



Curtis E. Holleman Polygraph Services, LLC

P.O. Box 2241  
Valrico, FL 33595-2241

tampabaypolygraph.com

(813) 766-2000  
[holleman @verizon.net](mailto:holleman@verizon.net)

---

DOUGLASBAKER  
POLYGRAPH EXAMINATION REPORT  
POLYGRAPH EXAMINATION DATE: OCTOBER 6, 2017  
DATE PREPARED: OCTOBER 10, 2017

---

REPORT BY:

CURTIS E. HOLLEMAN  
OCTOBER 10, 2017

CASE ID:BAKER-20171006

**TABLE OF CONTENTS**

Page 2..... Table of Contents

Page 3..... Request for Polygraph Examination

Page 3..... Previous Examination (s)

Page 3..... Background

Page 5..... Emotional Suitability

Page 5..... Physical Suitability

Page 5..... Consent and Interview

Page 5..... Relevant Questions

Page 6..... The Polygraph

Page 6..... Methodology

Page 7..... Examination Techniques

Page 7..... Chart Evaluation

Page 8..... Test Results

Page 8..... Instrumentation

Page 8..... Examiner Signature

## **REQUEST FOR POLYGRAPH EXAMINATION**

David Potter, Attorney at Law, Buchanan, Ingersoll & Rooney, PC, 2235 First Street, Fort Myers, FL 33901, requested that a polygraph examination be administered to his client, Doug Baker, former Chief of Police, Fort Myers, Florida. The polygraph would focus on a 2015 telephone conversation that Baker had with Captain Melvin Perry, regarding the arrest of Nate Allen, a football player with the National Football League (NFL).

## **PREVIOUS EXAMINATION(S)**

Baker had a polygraph examination approximately thirty years ago when he applied for employment with the Fort Myers Police Department.

## **BACKGROUND**

On October 06, 2017, Baker was introduced to the examiner by David Potter at his law office in Fort Myers, FL. Baker was interviewed in a private conference room. Baker thereafter provided the following information: Baker was born on \_\_\_\_\_, in \_\_\_\_\_, and he is 54 years of age. He resides at \_\_\_\_\_. He attended Hodges University in Fort Myers and received a B.S. in Management (2001) and his Masters in 2005. He attended Edison Community College, Fort Myers, and received an A.A. in 1995 or 1996. He began employment with the Fort Myers Police Department (FMPD) in May, 1986, as a Police Officer. He rose through the ranks (Detective, Sergeant, Captain, Major). He was then appointed Interim Chief in August, 2008, and served in this capacity until he retired at the end of 2008. He was then was appointed Chief on January 1, 2009, on a contract basis and served until August 14, 2015. He also served as a certified law enforcement officer prior to this in Ohio.

Baker was interviewed in regards to an incident involving Nate Allen, who is now currently a football player with the Miami Dolphins, of the NFL. At the time of this incident, Allen was a player with the Oakland Raiders.

Baker advised it was on a three day weekend around President's Day in 2015 (either a Sunday or Monday) and he was at home when he received a telephone call from Captain Mulligan of Patrol Operations, FMPD, who advised they had arrested a Oakland Raiders football player, and the arresting officers recognized the player as Nate Allen. Mulligan stated that a teenage girl had alleged the man was doing "sexual stuff" in his car, possibly exposing himself or along those lines. Baker advised this was going to be a media event, which is why he received the call from Mulligan. Baker then called City Manager William Mitchell and informed him of the matter and potential for media inquiries.

Several hours later, Mulligan called Baker back and said that the girl was sixteen and not a minor, and that under state statute, the violation would be a first degree misdemeanor, not a third degree felony, and that they were going to have to release the player. Mulligan then

stated that they had been trying to get a hold of Captain of Detectives Melvin Perry, however, Perry was not answering his phone. Baker stated that it was a regular occurrence with Perry not answering his calls when he was needed. He stated it was around 4:30 or 5:00 PM, to the best of his recollection.

