

Truth Under Pressure: Exploring Informants' Experiences, Aspirations, And The Effects of Polygraph Tests in Investigation and Adjudication

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ABSTRACT

In the pursuit of justice, truth becomes both a guiding light and a contested terrain. Across courts, police precincts, and intelligence units, the challenge of determining who is telling the truth and under what conditions is central to legal and investigative processes. This study aimed to explore the informants' experiences, aspirations, and the effects of polygraph tests in Investigation and adjudication. This study employed a qualitative exploratory phenomenological research design. The data have been analyzed using Colaizzi's method of data analysis, which is suited for understanding lived human experiences on polygraph utilization in court proceedings. The study has shown a clear path for future cases and offers a better grasp of the complicated terrain around the admissibility and standards for the use of polygraphs. It demonstrates how present legal frameworks frequently make polygraph results inadmissible in court, a fact that both investigators and legal specialists generally agree upon. Therefore, to fully utilize the polygraph's capabilities, the forensic and legal sectors must collaborate and increase knowledge. Open communication, shared research, and collaborative educational initiatives among polygraph examiners, lawyers, judges, law enforcement, and researchers are crucial for developing comprehensive policies, fostering a deeper understanding of the technology, and ensuring its successful and ethical application within the broader framework of justice.

Key points: Exploring informant's experiences, Aspirations, effects of polygraph test

INTRODUCTION

Polygraph testing operates at the intersection of science, law, and psychology. The polygraph is designed to measure physiological responses such as heart rate, perspiration, and respiration that are believed to be associated with deception. Despite its widespread use, the reliability and admissibility of polygraph evidence remain contentious issues. Scholars and experts continue to debate whether the physiological indicators measured by the polygraph can reliably distinguish truth from deception, and whether such results should be considered credible in legal proceedings (Iacono, 2019).

In the Philippine context, where legal and investigative infrastructures are evolving, the use of polygraph tests is often influenced by sociocultural, political, and institutional factors. Yet, the voices of those subjected to these tests particularly informants who may carry motivations beyond self-interest, such as personal safety, justice, or redemption are rarely given prominence in academic discourse. Their aspirations, psychological states, and post-test experiences remain underexamined, particularly through a qualitative lens.

Despite the increasing use of polygraphs in various legal contexts, there is a significant gap in this research concerning their admissibility in court. Existing studies often present fragmented insights, focusing on either the theoretical underpinnings of polygraph technology or its general acceptance in different jurisdictions. However, they frequently overlook the practical application and judicial reception of polygraph results within specific regional contexts.

This study addresses a significant gap in local and international literature by centering the lived experiences of informants who have undergone polygraph testing during investigations or adjudications. Most existing studies

focus on the scientific validity of the polygraph or its legal implications, leaving a vacuum in understanding how the test affects the people who take it especially those already situated in vulnerable roles within the justice system. Through an in-depth, qualitative exploration, this research aims to humanize informants' encounters with the polygraph, examining not only how the test influences their credibility in legal processes but also how it shapes their personal narratives, fears, and hopes within the justice system.

LITERATURE REVIEW

In some countries, polygraphs are an accepted tool in legal proceedings, while in others they are outright rejected due to concerns about their accuracy and reliability. While some international organizations, such as the United Nations Office on Drugs and Crime (UNODC) and the International Criminal Police Organization (INTERPOL) addresses the use of polygraph testing in various contexts, there is no unified global framework that standardizes its admissibility in legal proceedings.

In the Philippines, the polygraph test remains a commonly employed tool in law enforcement and military investigations, despite its non-admissibility as sole evidence in court proceedings. Often administered by the Philippine National Police (PNP) and the National Bureau of Investigation (NBI), the polygraph is used to support or challenge testimonial credibility during the early phases of inquiry.

METHODOLOGY

This study employed a qualitative exploratory phenomenological research design in order to gather data from the seven informants, at least one Judge, one Prosecutor, three practitioners and two investigators, all from Cebu City, Philippines, which aims to explore and describe their lived experiences who have undergone legitimate polygraph tests during criminal investigations and adjudication processes. This study utilized a purposive sampling technique to select the informants, who meet the inclusion criteria for in-depth interviews and expert insights, focusing on those with direct experience in polygraph cases.

The primary data gathering tool for this study is a semi-structured interview guide, designed specifically to elicit in-depth reflections and lived experiences of informants who have undergone polygraph testing during criminal investigations and adjudication. The data are analyzed using Colaizzi's method of data analysis, which is suited for understanding lived human experiences.

