

15 December 1983

KOPPEL: One of the headlines in tomorrow morning's Washington Post deals with the Justice Department probe into the unauthorized disclosure of U.S. strategy in Lebanon. According to the Post, that inquiry caused an angry confrontation between two top White House officials and prompted Secretary of State George Shultz to threaten resignation if he was asked to take a polygraph, or lie detector, test. In point of fact, the federal government last year administered more than 20,000 polygraph tests, despite significant disagreement over their value. We're going to examine that issue tonight. We asked Dr. Chris Gugas of Polygraph Services in Los Angeles to explain the procedure for us.

(scenes from polygraph test being administered) DR. CHRIS GUGAS (Polygraph Expert): (to subject) Good morning, \*Gervin. GERVIN: Good morning. GUGAS: How are you? Good to see you. Okay, now you're gonna be here for your polygraph examination, so let me just tell you what the polygraph's all about. It will record your blood pressure, your pulse rate, your upper and lower respiration, your skin resistance and the electrical energy of your blood going into your finger. (attaches various belts and sensing apparatus to subject as he talks) So here we have, scientifically, five pins that are recording, simultaneously, reactions through the body. Uh, you might take a deep breath there. (shows one line changing markedly) Now, you'll see that this has changed. And, uh, we know that if a person is going to lie, that there's going to be definite changes that take place in his body. Uh, this has been proven time and time again in physiology and also psychology. So what we're working with on the polygraph is a scientific instrument which is 100 percent perfect. However, the examiner, who is a human being, will never be 100 percent perfect. But the accuracy of the polygraph is far beyond 90 percent. (begins questioning) Is your name Gervin \*MacAlister? GERVIN: Yes. GUGAS: Is today Thursday, Dec. 15, 1983? GERVIN: Yes. GUGAS: Do you know who was responsible for the safe burglary at McMann's Grocery Store last Friday evening at 8 o'clock? GERVIN: No. GUGAS: (later) The polygraph is not the ultimate anything. There, the polygraph is, is an instrument that is used in conjunction with other physical evidence or other information or any lack of information to determine whether a person is holding back information or whether a person has knowledge, uh, of a particular crime. (to Gervin) Are you married? GERVIN: Yes. GUGAS: Did you burglarize McMann's Furniture last Friday night? GERVIN: No. GUGAS: Before your 21st birthday, did you ever steal anything totaling more than \$10? GERVIN: No. GUGAS: (later) It is not an invasion of privacy. It never has been an invasion of privacy, because no one has to answer a, a polygraph question unless, uh, he wants to. Uh, if a person is going to fight the polygraph, then forget about giving him the test. It would not be a valid test. (to Gervin) Were you in the military service? GERVIN: No. GUGAS: Did you plan or participate with anyone to burglarize McMann's Hardware Store last Friday night? GERVIN: No. (lines on polygraph are shown to be changing drastically) GUGAS: Do you know where any of the missing money is from the McMann Hardware burglary last Friday night? GERVIN: No. GUGAS: (later) Everybody believes that the polygraph is a, is a black magic box, which, of course, it is not. It is a scientific instrument. I don't think that a person should be sent to prison based on the polygraph exam alone. I don't think a person should be fired based on the polygraph exam alone. I think it's a tool that can be easily used by police agencies, which it has been, uh, easily used by the business community, which it has been for the last 50 years. Uh, it could be easily used by the courts. (to Gervin) Before your 21st birthday, did you ever steal anything over \$1? GERVIN: No. GUGAS: (later) At the present time, the polygraph is the only method that we have in the criminal justice system, and there is nothing that can compare with it, not even physical evidence, because that can be manufactured, that can determine a person's truthfulness or a person's deceptiveness.

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(to Gervin) During the first 16 years of your life, did you ever take anything that did not belong to you? GERVIN: No. GUCAS: All right. Sit quietly, don't move for five seconds. This first test is over.

KOPPEL: When we return, we'll talk with a man who lost his job after failing lie detector tests. He has now filed suit against the company that fired him and the examiner who administered the tests. And we'll be joined by a man who must now decide whether to take his own chances on a lie detector test. If Lenell Geter can pass such a test, prosecutors say they'll drop the charges for which Geter was sentenced to life in prison.