Baker stated he was frustrated and mad that Perry was not answering his calls (again) and that as he tried to call Perry on memory speed dial, the phone did not make a complete ring, it only made a "half-ring" which he said was the first time that had ever happened to him. He stated that Perry immediately answered and he has never had anyone answer a call that fast. Baker stated this was a common thing with Perry (not answering his phone) and Baker said to him "you're answering your phone, now?" After admonishing Perry for not being available to answer his other calls earlier that day, Baker asked him if he knew what was going on with the Nate Allen arrest. Baker stated he began "firing questions" at Perry regarding what he knew about the arrest, the girl's age, etc., and Perry kept responding "I don't know." Baker told Perry, "people have been trying to get a hold of you all day. Why is it that I know more about this than you? You should be updating me, not me updating you." Baker stated that he was swearing at Perry during this call and that he was "pretty hot."

Baker then ordered Perry to "get up to speed on the case" and to make a plan and call him back regarding the status of the case. Baker said the call lasted about 32 seconds and that it was short, but they definitely had a conversation. He ordered Perry to work this problem out, to come up with a plan and to call him back when everything was resolved.

Baker said he continued stewing over the situation and waited to hear back from Perry. Around 8:30 or 9:00 PM, Perry finally called him back, however, Baker missed the call because he was in the bathroom. A few minutes later, Perry called again and Baker said he was upset over the amount of time and asked Perry what took so long. He stated that Perry laughed, which made him even angrier. Perry said they had a plan and that the state wanted to arrest Allen, even though it was a third degree misdemeanor. Baker disagreed and said they couldn't arrest him on that. Perry said the state wanted the FMPD to come in the following day and do a warrant request form. Perry told Baker that Allen had been released and was gone, after about six hours in custody. Baker then called City Manager Mitchell and updated him as to the status of the case. He stated that Mitchell was okay with the information and agreed that they would wait to see what the State Attorney's office decided to do with the case.

Baker stated that he then initiated an Internal Affairs (IA) investigation to quickly resolve how the case was handled due to the anticipated media inquiries. Baker stated he gave a recorded statement a week or two later to Lieutenant Rebecca Prince of Internal Affairs. When she asked him about his calls for that day, he opened his phone and reviewed with her the phone's call log with the times, subject of calls, etc., and gave her a chronology of the calls. He stated this was his personal Verizon cellular phone and that he received a city stipend of \$60 per month for use of his phone. Several days later, Lt. Prince came back to him and told him that he'd made a mistake in his statement and that he'd never spoken to Perry. Baker told her that he had spoken to Perry. He stated that he then gave a second statement to her reiterating

the times and calls, and that it was not a missed call. Baker stated that Perry had given a statement to IA that he had never spoken with Chief Baker. Baker then stated that based on Perry's statement, that was the reason that he lost his job as Chief of Police.

He advised that Mitchell fired him "due to inconsistencies in the IA report." Baker stated that he has dismissed many police personnel over the years, both sworn and civilian, and because of this, he did not have the support of the Police Union. Baker advised he'd had prior issues with the Union's approach to defending their officers and he and the Union did not get along. He stated because of his poor relationship with the Union, Mitchell sided with the Union.

Baker was asked about toll records for the day and he stated that a review of Perry's records showed a missed call. Baker advised a review of his (Baker's) records show a 32 second call. Baker advised that subsequent conversations with people involved with cellular phone matters revealed that calls are frequently rerouted among cellular towers. Baker could not explain as to why certain records might show a missed call.

#### **EMOTIONAL SUITABILITY FOR POLYGRAPH EXAMINATION**

Baker did not appear to suffer from an emotional condition that would stop him from taking a polygraph examination. Baker freely volunteered information during the interview, understood the questions he was asked, and responded in a clear and concise manner. He did not appear depressed and was friendly and positive to the Examiner.

#### **PHYSICAL SUITABILITY FOR POLYGRAPH EXAMINATION**

Through observation and interview, Baker appeared to be physically and medically suitable to take a polygraph examination. He stated that his physical condition would not preclude him from taking a polygraph examination and he stated he was in excellent health. He stated that he was not in any pain or discomfort, and was physically able to sit for the test. He stated he'd received about eight hours of sleep, the evening prior.