RESULTS AND DISCUSSION

The Lived Experiences of the Informants regarding the Use of Polygraph Tests in the Investigation and Adjudication Process

Three sets of key findings were derived from the thematic analysis of polygraph use, which described the informant's experiences, the tool's impacts, and its primary goals. The role, limitations, and impact of polygraphs were outlined by an analysis of informants' experiences, which also underlined the significance of polygraphs as a last-resort investigative instrument, their legal inadmissibility and restrictions, and their psychological and strategic influence on investigations.

Polygraph as an essential investigative tool of last resort – The informant consistently portrayed as a critical instrument, particularly when traditional investigative avenues are exhausted and there's a need to narrow down suspects. This toll becomes indispensable in situations where other leads are absent or insufficient. The informant vividly described a case where the polygraph was the only viable path forward.

"Without naming names, it was a case of missing US dollars inside a Vault of an elderly couple. In my investigation, there was neither sign of force-entry nor availability of latent fingerprints on the vault. Interviews were conducted among the occupants of the residence, including the complainant. No other investigative leads were available to pinpoint a person of interest/malefactor, hence I considered everyone a suspect and to undergo a polygraph examination."

(Informant 1, Page 1, Lines 7-12)

The sentiment was further supported by the recognition of informant 1 that polygraph tests are often viewed as a last resort in criminal investigation because of their inherent complexity, which is a result of the need for highly qualified examiners, standardized procedures, and a clear legal framework that fully addresses their ethical implications and scientific limitations. The complex nature of administering and interpreting these tests, along with concerns about their admissibility and potential for misinterpretation, often relegates them to a last resort in investigations, a highlighted by informant number 2 below.

"Persons in the legal profession and investigative bodies are aware of the usage and availability of the Polygraph examination, but are treating it as a last resort because of the legal challenges."

(Informant 2, Page 2, Lines 66-67)

"As what I said, the Polygraph test is our only last resort by conducting an investigation. The polygraph examination is considered a last resort by investigators due to its inherent limitations, including frequent conflicts in results and its lack of conclusive value as evidence in court. It is used only when other investigative avenues have been exhausted and there remains a need to explore inconsistencies or assess truthfulness, with full awareness that its findings are not legally binding or definitive"

(Informant 3, Page 2, Lines 77-82, and again on Lines 83-86)

The informants 1, 2, and 3 emphasized that the polygraph is still considered an essential investigation tool, especially when more conventional approaches are unable to produce useful information. In complicated situations without tangible evidence or obvious reasons. Investigators frequently use polygraph testing to limit suspects. This is consistent with the informants' statements that the polygraph is essential after all other options have been explored. According to the study of Etemi and Halili (2020) that the usage of polygraphs, even though it is not meant to be used because there are no legal rules as proof in criminal and investigative cases, has become crucial in identifying and elucidating crimes, overseeing inquiries, choosing suspects, and locating fresh evidence. The polygraph is a tool used in tactical criminalistics utilized as a method of exclusion or as a guide for identifying and obtaining further information during pre-trial processes, evidence that could be used to support court ruling

Legal Inadmissibility and Limitations- a significant aspect of the informant's experience revolves around the legal standing of polygraph results, specifically their general inadmissibility in court. This limitation poses a constant challenge to investigators relying on the toll. During the interview, informant 1 explicitly stated that;

"In general, Judges and lawyers, especially the defense, perceive the result of the polygraph examination as inadmissible in court."

(Informant 1, Page 1, Lines 30-31)

"Firstly, the polygraph examination is voluntary; hence it is conducted without the presence of his/her lawyer. I am faced in an imminent legal suit for a violation of his/her Constitutional rights or the Miranda doctrine, if ever this is raised-up in court; Secondly, a polygraph examination is only an investigative aid hence it is only corroborative evidence and will not stand in court by itself... and, Thirdly, a polygraph examination result is generally inadmissible as evidence in court."

(Informant 1, Page 1, Lines 38-44)

The informant went on to point out that court frequently reject polygraph evidence for these reasons, considering it to be fundamentally untrustworthy and devoid of the scientific rigors necessary for direct admission in court. This judicial skepticism is base on worries that polygraphs evaluate physiological reactions rather than direct truthfulness and that these reactions may be impacted by non-deceptive elements like anxiety or psychological

countermeasures (Nelson, 2016). Furthermore informant 7 quoted that judges largely dismiss polygraph evidence.