KOPPEL: Lenell\Geter, a Dallas engineer, was, until yesterday, serving a life sentence for robbery. But because several of his co-workers who were not called upon to testify at his trial said he couldn't have committed the crime, the case received enormous publicity. Now, a new trial has been ordered, and Geter has been released on bail. But there's a twist. The Dallas district attorney has given Geter the option of taking a lie detector test, and says he will drop all charges if Geter passes it. If he fails the test, however, that obviously would have a bearing on a new trial. Mr. Geter and his attorney, George\Hairston, are with us now from our affiliate, WFAA, in Dallas. Mr. Geter, you've taken, uh, polygraph tests before, haven't you? LENELL GETER: Yes, sir, I have.

KOPPEL: Passed one, failed one. GETER: Well, uh, the information I got from my lawyer is that, uh, the test was more or less inconclusive, that, uh, as a matter of fact, he hadn't received the actual reports from the examiner himself, so, uh, he hadn't had a chance to do independent study on it. So I suppose, uh, I'm concerned, uh, uh, that it came out more or less inconclusive.

KOPPEL: All right. But the one that was administered under the auspices of your lawyer, you passed that one, didn't you? GETER: Yes, sir, I passed that.

KOPPEL: All right. Tell us, now, from the vantage point of someone who has not only taken a couple of these polygraph tests, but also, I mean, we just saw that demonstration. I'm not quite sure what I've learned from that. I'd really like to hear from you, as someone whose life was literally hanging in the balance, what goes through your mind as you're taking a test like that? GETER: Well, one has to understand that I'm a victim in this situation, too. I been dragged in this incident, uh, by a judicial system that wasn't very careful in, uh, in, uh, investigating the case. And, uh, I'm a victim in that sense and, uh, this has caused a, quite a burden on me. And durin', durin' the time of takin' the polygraph test, being in jail for the first time and, and distressed, all kind of things are goin' through my mind. Uh, it's a very stressful position to be in.

KOPPEL: All right. Let me ask you this, then. Right now there's been a great deal of publicity. 'Sixty Minutes' did a, a major piece on you last Sunday. ABC News did a piece on you a, a number of months ago. Uh, you know you've got a great deal of public support. I'm sure you've heard from a great many people. That's why I suppose it could be argued that Lenell Geter now ought to be able to go into a polygraph test, sit down, you say you know you're absolutely innocent. What've you got to lose? How can there be enormous pressure on you if... If you're being asked straightforward questions--did you or didn't you do it--don't you think you can answer that and pass that kind of a test? GETER: Sir, I have no fear in takin' a polygraph test. Uh, it's the facts of the case that we are presenting. Uh, a proper polygraph test under the right supervision, I don't mind taking. But, uh, under condition that I take the last one (sic), uh, I wouldn't honor that too much. But the facts in the case, in that I'm innocent and, and wrongly accused and, uh, these are the things that we're tryin' to get across.

KOPPEL: All right. We're almost getting, I think, into, into such a legal discussion now that I'd like to turn to your lawyer for a moment, Mr., Mr. Hairston. Uh, when Mr. Geter talks about the way that the test was administered, can you explain to me what is so important about that? What objection did you have to the way the one test was administered? GEORGE HAIRSTON (Lenell Geter's Attorney): Well, simply, it was an improperly conducted, uh, test. Uh, the examiner knew very little about the case. The test was conducted in the bowels of the sheriff's department. Mr. Geter was under what we learned later for a psychiatric, psychiatric evaluation, was under a great deal of, of stress, trauma and, uh, was in a severe depression. Uh, the total conditions of the test were simply not conducive to, to an accurate and fair test.

KOPPEL: All right. What about now? What about this time around? The D.A. is saying, 'Take another test, pass it, and this whole nightmare is over for you.' What do you, what're you gonna recommend? HAIRSTON: Well, as you said, that is a twist. And, uh, it is an unnecessary twist to this case, because the facts that support, uh, his side of the case, his defense, are so overwhelming, overwhelming that, uh, the D.A. simply has to look at the case and, and exercise proper judicial, or prosecutorial, discretion and, uh, simply dismiss it. It's unnecessary. Uh, the only...