#### **CONSENT AND INTERVIEW**

On October 06, 2017, Baker voluntarily agreed to take a polygraph examination and stated that he understood the purpose for the polygraph examination. He indicated a willingness to take the examination by signing a Consent to Polygraph form. Regarding the issue in question, he advised that he definitely called and had a telephone conversation with Captain Perry on his cell phone regarding the Nate Allen arrest.

#### **RELEVANT QUESTIONS**

Based on the above, a polygraph examination was administered using the following relevant questions:

### **Series I**

1. Did you call and speak to Captain Perry on your cell phone regarding Nate Allen?  
Answer: Yes
2. Did you call and speak with Captain Perry on your cell phone regarding Nate Allen?  
Answer: Yes
3. Did you have a cell phone conversation with Captain Perry regarding Nate Allen?  
Answer: Yes

### **THE POLYGRAPH**

People tell lies and deceive others for many reasons that are sometimes difficult to identify. Most often, lying is a defense mechanism used to avoid some perceived threat or danger. Any conscious effort at deception by a rational individual causes certain stressful involuntary and uncontrollable physiological responses activated by the Autonomic Nervous System (ANS). A polygraph simultaneously records a minimum of respiratory activity, galvanic skin resistance/conductivity and cardiovascular activity (blood pressure and heart rate).

Polygraphs, commonly called "lie detectors" are instruments that record the changes in a person's physiological reactions, usually from an established norm. Polygraphs do not, as their nickname suggests, detect lies. They can only detect whether deceptive behavior, stress or fear induced, is displayed.

### **METHODOLOGY**

The technique used to examine Baker was a Utah Zone Specific Issue Probable Lie Comparison Question Test. Studies leading to its creation began in the 1970s through the efforts of Ors. Raskin, Kircher and Honts and over 30 years of research support its principals. The Utah ZCT meets the APA January 1, 2012 Validated Techniques Requirement for Evidentiary testing, Paired Testing, and Investigating Testing. When coupled with the Empirical Scoring System, it is unsurpassed in accuracy and inter-rater reliability.

The most commonly used technique for psycho-physiological detection of deception is control/comparison question tests. The control question test (CQT) assesses a person's credibility by looking primarily for a differential reaction between two questions: the relevant and control questions. When questioned during a pretest interview an examiner will assist an examinee in developing a "psychological set" The examiner will direct their attention to the question (relevant or control) that creates the greatest anxiety, concern or threat to his/her well being.

Relevant questions are those questions that have been formulated which specifically and simply address the issue in question. The questions are precise, unambiguous, unequivocal with a single meaning and thoroughly understandable to the examinee. Relevant questions are confined to a single investigative issue and can be answered yes or no.

During the pre-test interview, adequate comparison questions were developed. Comparison questions address an act of wrongdoing (that does not interfere, conflict with or over power the relevant) to which the examinee, in all probability, will lie or to which their answer will be of dubious validity in their own mind. Control or comparative questions are as broad as possible in space and time, or in scope of endeavor. It is during the pre-test interview that the examinee's psychological set is established.

The Introductory Question, derived from the Backster outside-issue question, occupies the first position in the test and serves no diagnostic purpose. Neutral/Irrelevant questions are non-threatening, known truth questions that are generally designed to prompt a "yes" response from the examinee. They are designed to absorb initial or prolonged responses, allowing the examinee's physiology to return to homeostasis. Sacrifice Relevant questions are designed to absorb initial response to the relevant issue. The sacrifice relevant question is not used in the evaluation process to determine deception or non-deception.

Mr. Baker was administered a Utah Zone Specific Issue Probable Lie examination using introductory, neutral, sacrifice relevant, comparison and relevant questions targeting a single issue regarding a specific allegation. The Utah examination given to Baker has been extensively researched and is very effective with a high rate of reliability.

#### **EXAMINATION TECHNIQUES**

A stimulation test was administered as the first chart to assess the examinee's reactivity by directing the examinee to lie on a particular number in a sequence of numbers. During this process, the examinee's basic reactivity was assessed. This assessment is used to evaluate fitness for continued testing and for comparisons with the subsequent polygraph charts. The examinee's response patterns were acceptable and he reacted appropriately when he told a directed lie. A comparison question technique was utilized using probable lies. Three relevant questions were asked and three charts were collected.