"Most judges do not entertain polygraph results due to their inadmissibility under current evidentiary rules."

(Informant 7, Page 4, Lines 137-138)

The widespread inadmissibility of polygraphs non-court, mainly because of issues with voluntariness, procedural protections, and evidentiary standards, continues to be a significant obstacle in their utilization to the fact that polygraph examinations are optional (Elton, J., 2017). Furthermore, the test's poor acceptance in the courtroom is a result of its voluntary nature and the lack of regulated legal norms during administration (Krapohl et al., 2020). Because of this legal framework, investigators must rely more on polygraph results as investigation tools than as indisputable evidence.

Psychological and Strategic Impact on Investigations- Despite the legal limitations, the polygraph is recognized for its profound psychological and strategic utility in investigations. It serves as a catalyst for focusing investigative efforts and, more critically, for eliciting confessions. One of the informants articulated the hope that a failed test would simplify their work;

"As an investigator and during the polygraph examination, I am hoping that one of the persons I recommended for the polygraph examination will fail in their results. I can now consider him/her classified as the primary suspect. I can also narrow down my investigation and focus on him/her... Oftentimes, when confronted, the person of interest/malefactor breaks-down and admits his/her participation."

(Informant 1, Page 2, Lines 56-61)

According to informant 2, the psychological influence of the instrument is highlighted by the relief that comes from accomplishing the main goal. This sense of achievement comes from more than just obtaining information, it also comes from conquering investigative obstacles and feeling the psychological rewards of making progress in cases that are frequently difficult and emotionally draining (Tooker, J. L., 2017). The relief associated with achieving these primary objective underscores the tool's psychological impact, as quoted by the informant below;

"Feeling of relief whenever Polygraph results are introduced during investigation especially if it serves well the primary objective of the examination to obtain the subject's confession or admission."

(Informant 2, Page 2, Lines 68-70)

"Although the results were not submitted to court, they prompted the employer to initiate administrative action, which eventually led to civil and criminal filings based on additional evidence."

(Informant 7, Page 4, Lines 132-134)

Notwithstanding its legal restrictions, the polygraph has a big psychological and tactical impact on investigations. A failed polygraph test, according to informants, frequently crystallizes suspicion, allowing investigators to concentrate resources and occasionally obtain confessions. Even if the polygraph results are not admissible in court, the psychological strain of the test may induce admissions (Bullock, R. M., 2021). According to a study of Rosenfeld et al., (2020), the polygraph is a useful tool for investigators since individuals may be more compliant and make more confessions if they believe it to be infallible.

The Effects of Utilizing Polygraph Results in the Investigation and Adjudication Process

Three main themes emerged from an analysis of the effects of polygraphs: using polygraphs as an investigative directive and efficiency tool, which highlights how it can direct and speed up inquiries. Polygraph's influence and admissibility in adjudication, which highlights its limitations and function in legal settings, and polygraph's impact on due process and fairness, which addresses the ethical and procedural implications.

Polygraph as an Investigative Directive and Efficiency Tool- the informants consistently emphasized the polygraph's direct and substantial effect on the investigative process, characterizing its as an "invaluable aid" (Informant 5, Page 7, Line 233). Another informant detailed how the polygraph specifically aids in pinpointing individuals of interest and shaping the investigative approach;

"As I have mentioned earlier, as an investigator, a polygraph result is an investigative tool that undoubtedly affects the direction of my investigation. Firstly, it helps me narrow down on who among the person/s of interest is lying or can be classified as a suspect; Secondly, it helps me compose my line of investigation objectively; and thirdly, it is much easier for me to elicit an admission by confrontation of the verified truth, as against his/her lies."

(Informant 1, Page 3, Lines 93-97)

A polygraph exam can be an effective internal investigative tool, even if it is not admissible as direct proof (Synnott, J., et al., 2015). It can help highlight specific areas that require more investigation or narrow down a pool of suspects. Polygraph results can help investigators decide how and where to use their limited resources by indicating whether a subject is being truthful or dishonest. This allows them to dig deeper into specific areas of a case and effectively concentrate their efforts on the most promising leads (Shevchuk, V. 2021). This directive influence is further corroborated by another statement highlighting its role in resource allocation and strategic digging;

"Polygraph results can significantly influence the direction of an investigation. For instance, when a subject shows signs of deception, it may prompt investigators to dig deeper, re-interview witnesses, or reassess alibis. It often helps us decide where to focus our resources, especially in cases with multiple suspects or limited evidence."