KOPPEL: Okay. But he's not, he's not gonna do that. So, I mean, you have the option of saying to your client, 'You don't have to take this, this lie detector test. We can have another trial.' And it is, it is your conviction, apparently, that Mr. Geter would, would get through that trial with flying colors. Right? HAIRSTON: Well, it's not so clear that he won't do it on that basis. Uh, we are not considering a test at this point, simply because Mr. Geter is un... un... in no condition to do anything but try to get back to a normal life. Uh, they, they may well decide, once the, the new prosecutors look at the case, the facts, may well decide to dismiss the charges. The only reason we are considering the test at all is simply that it is obviously an expedited way, or a way to expedite this whole situation, which has caused a great deal of pain and suffering, uh, to Mr. Geter and, I think, embarrassment to the, uh, the Dallas County prosecutor's office.

KOPPEL: All right. Mr. Geter, let me just return to you for a moment and, and, and ask you if you have to face another trial--trials, as you know, take another time.  
GETER: That's right.

KOPPEL: I'm sure they also cost a lot of money, ah, and a polygraph test--well, it'd be over real fast. What, what's your own preference? I realize you'll probably end up doing what your lawyer recommends, but what does your own instinct tell you? GETER: Personally, I have no fear in taking a polygraph test. I'm innocent, and just the whole thing, I'm just tired of it. I, I suffered too much. There's no, there's no need to take me through this again. I have no fear. But, ah, I'm taking the advice of my attorneys, and, ah, they advise me to this effect. And so, whatever they say I'll do. But, ah, I have no fear of taking a polygraph test.

KOPPEL: Just give me your, your summation in a sense of what you think about the, the whole technique of polygraph tests, though. I mean, it, in this case it could be enormously useful to you. It could be enormously helpful to you. GETER: That's right. Ah, but yet again, that depends entirely on my attorneys. And right now I'm lettin' them decide that, ah, because, ah, right, I guess more or less I've been more or less concentrating on getting back home and, ah, getting back with my loved ones.

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This has been a stressful time for me. I've suffered a whole lot. I understand it could be very useful to me. Ah, but I can't be objective right now, because I'm in a lot of stress, the media, ah, and I just wanna relax a little bit. And we'll make up my mind, we'll, we'll make up our minds when, ah, when I turn back, return.

KOPPEL: All right. Mr. Geter and Mr. Hairston, thank you both very much for joining us. Ah, stand by, though, because we may wanna come back to a little bit later in this broadcast after we've talked to a couple of our polygraph experts. In a moment, though, we'll talk to a man who lost his job because he failed a lie detector test. And we'll talk with a famous trial lawyer who calls lie detectors dependable and also with a researcher who says they're scientifically inadequate. And the American and Soviet hockey teams squared off on the ice again tonight--we'll have a report.

KOPPEL: Joining us live now from our New York studios is a man who prefers to be known only by his first name, Maurice. Maurice was fired from his job in a department store where he had worked for 13 years after he twice failed to pass a polygraph test. He is now suing both the store and the person who administered the test. Maurice, tell me very briefly, if you would, why did the store administer polygraph tests in the first place? I assume it was what, to all employees? MAURICE: Yes, ah, there was a breakage with our our particular store, one inventory. And because it was an abnormal breakage, and everybody in the store, from the store director down the porters, ah, were required to take a lie detector test or, ah, resign or be fired.

KOPPEL: All right. In other words, if you had, if you had said, 'I'm sorry, I just don't wanna take the test. I didn't have anything to do with this, with this material disappearing, but I don't wanna take the test,' you would have lost your job anyway? MAURICE: That's right.

KOPPEL: Fine. MAURICE: We were forced to take the test.

