

Arizona Polygraph Association

**ARTICLES OF INCORPORATION AND BY-LAWS OF THE ARIZONA POLYGRAPH ASSOCIATION
EST 1973 REVISED-1997**

ARIZONA POLYGRAPH ASSOCIATION CONSTITUTION

ARTICLE I

NAME

The name of the organization shall be the Arizona Polygraph Association hereinafter referred to as the AzPA.

ARTICLE II

OBJECTIVES AND PURPOSES

The objectives of the AzPA shall be to:

- 1) Serve the cause of truth with integrity, objectively, and fairly.
- 2) Encourage and support research. Provide education and training intended to enhance the polygraph examiner's ability and capability.
- 3) Provide a forum for the presentation and exchange of information relative to the polygraph field.
- 4) Judiciously screen applicants for membership to determine their training, experience, education, and moral conduct to assure the commitment to the objectives of the AzPA.
- 5) Regulate the conduct of its members by encouraging utilization of recognized and accepted standards of procedures and techniques.
- 6) Educate others relative to polygraph through provision of speakers.

ARTICLE III

CODE OF ETHICS

The members of the AzPA pledge themselves by virtue of their membership to:

- 1) Assume responsibility for conduct and behavior designed to serve the cause of truth and justice.
- 2) Maintain the highest standards of professional, moral, and ethical conduct.
- 3) Respect the inherent dignity of mankind and deal justly, fairly, and objectively with each individual.
- 4) Hold themselves apart from influences intended to benefit their political, personal, or financial well-being while influencing their professional judgements.
- 5) Refrain from false or misleading advertisement, statements, and from public criticism of fellow members.
- 6) Support the goals and efforts of the AzPA.

ARTICLE IV

MEMBERSHIP

There shall be five classes of membership: MEMBER, INTERN, ASSOCIATE, HONORARY, AND LIFE MEMBER.

Any person who has been convicted of a felony or any crime involving moral turpitude may be ineligible for any class of membership to the AzPA.

A. MEMBER

To qualify for full membership the applicant shall meet the following requirements:

- 1) Complete a course of formal instruction in polygraph instrumentation and techniques totaling 300 hours of classroom instruction at an accredited polygraph school which is recognized by the Board of Directors of the AzPA. Recognition of accredited polygraph schools shall be acknowledged in the minutes of a regularly scheduled AzPA meeting.
- 2) Administer at least 200 polygraph examinations utilizing a polygraph instrument capable of simultaneously recording respiration, electro-dermal galvanic skin reactions, pulse rate, and relative blood pressure changes within three years following the applicant's

completion of training at an accredited polygraph school. At least 50 of the 200 polygraph examinations must be “event specific” or “single-issue” as opposed to screening only examinations.

- 3) The applicant must submit a written AzPA application for membership, accompanied by proof of graduation from the accredited polygraph school. Document completion of the required minimum number of examinations in a personal log containing information regarding the number and type of examinations administered. If this practice is prohibited by the applicant’s employer, a letter certifying the number and type of examinations must be submitted.
- 4) The applicant shall present a sample of their polygraph examination charts for review by a member of the AzPA Board of Directors.
- 5) An AzPA member will be eligible to hold an AzPA office at the conclusion of the first year of membership.
- 6) Shall be a permanent resident of the State of Arizona.

B. INTERN

To qualify for an AzPA Intern membership the applicant shall:

- 1) Submit a written AzPA application, accompanied by proof of graduation from an accredited polygraph school.
- 2) Have a sponsor and references that consist of current AzPA members or American Polygraph Association members in good standing.
- 3) Intern AzPA members will be eligible to attend and participate in all activities of the AzPA including voting.
- 4) Intern members are **not eligible** to hold any elected AzPA position.
- 5) Intern members will not represent themselves as being other than an “Intern Member” of the AzPA.
- 6) Intern Members will conduct polygraph examinations under the guidance or direction of a full Member of the AzPA or American Polygraph Association. If the Intern Member is unable to comply with this provision, the Intern Member shall submit a sample of their work for review by a member of the AzPA Board of Directors.

- 7) An Intern Member will not have their Intern Membership status extended more than 3-years from their date of acceptance as an Intern Member except due to circumstances acceptable by the AzPA Board of Directors.
- 8) An Intern Member will be eligible for full membership status after completing at least one-year as an Intern Member. The AzPA Board of Directors will assure the membership requirements have been met.

C. ASSOCIATE

- 1) A person who has a valid professional interest in the polygraph field shall be eligible to be an Associate Member of the AzPA.
- 2) Associate membership may include representatives of polygraph instrument manufacturers, persons involved in polygraph research, members of other state polygraph organizations who meet AzPA membership standards, and other persons approved by the membership committee.
- 3) Associate members in good standing shall be eligible to attend and participate in all activities of the AzPA Association open to the membership, but shall not represent themselves as being other than Associate members of the AzPA.
- 4) Associate members shall have no voting rights in matters before the AzPA nor are the Associate members eligible for offices within the AzPA.

