the absence of any physiological response on the relevant questions indicated that there was no deception.

An accurate evaluation of Ruby's polygraph examination depends on whether he was psychotic. Since a psychotic is divorced from reality, the polygraph tracings could not be logically interpreted on such an individual. A psychotic person might believe a false answer was true so he would not register an emotional response characteristic of deception as a normal person would. If a person is so mentally disturbed that he does not understand the nature of the questions or the substance of his answers, then no validity can be attached to the polygraph examination. Herndon stated that if a person, on the other hand, was in touch with reality, then the polygraph examination could be interpreted like any other such test.

Based on his previous contacts with Ruby and from observing him during the entire polygraph proceeding, Dr. William R. Beavers testified as follows:

"In the greater proportion of the time that he answered the questions, I felt that he was aware of the questions and that he understood them, and that he was giving answers based on an appreciation of reality."

Dr. Beavers further stated that he had previously diagnosed Ruby as a "psychotic depressive."

Based on the assumption that Ruby was a "psychotic depressive," Herndon testified:

"There would be no validity to the ploygraph examination, and no significance should be placed upon the polygraph charts."

Considering other phases of Dr. Beavers' testimony, Herndon stated:

"Well, based on the hypothesis that Ruby was mentally competent and sound, the charts could be interpreted, and if those conditionsare fact, the charts could be interpreted to indicate that there was no area of deception present with regard to his response to the relevant questions during the polygraph examination."

In stating his opinion that Ruby was in touch with reality and understood the questions and answers, Dr. Beavers excepted two questions where he concluded that Ruby's underlying delusional state took hold. Those questions related to the safety of Ruby's family and his defense counsel. While in the preliminary session Ruby had answered those questions by stating that he felt his family and defense counsel were in danger, he did not answer either question when the polygraph was activated. Dr. Beavers interpreted Ruby's failure to answer as a reflection of "internal struggle as to just what was reality." In addition, Dr. Beavers testified that the test was not injurious to Ruby's mental or physical condition.

Because Ruby not only volunteered but insisted upon taking a polygraph examination, the Commission agreed to the examination. FBI Director J. Edgar Hoover commented on the examination as follows:

"It should be pointed out that the polygraph, often referred to as 'lie detector' is not in fact such a device. The instrument is designed to record under proper stimuli emotional responses in the form of physiological variations which may indicate and accompany deception. The FBI feels that the polygraph technique is not sufficiently precise to permit absolute judgments of deception or truth without qualifications. The polygraph technique has a number of limitations, one of which relates to the mental fitness and condition of the examinee to be tested.

"During the proceedings at Dallas, Tex., on July 18, 1964, Dr. William R. Beavers, a psychiatrist, testified that he would generally describe Jack Ruby as a 'psychotic depressive.' In view of the serious question raised as to Ruby's mental condition, no significance should be placed on the polygraph examination and it should be considered nonconclusive as the charts cannot be relied upon."

Having granted Ruby's request for the examination, the Commission is publishing the transcript of the hearing at which the test was conducted and the transcript of the deposition of the FBI polygraph operator who administered the test. The Commission did not rely on the results of this examination in reaching the conclusions stated in this report.