

on the polygraph, put them all together and then come up with the best evaluation we can, and here again it is an informed opinion, not an absolute judgment.

Mr. KASS. Let's take the entire polygraph examination that was given to Jack Ruby. Would this be typical of an examination? Forgetting the timespan, but considering the type of questions, the series you ran, the order in which you put the questions, the procedure, would this be typical if somebody wanted to find out how to run a polygraph examination? Would you consider it a typical type of examination?

Mr. HERNDON. I would definitely not consider this a typical type of examination. In the latter part of my testimony before the Warren Commission I set forth specific factors involved in that interrogation which would be considered highly unusual in normal standard polygraph procedures.

Mr. KASS. You asked certain questions of Mr. Ruby and you explained them extensively in your deposition to the Warren Commission. You said these were the control questions, and you placed great reliance on those control questions. How do you know, for example, that the question "Did you ever make a false official statement?" was of importance to Mr. Ruby? Or forget about Mr. Ruby, to any individual? How do you know the question "Have you ever hit anyone with any kind of a weapon?" would be of any significance to the subject?

Mr. HERNDON. It would be significant in certain cases because of the nature of the examinee's background, his particular position, or why he was in custody.

Mr. KASS. Now what about the mere fact that he is in custody? Wouldn't that bother him?

Mr. HERNDON. Of course. I mentioned that in my testimony, sir.

Mr. KASS. And what significance do you place on the fact that he is in custody?

Mr. HERNDON. Normally the FBI will not render polygraph examinations once a man is in custody. We normally would not have conducted this examination under these circumstances.

Mr. KASS. Now take a regular type of polygraph examination. You say you don't rely only on the control technique. What other series do you run?

Mr. HERNDON. In modern polygraph work there are two or three other techniques commonly used, such as guilt complex series technique, or peak of tension technique.

Mr. KASS. What is the guilt complex series?

Mr. HERNDON. That is where you use a guilt complex question and thereafter evaluate it against the critical questions. The guilt complex question is one wherein you want to determine a man's reaction to a situation which is actually a fictitious crime. It is usually somewhat related to the instant offense.

Mr. KASS. Isn't that quite similar to the control technique?

Mr. HERNDON. You could say it is possibly similar. I consider it a different technique.

Mr. KASS. Now what is peak of tension?

Mr. HERNDON. Peak of tension is establishing a set of questions where one particular item or clue or specific fact would be extremely pertinent only to the guilty party, and has not been openly disclosed to the public or to other suspects.