

Mr. Moss. Now if this was a physiological problem that caused the discomfort, would it be lessened by placing it on the wrist?

Mr. HERNDON. Probably so, but here again I would have to know the nature of the problem. We have consulted with doctors in regard to a specific examinee, if we feel he has a problem. In that connection, I might add when we have a situation where we believe a person wants to take a polygraph, as you suggested, and who would feel we were remiss if we didn't give it to him, and yet there is some indication he has a medical problem, we have in the past contacted his doctor and said "Your patient, so and so, wants to be interviewed with a polygraph. Do you know of any reason why we can not proceed with the examination?" And we explain what we do. We actually clear with the physician first.

Mr. Moss. I don't know how much research has been done in this field to determine these facts. That is why I raise them, not because the FBI will use it this way, but again I am mindful of the fact that this is widely used in American business and industry, and frequently the failure to successfully take a test, whatever that means, means you are not hired. And if someone should lose the opportunity for employment purely over some physiological problem, that would be very unfair, very unjust. So many of my questions are merely to establish the fact that even with a well-trained operator these areas have not been fully explored. Certainly in the 6-week miracle who may have no degree of any kind—he might only have a high school diploma and his machine—it is inconceivable that he will make anywhere near as much of an evaluation as you people can.

Mr. Kass.

Mr. KASS. Mr. Herndon, during the course of the Ruby polygraph examination, you stated, and I quote from volume 14 of the hearings of the Commission at page 590:

In general practice of polygraph work, generally speaking, the control questions are of lesser severity than the actual pertinent questions, but in those cases where the person appears to be telling the truth, we find they will respond more to the control questions than the critical question, even though the critical question has more potency and is more severe with regard to his well-being.

Could you explain this concept of the control technique? As I understand it, it is rather important to the polygraph technique. Is that correct?

Mr. HERNDON. It is a vital part of the technique, that is correct, Mr. Kass, although I think it would be pretty hard for me to amplify on it beyond the way it is in the book. I meant what I said in the book, but if I could perhaps put it another way, the control question is a question wherein you expect to get a response from an individual who will probably, because of the nature of the question, practice deception. And we use that as a gage or control in comparing it with the reaction to the critical or relevant questions.

Mr. KASS. Who determines whether the person will be severely or less severely affected by the control question? Who prepares the control question?

Mr. HERNDON. The polygraph examiner prepares the control questions.

Mr. KASS. How does he know what questions to ask?

Mr. HERNDON. Based on the general concept of the technique, the control question has to be somewhat generally related to the instant