

# **THE POLYGRAPH COMES TO THE RESCUE OF A POLICE OFFICER**

**By Lionel Prévost**

## **The Polygraph Helps A Police Officer Prove His Integrity**

*In 1998, Officer Michel Desormeaux of the Longueuil Police Department was suspended from duty without pay and was later dismissed on the grounds that he communicated information regarding a major police investigation to individuals suspected of being involved in criminal activity.*

### **INFORMATION OBTAINED**

*During the course of the investigation, the police discovered that the criminals had obtained confidential information that had enabled them to thwart police intervention. The information that had been supplied to the criminals was the cause for the unsuccessfulness of the police investigation even though arrests were subsequently made and individuals were charged.*

*The evidence presented by the employer which led to the dismissal of Officer Desormeaux showed that the criminals had, in effect, benefitted from information, but that the information obtained could have come from sources other than the police. Furthermore, the employer's evidence came from witnesses whose credibility was not without question. Officer Desormeaux always forcefully denied having supplied any information to the criminals.*

### **HE WAS TELLING THE TRUTH**

*In his judgement dated March 30, 2001, arbitrator Pierre Descôteaux ruled that Officer Michel Desormeaux did not communicate confidential police information from any source whatsoever to the criminals under investigation. Also, the arbitrator stated that evidence based on the polygraph examinations was valid from a scientific standpoint, proof of which showed that Officer Desormeaux was telling the*

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*truth when he affirmed that he did not communicate confidential police information to Gilles Richard, one of the suspects under investigation, and that Mr. Richard was telling the truth when he affirmed, during the course of his polygraph examination, that he did not obtain information from Officer Desormeaux.*

*Interestingly in this judgement, it is the first time in the history of Quebec law that an arbitrator faced two psychophysicists each of whom held opposing opinions regarding the polygraph. The psychophysicist from the University of Montreal stated that the polygraph examination could be useful in an investigation, but that it should not be admissible as evidence in court. Dr. James Allan Matte, a celebrated forensic psychophysicist from New York State, author of many literary works on The Polygraph, testified that the polygraph examination should be admissible into evidence, an affirmation supported by numerous scientific studies in which he had participated. Dr. Matte declared that after having analyzed the computerized polygraphic charts obtained by John Galianos, he was of the opinion that the polygraph examination had been done correctly and that the results obtained were valid.*

*Arbitrator Pierre Descôteaux took the necessary time to analyze all the testimony and he accepted into evidence the polygraph examination done by John Galianos. His detailed judgement of 141 pages will be a reference tool for future labour and civil law court cases. This judgement is a glimmer of hope for police officers who are unjustly accused.*

*The excellent work of Mr. Guy Bélanger, attorney for the «Fédération des policiers et policières municipaux du Québec» (Quebec Federation of Municipal Police Officers), must be acknowledged.*

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