KOPPEL: Ah, you took it twice; you failed it twice. MAURICE: No, I didn't. The first time I came out fairly well. Ah, there was a problem with one question. Before I left the examining room, the examination room, ah, I asked the polygraph examiner to please give me that one question which did not come out too well. He said really he couldn't but because he knew me and we've had lunch together many times, he said to me, 'Yes, I will give it to you along with three or four other questions.' He did; he gave me the three or four other questions. And after that was over, I asked him how I did. He said, 'Well, it's much better than the first time. And all I can tell you is if, if you went out and bought a Cadillac now you had nothing to worry about.'

KOPPEL: All right. Why did you have to take it a second time? MAURICE: I really don't know. Two days later I was asked to take a second lie detector test.

KOPPEL: And that time you did fail. MAURICE: And, ah, I was told after that was over that, 'You are stealing merchandise from Alexander's.'

KOPPEL: Now, did you ever take anything from that store? MAURICE: No, I never did. I never took.

KOPPEL: Nothing? MAURICE: Well, there was one instance which I explained at the pre-examination to the lie detector test that I carried demonstration batteries in my pocket, three or four, which I think cost approximately 17 cents a piece. I used those during the Christmas season to replace demonstration toys that weren't on batteries. They run down. There was no retail value to it. I keep them in my pocket so I don't have to run to the stockroom every few moments to change the batteries.

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KOPPEL: Let me see if I can cut you a little bit short on this. You took those batteries home--is that right? MAURICE: I, ah, can you wait one moment? I can't, my microphone fell out.

KOPPEL: All right. Ah, you stick that earpiece back in your ear. Are you hearing me now? Can you, can you hear me now, Maurice? MAURICE: Yes, I can.

KOPPEL: All right. Fine. Ah, I, I was gonna say let me cut you a little bit short. In essence, you took those three batteries home--is that right? MAURICE: I took those batteries home. The next day I explained that I took them home, and....

KOPPEL: You think that's, you think that's why the, you, you failed the test? MAURICE: No.

KOPPEL: Or do you attribute that to something else? MAURICE: No, I don't. I attribute....

KOPPEL: Why do you think you failed the test? MAURICE: Okay. A lie detector test is based on blood pressure, based on skin responses and based on breathing. I suffer from severe fluctuating high blood pressure. I suffer from a speech defect. And because of the pills I'm taking for the high blood pressure, I tend to sweat a lot.

KOPPEL: You explained all that to the examiner? MAURICE: Ah, no, I didn't, because I, at that time I did not know the workings of a polygraph.

KOPPEL: All right. Did you explain it to the store management after you'd been fired and after you did find out the workings of, of a polygraph test? MAURICE: No, because I found out, ah, several months later exactly how it works.

KOPPEL: All right. Maurice, I, I'm gonna ask you to stand by also until we've talked to a couple of our experts. And then maybe you'd like to join in the conversation later on. When we return, we'll talk with trial lawyer F. Lee Bailey.

KOPPEL: With us now live in our Boston bureau is trial attorney F. Lee Bailey, who served as host for a nationally syndicated TV program called Lie Detector, in which polygraph tests were administered during the broadcast; and in our Washington bureau, Dr. Fred Wood, project director of a study of lie detector tests conducted by the Congressional Office of Technology Assessment. That study concluded that such tests lack scientific validity. And what does that mean, Mr. Wood? WOOD: That means that in looking at the entirety of the scientific evidence one cannot reach an overall judgment about the scientific accuracy of the polygraph. It's simply not possible. One has to look at the specific application in order to make some kind of statement about the validity of the polygraph.

KOPPEL: So, the bottom line is your recommendation to the federal government is what? WOOD: We recommend that the polygraph be only used in the context of the research available, which means specific incident investigations. When you get into large-scale screening, the evidence simply does not support at present the validity of that kind of application.

KOPPEL: Would you argue that in a criminal case where it becomes literally a matter of ascertaining fact, did you or did you not, were you or were you not on the evening of the 23rd, ah, in that kind of thing is it reliable? WOOD: In the case of a criminal investigation, that is the one situation where there is a significant research base which suggests that the polygraph is better than chance but also has the potential for a significant error rate.