D. HONORARY

- 1) Those persons who have been nominated by a two-thirds majority of the Board of Directors and approved by a majority vote of the AzPA membership as having made a significant and outstanding contribution to the polygraph profession may be extended honorary membership in the AzPA. Any member in good standing may suggest to the Board of Directors a nomination for honorary membership in the AzPA.
- 2) Honorary members shall be eligible to attend and participate in all activities of the AzPA open to the membership, but shall not represent themselves as being other than honorary members.
- 3) Honorary members shall have no voting rights in matters before the AzPA, nor are they eligible for elected offices of the AzPA.

E. LIFE MEMBER

- 1) Members who by reason of retirement, health, or personal finances would have to sever their association with the AzPA solely because of the inability to pay dues or other assessments may be granted life membership to the AzPA.

- 2) Members who have made some outstanding contribution to the AzPA or the polygraph profession may be granted life membership.
- 3) A member who has been an AzPA member in good standing continuously for twenty-five (25) years may be granted life membership.
- 4) This class of membership is based on the nomination by two-thirds majority vote of the Board of Directors and upon approval by a majority vote of the AzPA membership.
- 5) Life members shall be exempt from all dues and assessments of the AzPA and shall retain all the rights of regular members of the AzPA.

F. STATE REGULATORY REQUIREMENTS

- 1) The AzPA is dedicated to the regulation of polygraph examiners by the State of Arizona. If the qualifications of polygraph examiners set out in any such law passed subsequent to the adoption of this constitution are in conflict with any of the requirements for membership set out above, they shall automatically be resolved in favor of the regulation act. The only exception to this provision would be if the standards called for are lower than those in this document.
- 2) The Board of Directors, upon acknowledging that a particular polygraph school meets the necessary instructional criteria shall maintain a list of the state regulatory requirements. Updating of this list shall be made by including such information in the minutes of a regularly scheduled AzPA board meeting.

G. TERMINATION OF MEMBERSHIP

Membership may be terminated for conduct which tends to injure the AzPA, adversely affects the reputation of the AzPA, or which is contrary to the objectives of the AzPA. The processing of actions to terminate the membership of any AzPA member shall be as follows:

- 1) Allegations of injurious conduct shall be submitted in writing to the AzPA President. A copy of the complaint shall be submitted to the AzPA Secretary by the originator. The AzPA president will review the complaint and forward the matter to the Chairman of the Committee on Standards and Ethics. This committee will conduct the necessary investigation of the allegations and shall determine whether the matter should be dismissed or presented to the AzPA Board of Directors for further review and necessary action. No investigation shall be conducted without the knowledge of the AzPA Member, and all investigations with appropriate material and recommendations shall be submitted to the AzPA Board of Directors for review. If the complaint is against the Chairman of the Committee on Standards and Ethics, the AzPA President will then appoint and alternate Chairman of the Committee while the matter is under investigation.

- 2) Should the AzPA Ethics Committee determine a polygraph examination is necessary in an investigation of injurious conduct, the following policy shall be followed:
 - a) If the Ethics Committee investigation of injurious conduct of an AzPA Member indicates a polygraph examination of the Member is desirable to refute or substantiate those injurious conduct charges, the committee will appoint three AzPA Member polygraph examiners to conduct the polygraph examination. The polygraph examiners will conduct the polygraph examination at the direction of the Chairman of the Ethics Committee and will submit their reports of the polygraph examination results in writing to the Chairman.
 - b) Should the injurious conduct charges be made against one AzPA Member against another AzPA Member, and the Ethics Committee find it necessary for a polygraph examination, the committee will appoint three AzPA Member polygraph examiners to conduct the polygraph examination on the AzPA Member making the allegations and submit their report of the polygraph examination results in writing to the Chairman.
 - c) Should the AzPA Ethics Committee determine a polygraph examination is desirable on the accused or accuser, the Committee must have the approval of three-fourths of the quorum of the elected AzPA Members prior to the approval of the polygraph examination. The AzPA President would call a special meeting of the elected members for this purpose.
 - d) AzPA Members appointed by the Ethics Committee Chairman to conduct the polygraph examination on AzPA Members regarding injurious conduct charges will serve without compensation for the service.
 - e) If the AzPA Member refused to submit to a polygraph examination under any of the aforementioned terms, that member will be subject to termination of their AzPA Membership.
- 3) Conviction of an AzPA Member for a felony offense or other crime involving moral turpitude may be grounds for termination of AzPA membership. If an AzPA Member is arrested, charged, or formally arraigned, the AzPA Member must report this fact to the AzPA Standards and Ethics Committee within 30 days.
- 4) In all cases, the AzPA Standards and Ethics Committee shall recommend action only after the AzPA Member has been informed of the nature of the allegations against him and has been afforded the opportunity for a hearing before the Standards and Ethics Committee.

