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May 18, 1981

INTERAGENCY

The Honorable Paul R. Messinger
Arizona State Capitol - House Wing
Phoenix, Arizona 85007

Re: I81-072(R81-020)

Dear Representative Messinger:

We are writing in response to your request for an opinion whether the Arizona Polygraph Examiners Act, A.R.S. § 32-2701 to -2715, permits the use of a "Psychological Stress Evaluator" (PSE) and, if so, whether the operator of a PSE is required to be licensed under the Act.

You explained that a PSE does not record cardiovascular and respiratory patterns or skin responses of an examinee. The Act regulates only "polygraph examiners," who, pursuant to A.R.S. § 32-2701.3 are persons who use "any device or instrument which records as minimum standards . . . the examinee's cardiovascular and respiratory patterns, and galvanic skin response. . . ." Inasmuch as PSE operators do not fall within this statutory definition, they are not subject to regulation under the Act.

Please let us know if we can be of assistance in the future.

Sincerely,

Bob Corbin

BOB CORBIN
Attorney General

BC:clp