

Mr. KASS. Mr. Herndon, for the record, when was this polygraph examination?

Mr. HERNDON. It was July 18, 1964.

Mr. KASS. Could you give us any indication of the time that the polygraph examination took?

Mr. HERNDON. Mr. Kass, in that regard the polygraph examination was part of an overall hearing that the Commission held with Mr. Ruby in the Dallas County jail. The hearing itself began shortly after lunch. It is all a matter of record in the testimony before the Warren Commission. As I recall, the polygraph examination didn't proceed until approximately midafternoon, about 3 o'clock. We conducted approximately five or six series of questions up until about 5 o'clock, after which Mr. Ruby had close to about a 2-hour break. We resumed early in the evening and the test continued until approximately 9 o'clock.

Mr. RUMSFELD. Who prepared the questions for that?

Mr. HERNDON. The questions were specifically prepared by the Warren Commission, with some alteration and modification in form by me as the examiner to make the questions conform to polygraph requirements.

Mr. KASS. Is it a normal practice to have the subject tell you questions to ask him?

Mr. HERNDON. It is not normal practice, but it happened in this instance.

Mr. KASS. For the record, this examination began at 2:58 p.m., and lasted until 4:45, p.m., and resumed at 6:25 and lasted until 8:59. And the deposition took an additional hour. Is it normal FBI practice to give a polygraph examination for such a great length of time?

Mr. HERNDON. It is not, but there could be a major case where we might run as long as 4 hours, but normally we don't take that long on a polygraph.

Mr. KASS. You say it has been done?

Mr. HERNDON. There could be a specific major kidnaping or bank robbery case where because of circumstances and so many questions to cover it could proceed into perhaps 3 or 4 hours, the examinee being willing. But here again we would give the examinee every opportunity for a rest, a break, and show great concern for his welfare.

Mr. KASS. Will a person ever get to a point where he becomes insensitive to the polygraph examination?

Mr. HERNDON. In my opinion a person may reach a point where he becomes insensitive to a polygraph examination.

Mr. KASS. How can you tell?

Mr. HERNDON. Generally you can tell by their physical manifestations during the interview, plus their charts. Their charts may flatten out, as we call it. They become somewhat immune to the technique.

Mr. KASS. Will the chart flatten out with respect to the so-called relevant questions you ask or just with respect to the so-called normal questions, or will the norm be the same?

Mr. HERNDON. Are you speaking with regard to a person who has become desensitized?

Mr. KASS. Correct.