- 5) The AzPA Standards and Ethics Committee shall inform the AzPA Member of any recommendations or actions in those cases which have been forwarded to the Board of Directors. The member shall have 30 days from the date he receives such notification to inform the Board of Directors he intends to present his case before the board. The date of presentation of his case shall be agreed upon between the parties involved.
- 6) After consideration of all evidence presented by the AzPA Member, the Board of Directors May:
 - a) By $\frac{3}{4}$ majority vote, dismiss all charges.
 - b) By majority vote, find the charges sustained and direct censure of the AzPA Member or place his membership in a probationary status.
 - c) By a $\frac{3}{4}$ majority vote, find the charges sustained and recommend to the AzPA the member to have his AzPA membership revoked.
- 7) An AzPA Member who shall have been dismissed from AzPA membership may be allowed to apply for AzPA membership upon satisfactory proof or evidence the applicant is professionally and ethically eligible for admission into the AzPA membership.
- 8) Upon proper request, any AzPA Member may resign without prejudice from the AzPA, or may be reclassified to Associate Member status with the AzPA.
- 9) AzPA Members regardless of category shall be terminated from AzPA membership automatically for non-payment of current financial obligations to the AzPA.
- 10) Membership may be terminated automatically if the member fails to attend both the training meetings and business meetings of at least one regularly scheduled meeting during the calendar year.
- 11) If a member in good standing is a resident of a state other than Arizona, and he has requested in writing he be permitted to retain his class of membership, the attendance requirement may be waived.
- 12) The provisions of 9, 10, and 11, of this section shall apply to the AzPA Members and Interns only.

H). REINSTATEMENT OF MEMBERSHIP

- 1) Any AzPA member who resigns without prejudice from the AzPA shall be reinstated upon request to the type of membership for which he was qualified at the time of his

resignation provided he meets the current membership standards. Reinstated members shall pay all debts to the AzPA which were due at the time of resignation, plus the dues for the current year.

- 2) Any AzPA Member who was terminated for non-payment of financial obligations or non-attendance may within one-year, be reinstated upon request to the type of membership for which he was qualified at the time of termination of AzPA membership provided he meets current membership standards and the request for reinstatement includes payment of all money due at the time of termination plus money due for the current year.
- 3) Reinstatement into AzPA membership may be accomplished upon recommendation of membership at a scheduled business meeting.

ARTICLE V

OFFICERS

The officers of the AzPA shall be President, Vice-President-Police, Vice-President-Private, Secretary, Treasurer, and three Directors comprising a Board of Directors. The Officers shall be elected by a majority vote of the voting membership. Officers may succeed themselves for not more than one additional term in the same office position.

A) President

The President shall be elected for a term of one year and shall be the presiding chairman at all official meetings of the AzPA. He shall have general supervision over the affairs and administration of the AzPA and of the duties performed by other elected officers and appointees.

He shall perform such other duties as the Chairman of the Board of Directors, or as may be provided by the Constitution and By-Laws. He shall represent the AzPA at official functions and have the authority to designate one of the Vice-Presidents or any other member to act in his behalf should the President be unable to be present. He shall call special meetings of the AzPA or of the Board of Directors when required to do so by a majority of the Board of Directors, or upon written request by one-half of the voting members in good standing in the AzPA.

He shall designate all committees and shall appoint all committee chairmen. The outgoing President shall be a member of the Board of Directors for a period of one year or until another President is elected.

B) Vice-Presidents (Government and Private)

The Vice-Presidents for Government and Private shall be elected for a term of one year and perform the duties of the President in his absence and any other duties requested of them by the President. The Vice-Presidents shall be co-chairmen of the training and seminar committee.

C) Secretary

The Secretary shall be elected for a one year term. It will be the duty of the Secretary to cause to be entered in the proper books all resolutions, minutes, and proceedings of the AzPA and Board of Directors. He shall conduct correspondence relating to the AzPA and issue notices of all meetings. He shall keep current record of membership. He shall publish an annual list of membership.

D) Treasurer

The Treasurer shall be elected for a one-year term. He is the custodian of all funds and securities of the AzPA. He shall deposit all funds in designated banks and act as financial advisor to the President and Board of Directors on all budget matters and finance. He shall keep accurate records of receipts and disbursements and shall pay all bills promptly. His records shall be made available upon request of the audit committee and shall be audited annually.

E). Directors

There shall be three Directors elected from the membership. They shall serve a term of three staggered years, thus requiring the election of one board member per year.