#### **CHART EVALUATION**

Two techniques used to evaluate the recorded responses obtained during the examination, global review and spot analysis. Global review is a visual analysis of all the comparative responses to identify significant reactions. Spot analyses are made at the relevant question spots for each of the three components used: two components used to record respiratory responses, one component used to record galvanic skin response (sweat gland activity) and one component to record changes in cardio vascular activity (blood pressure and heart rate). The analysis is completed by comparing the reactions to relevant questions to the reactions to comparison/control questions (looking for the psychological set.)

Sufficient reactivity was observed and quantified, thus allowing for objective numerical scoring. There were no indications that any attempt was being made to counter-measure this

examination. Manual numerical scoring is the standard for both evidentiary and investigative examinations.

## TEST RESULTS

The test results were evaluated as **NO DECEPTION INDICATED.**

## INSTRUMENTATION

A Lafayette LX4000 computerized polygraph with Software Version 11.6 was utilized for this examination. This instrument is pre-calibrated by the manufacturer with a stable long-term circuit design. In accordance with manufacturer recommendations, self-calibration of the various sensors was conducted prior to the examination and all were found to be acceptable. A Lafayette Activity Monitor was used during this examination.

The **Series I charts** were quality controlled utilizing a computer-scoring algorithm software package, "**Objective Scoring System – Version 3 (OSS-3)**" also supplied by Lafayette which determined that there were **NO SIGNIFICANT REACTIONS to the relevant questions and that there was less than a 0.001 probability this result was produced by a deceptive person.** A copy of the OSS-3 printout is provided as an attachment to this report.

The Series I charts were again quality controlled using **Poly Score for Windows** Version 7 supplied by Lafayette which determined probability of deception is less than .01. A copy of this printout is provided.

In the conduct of this examination, I used procedures in accordance with the Standards of Practice of the American Polygraph Association and the Florida Polygraph Association.



Curtis E. Holleman



Date

American Polygraph Association  
Full Member #7388

Florida Polygraph Association Member

Lafayette Instrument Company  
**Objective Scoring System - Version 3**  
 By Raymond Nelson, Mark Handler and Donald Krapohl (2007)

Result **No Significant Reactions**  
 Description **p-value: 0.001- Probability this result was produced by a deceptive person**  
 Exam Type Event Specific/Single Issue (Zone)  
 Scoring Method OSS-3 Two-stage (Senter 2003)  
 Test of Proportions None - No significant differences in artifact distribution  
 PF Name Baker20171006  
 Report Date Friday, October 06, 2017  
 Subject Doug Baker  
 Examiner Curtis Holleman

Spot Scores		Decision Alpha (1 tailed) <small>Cumulative normal distribution (Barland 1985)</small>		Components		
ID	p-value	Result	Setting	Value	Component	Weight
R1	< 0.001		NSR	0.050	Pneumo	0.19
R2	0.026		SR	0.050	EDA	0.53
R3	< 0.001		Bonferroni corrected alpha Test of Proportions (1 tailed)	0.017 0.050	Cardio	0.28

Relevant Questions		
ID	Question Text	Answer
R1	Did you call and speak to Captain Perry on your cellphone regarding Nate Allen?	Yes
R2	Did you call and speak with Captain Perry on your cellphone regarding Nate Allen?	Yes
R3	Did you have a cell phone conversation with Captain Perry regarding Nate Allen?	Yes

Charts Scored				
Exam	Chart	Date	Time	
2	1	10/6/2017	11:27 AM	
2	2	10/6/2017	11:35 AM	
2	3	10/6/2017	11:42 AM	

Remarks

## Consent to Polygraph Agreement

I, [Signature] the undersigned, voluntarily authorize the examiner to give me a polygraph examination. I also authorize the examiner to conduct a pre-test interview in order to mine the facts of this case as they are known to me. I hereby grant permission to the examiner to use any equipment and methods deemed necessary for the proper administration of the examination. I also authorize the examiner to place the attachments needed to conduct the polygraph test to my body. I consent to the use of electronic audio and visual recording equipment. I represent that I know of no physical or mental ailment which might be aggravated or impaired by the examination or polygraph interview process.

