

502 KAR 20:030. Trainees.

RELATES TO: KRS 329.030

STATUTORY AUTHORITY: KRS 15A.160, 329.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.160 and 329.030(4) provide that the Secretary of the Justice Cabinet may establish such rules and administrative regulations for detection of deception trainees during their internship and insure that the trainee meets adequate professional standards. This administrative regulation establishes the requirements for detection of deception trainees.

Section 1. Before a trainee may begin an intern program, he must:

- (1) Be licensed as a trainee detection of deception examiner in this state;
- (2) File with the cabinet the name and identifying information of his internship supervisor;
- (3) File with the cabinet a written statement from his supervisor agreeing to undertake the responsibilities for such training and agreeing to abide by administrative regulations adopted by the cabinet; and
- (4) Obtain the cabinet's permission to begin the intern program under the control of the proposed superior.

Section 2. The direct, personal supervision and control required by KRS 329.010(2) shall be deemed to have been met under the following conditions.

- (1) For the first three (3) months of the intern program, the supervisor must be on the premises where the testing is being conducted by the trainee and is available for instructions and/or consultations with the trainee. At the end of each examination conducted by the trainee, the supervisor will review and critique the polygraph charts of the examination and must place the date of the review and his initials at the end of each chart.
- (2) At the end of the first three (3) months of the intern program, and upon the recommendation of the supervisor, the cabinet may allow the trainee to conduct examinations without the supervisor being on the premises at the time of the examination provided that the intern and supervisor meet on at least a weekly basis and the supervisor reviews and critiques the polygraph charts of every examination conducted by the trainee since the previous review session. The supervisor must place the date of the review and his initials at the end of each chart.
- (3) At the end of the first six (6) months of the intern program, and upon the recommendation of the supervisor, the cabinet may allow the trainee and the supervisor to meet on at least a monthly basis providing the supervisor reviews and critiques the polygraph charts of any examination in which the trainee has given an inconclusive or undetermined opinion as to the examinee's truthfulness or deception, or any examination in which the trainee indicates he experienced some difficulty in reaching a decision as to the examinee's truthfulness or deception. In addition, the supervisor will select at random at least five (5) of the polygraph charts of examinations conducted by the trainee since the previous review session for review and critique. The supervisor must place the date of the review and his initials at the end of each chart reviewed. The period for this third phase of the intern program will be six (6) months.

Section 3. The trainee shall be required to properly conduct at least twenty-five (25) specific examinations during the intern program.

Section 4. The trainee and supervisor will make periodic reports to the cabinet, on forms provided by the cabinet, on the trainee's progress during the intern program.

Section 5. The cabinet may request and require inspection and review of the internship program of any licensed examiner supervisor or trainee at any time and in the manner prescribed by the cabinet.

Section 6. If at any time a conflict arises during an internship training program, either the trainee or the supervisor shall have the right to appeal in writing to the cabinet for mediation of the conflict. The cabinet, in its discretion, may call upon any resident licensed examiner, who is qualified to be a trainee supervisor, to assist in any hearings, reviews, or critiques in order to resolve the conflict and reach a satisfactory solution.

Section 7. It shall be the duty of both the trainee and the supervisor to report any infraction or violation of the rules which regulate an intern program to the cabinet for appropriate action.

(5 Ky.R. 286; Am. 569; eff. 1-3-79; Crt eff. 2-26-2020.)