar/workshop attendance and academic coursework. The evidence of seminar/workshop attendance shall include detail of areas covered in such seminar/workshop.

**If you are a non-resident applying for license, you must submit evidence that you have completed a formal course of instruction in polygraph or voice stress technique.

Signature of Applicant

Date

Please return application to the Licensing Division, PO Box 94608, Lincoln, NE 68509.
If you have any questions, please call (402) 471-8606.

JOHN A. GALE
Secretary of State
402-471-8606 (Phone)



State Capitol, Suite 1305
Lincoln, NE 68509
402-471-2530 (Fax)

**SPONSOR'S REPORT OF INTERNSHIP FOR POLYGRAPH OR VOICE STRESS
EXAMINER'S LICENSE**

Intern Polygraph Examiner

Sponsor Examiner

Date of this Report

Period covered by this Report: through .

This report should be filed by each Sponsor at six month intervals during the internship of any Intern Polygraph Examiner.

Signature of Sponsor

Date

Signature of Intern

_____ Date

Please objectively grade the intern (on a Zero though Ten scale), in each of the following areas as each would relate in his or her ability to conduct competent Polygraph Examinations (turn to page 2).

SPONSOR'S CHECKSHEET

- _____ Knowledge of the Polygraph Examiner's Act
- _____ History and development of Polygraph
- _____ Legal Aspects of Polygraph
- _____ Civil Rights
- _____ Examiner and Professional Ethics
- _____ Physiology, Nervous System
- _____ Physiology, Circulatory System
- _____ Physiology, Respiratory System
- _____ Effects of Drugs, Alcohol, and Illness
- _____ Instrumentation, General Knowledge
- _____ Instrumentation, Operation
- _____ Instrumentation, Trouble Shooting
- _____ Case Briefing
- _____ Psychology, General
- _____ Psychology, Abnormal
- _____ Pre-Examination Interview
- _____ Subject-Examiner Rapport
- _____ Question Formulation, Wording
- _____ Question Formulation, Sequence
- _____ Question Formulation, Thoroughness
- _____ Post -Examination Interview
- _____ Confidence
- _____ Decision Logic
- _____ Chart Analysis
- _____ Improvement
- _____ Over-all, as an Examiner

How many Polygraph Examinations has the intern conducted during the period of this report?

SPONSOR'S ANALYSIS

Please break down the above examinations numerically into categories: i.e., number of Pre-Examination; Specific Issue; theft, burglary, arson, sex offense, murder, robbery, etc.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- How many examinations were conducted in your presence?
- In how many examinations did you assist in the Pre-Examination Interview?
- How many examinations have been reviewed by you as Sponsor?
- In how many examinations did you assist in formulation of the examination questions?
- Do you critique with the Intern each of his examinations?
- In how many examinations did you assist in the Post-Examination Interview?
- In how many examinations have you disagreed with the Intern's analysis?
- Concur with the analysis?

What action was taken by you on those analysis in which you did not concur with the Intern?

On a separate sheet, give your narrative evaluation of the Intern's progress during this report period. Please outline his/her general ability to grasp the Polygraph technique and what steps you as his/her sponsor have taken to assure his/her receiving complete assistance in any weak areas.

JOHN A. GALE
Secretary of State
402-471-8606 (Phone)



State Capitol, Suite 1305
Lincoln, NE 68509
402-471-2530 (Fax)

RENEWAL APPLICATION FOR TRUTH & DECEPTION EXAMINERS

Please check applicable box below indicating your licensee status:

Polygraph Examiner	Voice Stress Examiner	Intern Extension
<input type="checkbox"/> Public	<input type="checkbox"/> Public	<input type="checkbox"/> Extension
<input type="checkbox"/> Private	<input type="checkbox"/> Private	
Renewal Fee \$25.00	Renewal Fee \$25.00	Renewal Fee \$15.00

Make all checks or money orders payable to: Secretary of State. Return application and fee to:
Secretary of State's Office, Licensing Division, PO Box 94608, Lincoln, NE 68509.

Please clearly print or type the following information. Original signatures are required (photocopies or faxes not allowed).

NAME _____

COMPANY NAME _____

BUSINESS ADDRESS _____

_____ City State Zip

BUSINESS PHONE _____ Area Code Phone Number

AFFIDAVIT

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

I, _____ being first duly sworn on an oath say that I am the above named and qualified Truth and Deception Examiner or Intern and that I have personally prepared the foregoing application and that I have read and understand the provisions of Sec. 81-1901 through 81-1936, R.R.S., 2008.

Signature of Licensee

Subscribed and sworn to before me this _____ day of _____, 20____.

Signature of Notary Public

↑ Affix Notary Seal here↑
*Intern Extension Request

If this is an Intern Extension Request, please give reasons for this Intern Extension which is for six (6) months.

TRUTH & DECEPTION NONRESIDENT'S CONSENT FOR SERVICE OF PROCESS

I hereby consent to the provisions of Nebraska Licensing of Truth and Deception Examiner's Act, Nebraska Revised Statute § 81-1901 (Reissue 2008) et seq. and agree that suits and actions may be commenced against me in the proper court of any county in the State of Nebraska.

AFFIDAVIT

STATE OF NEBRASKA)
) ss
COUNTY OF _____)

I, _____, being first duly sworn on an oath say that I am the above named _____ and that I have personally agreed to the foregoing Consent of Service of Process and that I understand the provisions of 81-1901, Reissue 2008.

Signature

Subscribed and sworn to before me this _____ day of _____
A.D., 19 _____.

My Commission expires _____