I do hereby specifically waive any and all rights of privacy that I have with reference to the taking of said examination and making known the results and opinions arising from said examination. I do hereby authorize Curtis E. Holleman Polygraph Services, LLC, its officers, employees and/or agents, to disclose both orally and in writing the said results and opinions to persons, on whose behalf the test is being conducted. I am a party competent to contract in the State of Florida, and acting freely and voluntarily, without duress or coercion, without any promises of reward or immunity and without any force (mental or physical) or threat of any force, recognize my rights regarding self-incrimination under the State and Federal Constitutions, and realize that I am not required by any law to take this test. I understand that if I choose to take the test, I am still free to stop the examination process at any time, without completing it. I hereby consent to any and all parts of this examination, and interview connected with it.

I understand the examination results and opinions may find that I have not been completely truthful. In consideration of and as an inducement for Curtis E. Holleman Polygraph Services, LLC, to give me this polygraph (lie detector/truth verification) examination, I agree that for myself and my successors, heirs, assigns, executors, administrators, personal representatives, and all other claiming by or through them, I knowingly hereby remise, release, quit claim, satisfy, absolve, promise and covenant not to sue and forever discharge and hold free from all harm, liability or damage whatsoever, Curtis E. Holleman Polygraph Services, LLC., Curtis E. Holleman individually and in his official capacity, and all their employees, appointees, contractors and agents from any and all liability arising from any and all suits, manners of actions or causes of actions at law, claims, demands or liabilities in either law or equity, losses, trespasses, damages, judgments, executions, variances, controversies, agreements, promises including, but not limited to: false arrest, libel, slander, or invasion of my rights, which I, my successors, assigns, heirs, executors, administrators, or personal representatives have now or may ever have resulting directly, indirectly, or remotely from being interviewed and examined and any and all possible liabilities, injuries, or damages resulting from the use of electronic recording devices, the rendered oral or written opinions and statement, and all future actions taken by any or all of the above, based upon the interview and examination.

[Signature]  
Initials  
5/11/17 Date

I do hereby release and covenant to forever hold free from all harm, liability or damage to me as a result of the examination and opinions of Curtis E. Holleman Polygraph Services, LLC, together with its officers, employees and/or agents, who may use the results and opinions of this examination. I remise, release, waive and forever discharge Curtis E. Holleman Polygraph Services, LLC, from any and all action or cause of action, claim or demand, liability or legal actions which I have now or may ever have resulting directly or indirectly or remotely both from taking said examination and the oral and written opinions rendered because of said examination. I knowingly remise, release, waive and forever discharge Curtis E. Holleman from any and all suits, actions or causes of actions as law, claims, demands or liabilities resulting from said examination, and any written or oral opinions and statements resulting from taking said examination. Further, I agree to indemnify and forever hold harmless to the extent the law allows, Curtis E. Holleman Polygraph Services, LLC., and Curtis E. Holleman individually and in his official capacity for any and all claims, cause of action, demands or damages, and costs (to include reasonable attorney's fees) present, past and future, contingent or otherwise, and for any acts of carelessness or negligence on the part of anyone which may directly or indirectly, arise from any injury caused by taking this Polygraph. I agree this release waiver and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of Florida and that if any portion of the agreement is held to be invalid, it is agreed that the balance shall notwithstanding, continue in full force and effect.

I am aware that this examination is being conducted with my consent and I certify that I have read the above information. I freely and voluntarily authorize to proceed with the exam.

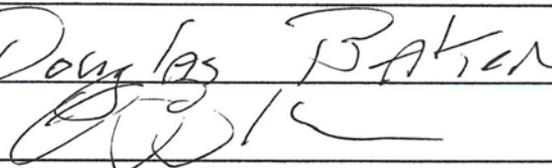
Important Notice: This agreement and release form is a legally binding contract. If not completely understood, do not sign but seek competent advice, such as rendered by an attorney.

Date: 10.01.17

Time: 10:05 a.m.

Location: Behrman Inhoff & Roney 2235 First St Fort Myers FL 33901

Name of Examinee (print) Douglas BAKER

Signature of Examinee 

Witness  Date 10.01.17