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Patrick Moran - President

**Testimony**  
**SB 882 – Correctional Services - Correctional Officers - Polygraph Testing**  
**Judicial Proceedings**  
**March 9, 2022**  
**Support**

AFSCME Council 3 supports SB 882. This legislation would “authorize” – instead of “require” – the Secretary of Public Safety and Correctional Services to require an individual to pass a polygraph examination before being appointed to serve as a correctional officer in a correctional facility.

For years now, DPSCS has been challenged with hiring the sufficient number of correctional officers needed to appropriately staff the Division of Corrections. Vacancies reached a point where PINS abolishment was used to acknowledge the difficulties in bringing on new employees and reduce the official vacancy rate. Overtime and mandated double shifts have remained an extreme concern, impacting the health and safety of correctional officers and the staff that work with them in the facilities.

While recent efforts have helped increase hiring, more needs to be done to remove obstacles that serve as a deterrent to hiring otherwise qualified individuals. One such obstacle is the presently required use of a polygraph exam with potential new hires. Despite their accuracy being contested by both the National Academies of Science and the American Psychological Association, polygraph exams have been a requirement in the hiring process and a questionable screening method for applicants. Increased nervousness simply due to testing anxiety could disqualify an individual. Remembering a detail which could change a previously given answer could disqualify an individual. Testing anxiety and faulty immediate memory recall should not be disqualifying factors. And using a process that isn't even allowed as evidence into a court of law – but could be used to deny the hiring of an applicant – should not be a determining factor in the hiring of a correctional officer.

AFSCME urges continued wage and benefit enhancements to create the desired outcome of appropriate staffing of our correctional facilities. And we also urge the removal of ineffective yet disqualifying processes like polygraph exams in the hiring process to achieve those staffing goals.

We urge a favorable report of SB 882.

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An employee has the right to a union representative if requested by the employee.  
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