(Informant 3, Page 4, Lines 132-135)

"The polygraph examination result could affect the direction/outcome of the investigation by accelerating the elimination process for innocent suspects."

(Informant 4, Page 5, Lines 170-171)

This viewpoint is supported by empirical research, which shows that polygraph results help expedite investigations by offering a scientific foundation for prioritizing suspects and focusing interrogation (National Research Council, 2003; Iacono & Ben-Shakhar, 2019). Investigators can more efficiently use their time and resources by spotting dishonest responses, which lowers the possibility of chasing innocent people and increases the likelihood of finding the truth (Meijer et al., 2019).

Polygraph's Influence and Admissibility in Adjudication- while the polygraph's impact on investigation is clear, its effects within the adjudication process are characterized by ambiguity, largely due to its contested admissibility and varying levels of understanding among legal professionals. The informant noted a general influence on decision-making by legal actors, albeit with reservations about their full understanding of polygraph results.

"Yes, it does influence their decision-making since they only have a general knowledge on the admissibility/inadmissibility of a polygraph test result... Most of them however are not aware how a polygraph examination is done and how important this investigative tool is to their quest of truth."

(Informant 1, Page 3, Lines 101-104)

"Yes, there are instances where a polygraph result caused a shift in strategy. Mostly, the complainant withdraws his complaint before the Prosecutors Office and results to its dismissal for reason of failure to prosecute or before it even reaches the Prosecutors Office e.g., in its investigative phase."

(Informant 1, Page 3, Lines 107-112)

"Polygraph results cannot influence the decision-making of the prosecutor, as they are not considered conclusive or admissible evidence in court. However, at the criminal investigation stage, the results may assist investigators in shaping their strategy, particularly by guiding the direction of interrogation or identifying areas that require further inquiry"

(Informant 3, Page 4, Lines 138-141)

These highlights a key distinction, while useful for investigators, the direct impact on formal prosecutorial decision-making is often curtailed by legal rules due to worries regarding the reliability, scientific validity, and probable bias of polygraph results, many countries either limit or outright forbid its use as official evidence (Saxe et al., 2020). It can be challenging for legal practitioners to completely incorporate the results of polygraph tests into prosecution decision-making since they frequently only have a cursory comprehension of the methodology and the evidence they provide. This lack of understanding may result in prosecutors using polygraph results inconsistently, some may modify their case strategy in response to the results, while others may completely ignore them (Kukucka et al., 2020). However, polygraph results continue to have an impact on the pre-trial stage, frequently influencing the dismissal of a case or the withdrawal of a complaint before official prosecution. This implies that although polygraph evidence might not be admissible in court, it influences prosecution discretion and investigative follow-up, indirectly influencing legal results (Saxe et al., 2020).

Polygraph's Impact on Due Process and Fairness- a particularly contentious effect of polygraph utilization is its perceived impact on due process and fairness, revealing a split in the informant's perspective. On one hand, concerns are raised about potential legal imbalances. As stated by the informants;

"It does. In my opinion, polygraph undermines due process and fairness of our legal system. It favors the accused and undermines the rights of the complainant/victim. I think it is about time to review our legal system specifically, due process in relation to the rights of persons accused and fairness, in relation to the rights of the complainant/victim."

(Informant 1, Page 3, Lines 116-119)

On the other hand, other claims imply that these legal concepts have benefited. Informants expressed hopes that polygraph test would eventually be accepted as admissible evidence because they felt this would support due process by bolstering the search for the truth and assisting in the right administration of justice of which, it suggests a positive contribution to these legal principles:

"Yes, Polygraph examination contributes to due process and fairness."

(Informant 2, Page 3, Line 128)

"The polygraph examination will contribute to the existence of due process and equity."

(Informant 4, Page 5, Line 177)

This dichotomy stems from the on-going debate about polygraph accuracy, which introduces a critical risk factor:

"For me the use of polygraphs in legal and investigative settings presents both benefits and risks in ensuring due process and fairness while they can aid investigations by assessing credibility and guiding inquiries their accuracy remains widely disputed. This uncertainty raises concerns about their potential to mislead decision-making making it crucial to balance their use with reliable evidence and proper safeguards."

(Informant 6, Page 8, Lines 257-262)

Due to the disputed accuracy of polygraph results, there is a chance that they could add bias or imbalance, which would affect how fairly all parties are treated (Krapohl & Ben-Shakhar, 2020). On the other hand, some

viewpoints stress that polygraph tests improve due process by adding more levels of inspections and impartiality to promote equal outcomes (Raskin & Honts, 2020).

