

gestion either in his testimony this morning nor anywhere else, that I have seen, of this psychological pressure that you bring to bear to get a recalcitrant person to confess affects only the guilty.

There is no suggestion, for example—I would remind the committee of the famous case of *Timothy Evans* in England, since English procedure has been called into question this morning, in which the man made two confessions that he had murdered his wife and child. At the trial it was shown he was of subnormal intelligence. He said, “I was afraid they were going to beat me up—that is the reason I confessed.” In fact, of course, there was no danger of this. He was hanged. Six years later six other bodies were found in the same house. An investigation revealed that a man named Christie had killed them all and also confessed that he had killed the wife and son of Timothy Evans.

The point is that the psychological pressure that is used, I fail to see any evidence that it will affect the guilty person who wants to hide his guilt, but will not affect an innocent person who would like to demonstrate his innocence.

I would like to say, in closing, something about what these psychological techniques are. These can be found not only—well, the first time I saw them was in Professor Inbau’s book. I had the uncommon privilege recently to cross-examine a polygraph operator in a special court-martial, who also had read the book and applied the techniques. They involve putting the suspect in a room where there are no windows, removing pencils and other tension relieving objects, sitting within a foot and a half or so of the suspect, constantly manifesting your confidence in his guilt, no matter what he says, maintaining psychological mastery of the situation, and finally convincing him that it is futile to resist longer. These are the techniques that are suggested in terms of psychological pressure.

The CHAIRMAN. Those psychological pressures, if they were used in securing a confession, would you hold those to be voluntary?

Mr. SHADOAN. The thing is that we have—you see, it is very rare—you don’t have a verbatim recording, you don’t have a witness other than the accused, and no one will believe—it is very difficult to show what happened in an interrogation room.

The CHAIRMAN. I know. But you are reciting something that I assume did happen.

Mr. SHADOAN. That’s right. In this particular case this was a special court-martial—the interrogator admitted all of these things. He admitted that he used the results of the lie detector test to convince a woman it was futile to resist.

The CHAIRMAN. What did the court do?

Mr. SHADOAN. She was found not guilty. The confession was not suppressed in that case.

The CHAIRMAN. The confession was admitted.

Mr. SHADOAN. That’s right.

The CHAIRMAN. I see.

Mr. SHADOAN. But there is some question as to whether or not in this particular case—whether or not the confession was a confession of crime in any event, because it was partially incriminatory and partially in exculpation.

So that the point I wish to make is that these techniques are coercive upon a weak person. And if a person is weak and subject to coercion,