

so requested or if there was any indication of trauma or any discomfort to the person.

Mr. MOSS. Supposing you have a willing subject with a physical condition which would cause the cuff to be painful. Can that happen?

Mr. MOHR. You mean if they told you it was painful?

Mr. MOSS. Maybe they were anxious to take the test and get it over with.

Mr. HERNDON. Preceding each examination, the examiners are trained to carefully go over with the examinee the physical condition of the examinee that day.

Mr. MOSS. It seems to me that one of the publications, and I am not clear in my mind whether it was a book or testimony, but I recall that the inference would be drawn from a complaint of discomfort in the application of the cuff that the person was probably trying to avoid questions or beat the machine. How do you differentiate between a valid complaint and a specious complaint?

Mr. HERNDON. If the person was complaining about the cuff hurting him, you would have to go along with the examinee. But it is a known fact that some people, when they come to take a polygraph examination, who perhaps are concerned that they are involved, could as a guise say "This bothers me, take it off." That has happened. I think using commonsense and the ability of an interrogator, it is usually obvious to him that this man is trying not to take the examination.

Mr. MOSS. Well, this is not determinative, you indicated, in the practice of the FBI. But there are other instances where it would be. As an experienced examiner, have you knowledge of conditions or do you know whether there are conditions where it would in fact be painful and where such a complaint would be completely valid?

Mr. HERNDON. In the thousands of cases of which I have knowledge no one has ever specifically made that complaint, sir, that this has caused physical harm to their arm, or would cause it.

Mr. MOSS. I don't mean harm. I mean pain or discomfort. Has anyone ever complained to you of discomfort?

Mr. HERNDON. In some of the examinations a person might say "I feel a tingling sensation," and at that point I would release the pressure and I would reduce my series questions.

Mr. MOSS. I don't know what the effect of sclerosis might be on a person taking such a test. I don't know whether it would have any effect. I don't know what effect it might have on people of middle age or later who have some impairment of nerve sensations in their arm because of a pinched nerve as a result of closing the cervical openings. And these are common complaints in persons as they move along beyond the middle years. I don't know what effect this would have on the placing of the cuff on the arm. To your knowledge has any determination of this been made?

Mr. HERNDON. To my knowledge we have had no trouble in that regard. As you may know, it is possible if a person seems to be sensitive to a cuff on the arm, there are other ways of measuring the same response, by lowering it to the wrist, and that has been done in some cases.

Mr. MOSS. Is that a technique that is known to all examiners?

Mr. HERNDON. I don't know. I do know it is known to all the examiners in the FBI, to change the cuff to a wrist cuff, so they would feel less pressure.