

absolute judgments of guilt or nonguilt without qualifications. The polygraph is used as an investigative aid and the results must be considered within the context of a complete investigation. The polygraph can be helpful to implement an interrogation and provide investigative direction but it must not be relied on solely or used as a substitute for logical investigation.

(a) Who makes the initial determination to use such devices?

Initial determination to use the polygraph is made by the special agent in charge of the field division where the subject resides.

(b) Is this initial determination subject to review by higher authority in each case?

The initial determination is subject to review and must be approved by higher authority.

(c) At what specific administrative level is the review made?

All cases are reviewed and passed on by the Assistant Director level, Assistant to the Director, and final approval must be given by at least the Associate Director. In some cases, the Director will make the final review.

13. If a person connected with your agency refuses to take a polygraph or other lie detection test, is information about the refusal made available to any person or agency outside your agency? Does your agency have any written rules or regulations governing this procedure? If so, provide two copies.

Not applicable as the FBI does not use the polygraph for general personnel screening.

14. Does your agency use two-way mirrors to permit observation of a polygraph or similar lie detection test or use recording devices during such a test?

The FBI does not use two-way mirrors to permit observation of a polygraph test or use recording devices during such a test.

(a) If so, in either case, are the individuals taking the tests informed of the existence of the two-way mirrors or recording devices?

Not applicable.

(b) Does your agency have any regulations governing the use of the two-way mirrors or recording devices during interrogations? If so, provide two copies.

Not applicable.

15. Has your agency during fiscal 1964 undertaken or contracted for any research projects involving the use of the polygraph or other so-called lie detection devices?

No, the FBI has not undertaken or contracted for any research projects involving the use of the polygraph.

(a) If so, please identify the research project and the researcher (or university).

Not applicable.

(b) Please state the total costs incurred for each of these research projects.

Not applicable.

16. Has your agency ever been involved in any legal or administrative matter involving the use of the polygraph or any other so-called lie detection device? (This question is intended to elicit any reference, regardless of degree of use, to the polygraph in these judicial or administrative proceedings.)

No.

(a) If your agency holds administrative hearings, are any references to polygraph examinations admitted in evidence?

Not applicable.

(b) If the answer to question 16(a) is in the affirmative, is the polygraph operator made available for examination and cross-examination purposes?

Not applicable.

(c) Are polygraph charts and other related documents admitted in evidence in these administrative hearings?

Not applicable.

17. If your agency has issued any new regulations or directives pertaining to the use of polygraphs and other so-called lie detection devices since your answer to the subcommittee questionnaire dated June 11, 1963 (or if your agency has amended any existing regulations or directives), provide two copies of each.

The FBI has not issued any new regulations or directives or amended regulations pertaining to use of the polygraph since answering the subcommittee questionnaire dated June 11, 1963.