Parenting Plans after Findings of Sexual Misconduct and the Investigative & Treatment Use of Polygraphs.

By K. C. Stanford

At the Sedona Conference in 2013, an audience of 50 diverse professionals welcomed a panel of three experts on the subject of parenting plans when findings of sexual misconduct are made. The discourse by professionals with different areas of practice and theoretical views was engaging. The workshop examined the types of sexual behavior which are alleged to prove parental unfitness. Topics covered include: specialized tests used to assess allegations of sexual misconduct, the benefits and limitations of polygraphs as an investigative and treatment tool, variables which contextualize sexual misconduct findings, use of sex offender polygraphs to inform judicial decisions, and parenting plan options to strengthen sex-related family boundaries. The broad ranging presentation included a pro and con discussion of the efficacy of the use of polygraphs for investigation and treatment.

Dr. Jack Moran, Ph.D. presented a general overview of the subject. His discussion focused on assessment and risk management; in particular he called everyone's attention to the national organization, the Association for the Treatment of Sexual Abusers. ATSA developed a series of practice Standards and Guidelines for the evaluation, treatment and management of adult male sexual abusers. Dr. Steven Gray, Ed.D. presented a case study in the family law context and discussed his practical use of the polygraphs as an assistive guide for reliable reporting of sexual history by clients. Dr. Allen has over thirty years' experience in monitoring and treating sex offenders in public and private settings. He emphasized that the treatment provider is not engaged in forensic identification of accusations but is engaged in treatment after a substantiated finding either by CPS, jury findings, or pleas or admissions in civil and criminal court proceedings. He acknowledged that there is no known combination of tools which prove or disprove an individual has committed a specific sexual act

and the members of ATSA do not provide expert testimony on the guilt phase of criminal trials. Instead, he remarked that the available tools are viewed as collaborating self-reports and assistive in monitoring treatment compliance and progress. He also indicated that the polygraph is more accurately described as a psychophysiological assessment tool. The third speaker was Dr. John Allen. Dr. Allen, Ph.D., Distinguished Professor of Psychology, Cognitive Science, and Neuroscience at the University of Arizona, challenged the any use of polygraphs which he described as "stress and emotions" testing devices. He opined they do not accurately predict with any degree of confidence. He shared with the audience the NSF study on the use and misuse of polygraphs. He likewise focused on the question of false negative and false positive outcomes which erroneously influencing policy in general as well as individual orders in the specific case.

The audience gave the program high marks and requested a more thorough review of parenting plans which the 90 minute time allotted did not permit. The full materials of all speakers at the seminar are online and on the data stick distributed at the conference. The materials contain an example of parenting plan orders for such cases.