F). Death or Resignation of Officers

In the event of death or resignation of any officer of the AzPA, the President with the consent of a majority vote of the Board of Directors shall be empowered to select an AzPA Member in good standing to serve the unexpired term of the deceased or resigning officer. In the event of the death or resignation of the AzPA President, a Vice-President who has been appointed by the Board of Directors shall perform the duties of the President until the next annual election. If either Vice-President is deceased or resigns, the Board of Directors by majority vote will appoint an acting Vice-President for the unexpired term.

ARTICLE VI

BOARD OF DIRECTORS

The Board of Directors will consist of the President, Vice-President Police, Vice-President Private, Secretary, Treasurer, immediate past President, and three Directors. The President shall serve as Chairman of the Board of Directors.

The Board of Directors shall meet at least once in conjunction with each AzPA meeting and when necessary on call of the Chairman. Not less than five members constitute a quorum of the Board of Directors.

The Board of Directors shall be the responsible body for the administration of the AzPA at interval between regular meetings. The Board of Directors shall have the authority to take such actions necessary for the conduct of the AzPA By-Laws. The Board of Directors shall make a report of its transactions at the annual AzPA meeting or at any other meeting when appropriate.

ARTICLE VII

STANDING COMMITTEES

The following standing committees shall be designated annually by the newly elected president. The President shall appoint the Chairman for each committee. The Chairman of the Committees will serve for one-year. The Chairman may succeed himself for one additional year upon approval by the newly elected President.

A) Membership Committee

This committee will consist of at least one AzPA Member in good standing who shall be the Chairman of the Membership Committee. The Chairman may appoint the number of AzPA Members necessary to enable him to perform his duties. The Membership Committee shall be empowered to examine the qualifications of applicants for all categories of AzPA membership. It shall perform such investigations as may be required at their discretion to determine the eligibility of membership of all applicants. The Membership Committee shall present its nomination for admissions of qualified applicants to the membership during the business meeting at a regularly scheduled AzPA meeting. The committee shall investigate qualifications of polygraph schools and advise the Board of Directors regarding accreditation. This committee will appoint AzPA Members to review the work of interns in accordance with the provisions of Article IV, B.6.

B) Committee on Standards and Ethics

This Committee will consist of 1 AzPA Member in good standing who shall be the Chairman of the Committee on Standards and Ethics. The Chairman may appoint

the number of members necessary to enable him to perform his duties. This committee shall be responsible for the development of a Code of Ethics. The Chairman of this committee will receive all written complaints from the President. This committee will investigate allegations expeditiously, fairly, and impartially in order to prove or disprove any complaints or allegations. The committee's findings and recommendations will be reviewed by the Board of Directors who will make a determination regarding appropriate actions in accordance with Article IV, G. The Committee on Standards and Ethics is not authorized to receive or act upon any complaint which has not been submitted in to the AzPA President in writing.

C) Auditing Committee

The Auditing Committee will consist of at least 3 AzPA Members in good standing who do not hold an elected AzPA office. The Auditing Committee shall audit the financial records maintained by the AzPA Treasurer one time annually or at the discretion of the AzPA President. The Chairman of the Auditing Committee shall immediately inform the Board of Directors of any audit discrepancies.

D) Committee on Research and Instrumentation

This committee shall consist of at least 3 AzPA Members not currently holding elected office in the AzPA. The committee will be responsible with collecting and presenting to the membership any developments in polygraph instrumentation and research. The committee shall recommend for or against the acceptance of new instrumentation or polygraph techniques with regard to the effectiveness for use in polygraph examinations.

E) Training and Seminar Committee

This committee will consist of both Vice-Presidents who may appoint other members as necessary in the completion of this assignment. The responsibilities will be the selection of meeting locations and assuring adequate meeting facilities. The committee will be charged with developing and presenting meaningful and relevant blocks of instruction in polygraph techniques and scheduling instructors who will make presentations beneficial to the AzPA membership and guests.

F) Legislative Committee

This Committee shall consist of one AzPA Member in good standing who shall be the Chairman of the Legislative Committee. The Chairman may appoint other AzPA Members necessary to accomplish his duties. The responsibilities shall be to keep informed on all legislative matters regarding the polygraph field in the within the United States of America. This committee will also be charged with the continuing effort of encouraging a polygraph licensing law in the State of Arizona. The

committee members must be willing to travel to other states in order to accomplish the requirements of this committee.

G) AzPA Constitution and By-Laws Revision Committee

This committee shall consist of one AzPA Member in good standing who shall be the Chairman of this committee. The Chairman may appoint other AzPA Members as necessary to accomplish the assigned duties. The duties of this committee shall be to ensure the Constitution and By-Laws of the AzPA are kept up-to-date by making changes, revisions, and amendments when necessary and presenting these updates to the membership for voting. At the direction of the President and Board of Directors, written proposals for changes to the AzPA By-Laws shall be presented to the AzPA Members.