The Aspirations of the Informants regarding the Use of Polygraph Test in the Investigation Process and Adjudication Process

The analysis concluded by identifying three primary goals for the use of polygraph tests: legal admissibility and evidentiary status, which addresses its acceptance and weight as evidence; and standardization, professionalization, and scientific validation, which emphasizes improving consistency and scientific basis.

Legal Admissibility and Evidentiary Status- a central aspiration among the informants is for polygraph results to gain greater formal acceptance within the legal system, moving beyond their current limitations as merely investigative aids.

"If we recognize or enact laws for a better protection of the rights of a complainant/victim, more than that against the right to due process of a person of interest/accused, I would like to see polygraph test results, recognized and admitted as evidence in our legal system."

(Informant 1, Page 5, Lines 184-186)

Another informant shared this wish for court approval, seeing polygraphs as admissible evidence in all court proceedings.

"The polygraph examinations should be accepted as evidence in court proceedings, not only and aid in the investigation process."

(Informant 4, Page 7, Lines 242-243)

"Yes. While polygraph results should not yet be admitted as stand-alone evidence, they can serve as supplemental or corroborative material, especially in plea bargaining, administrative proceedings, or restorative justice contexts."

(Informant 7, Page 13, Lines 411-413)

This wish is in line with a larger movement in the legal and forensic communities to reevaluate the polygraph results' evidentiary standing, acknowledging their potential to support other types of evidence (Kukucka et al., 2019).

Standardization, Professionalization, and Scientific Validation- Informants frequently articulated a strong desire for improvements in the fundamental procedures, practitioner standards, and scientific backing of polygraph examinations.

"The changes/improvements I wanted to see in the polygraph procedure is, first it should be standardized as to the test procedure and subsequently other legal procedures will follow."

(Informant 2, Page 6, Lines 218-219)

"The enhancement on the polygraph test procedure be standardized as to the test procedure and should have a law legislation, so that it will serve as court precedence."

(Informant 4, Page 6, Lines 232-233)

Informant 2 and 4 emphasize the proper use of polygraph technology and points out that this standardization is perceived as coming from within the professions itself. To guarantee uniformity, dependability, and equity across tests, standardized testing procedures are essential. It is frequently believed that this kind of standardization is necessary in order to create judicial precedents that accept polygraph evidence (Iacono &

Ben-Shakhar, 2019). In order to build trust among legal stakeholders, practitioners must first adhere the best practices and pursue ongoing education (Meijer et al., 2019).

Role and Application in Investigation- informants aspire for a more integrated and ethically sound application of polygraph, reflecting a nuanced understanding of its capabilities and limitations within the broader justice framework.

"Polygraph examination should not be treated as only the last resort when all other investigative processes or techniques are exhausted; it should be a primary part of the detection and investigation."

(Informant 2, Page 6, Lines 227-229)

In order to guarantee that polygraph results are interpreted correctly and do not replace more trustworthy evidence, such as tangible proof and witness testimony, informants emphasize the significance of standardized procedures, examiner training, and stakeholder education (Krapohl & Ben-Shakhar, 2020). The future of polygraph use depends on this kind of interdisciplinary collaboration. By increasing productivity and directing the investigation's focus, polygraph tests are essential and beneficial to investigative procedures.

CONCLUSION AND RECOMMENDATIONS

The legal and forensic communities must work together and raise awareness in order to properly utilize the polygraph's capabilities. In order to create comprehensive policies, promote a deeper understanding of the technology, and guarantee its ethical and successful application within the larger framework of justice, open communication, shared research, and cooperative educational initiatives among polygraph examiners, attorneys, judges, law enforcement, and researchers are essential. The future of polygraph use depends on this kind of interdisciplinary collaboration and the following recommendations:

1. Provide a lucid legal and evidence-based framework for the findings of the polygraph.
2. Establish Strict Professionalization and Standardization for Polygraph Examiners.
3. Encourage impartial, thorough scientific verification of polygraph accuracy.
4. Provide thorough ethical guidelines and training to all parties involved.
5. Describe the Justice System's Appropriate and Complementary Use of Polygraph Testing.
6. Encourage ongoing cooperation and consciousness among all those involved.
7. Improved Knowledge of Admissibility and Recommendations for Upcoming Cases.

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