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KOPPEL: All right. Put that into numbers. When you say better than chance, you mean better than 50-50? WOOD: On average better than 50-50, but we look at a large number of research studies. And 24 scientifically acceptable studies showed accuracy rates ranging from 35 percent to 100 percent. So, there's a wide range.

KOPPEL: Lee Bailey, ah, I've seen you quoted as saying that at least in criminal cases, where it is a question of, of factual matters being ascertained by a polygraph, ah, you put the number as high as 98 percent. And you don't, you don't seem to, you don't seem to suggest that there could be other instances where it's as low as 35 percent. BAILEY: That depends on who the examiner is. On our TV show we hit 120 for 120, which is 100 percent.

KOPPEL: How do you know? BAILEY: Well, because we've never been contradicted, and I think people like you would have let us know if a hurry if there were one contradiction available.

KOPPEL: No, I mean, how would you know if someone's lying? BAILEY: We know, we know whether or not they are being deceptive. Lying is the wrong word.

KOPPEL: All right. How do you know that they're being deceptive? I mean, for example.... BAILEY: Some....

KOPPEL: ...I, I remember one broadcast I think you had Ronald Reagan's barber on--'Does the president or does he not use hair dye?' BAILEY: No, the question was if the president used hair dye, did this man know it. And he said no. He did not exclude Grecian Formula, by the way.

KOPPEL: All right. Now what if, for example, the man, ah, was being a little bit deceptive? How would we know? BAILEY: It would have showed up on the chart. It's a very simple scientific technique.

KOPPEL: Yeah, but that's begging the question. That assumes.... BAILEY: That's not begging the question at all.

KOPPEL: That assumes, excuse me, that assumes that the technique is a hundred percent accurate. If the technique is not accurate and he was and he was lying, how would you know? BAILEY: Well, number one, we're not assuming the technique is accurate. I'm talking to you from a 30-year base of experience, which a criminal defense lawyer'd be crazy to associate with unless it had value. With a very good examiner the polygraph is very highly accurate. We expect one error, three inconclusives and 96 correct analyses from a hundred tests.

KOPPEL: Then, I guess the question I have to ask you, Mr. Bailey, is how can one know if a polygraph test is being administered? You want to administer one to me--how do I know that the man administering the test meets all those qualifications? BAILEY: How do you know that the man's who's giving you a triple bypass is prepared to do so or that the man defending you for murder, which might be me, has the qualifications?

KOPPEL: Yeah, but that's my choice and that's my selection. But when, ah, he government, for example, or a district attorney says to me. 'We wanna give you a polygraph test. We're not asking you whom you want to have administer the test--we'll decide.' How do I know? BAILEY: The government, the government and the district attorney never say that. Indeed, Mr. Geter, ah, who has the classic polygraph test at all and could be a breakthrough, ought to ask the American Polygraph Association to superintend his test. That's like the AMA telling Ted Koppel who do to the bypass.

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KOPPEL: But if the district attorney of, of Dallas says, 'I, I'm the one who decides who gives that, ah, who administers that polygraph,' ah, you're, you're telling me that legally he can be overruled? BAILEY: Yes sir. You're speculating, Ted. I know Lenell Geter. And I know Henry Wade, and Henry Wade isn't going to do that. He wants an honest test. I think Lenell Geter needs to cool down for a while. He has no obligation to take a test, but if he does so, he could provide one of the most important examples of polygraph, as it can interface with justice in the history of the United States and this technique, which was 60 years old this year.

KOPPEL: All right. It may be a little fair to put the question, ah, unfair, rather, to put the question to Mr. Geter. Let me put it to his attorney, though, Mr. Hairston. Ah, is there a choice as to who administers the test? HAIRSTON: Well, as I understand it now, there, the prosecution expects that a designated person. One examiner they have designated as, ah, their choice will conduct the test. That is not acceptable to us.

KOPPEL: Now, would that, would that designee be the same man who administered the test the first time around? HAIRSTON: No, it would not. But, they are, from the news reports and the discussions that the, ah, in the news, it appears that they are very close colleagues. He's a ex-policeman. Ah, he is a policeman now, I understand....

KOPPEL: All right. HAIRSTON: ...the person that, ah, is the choice.

KOPPEL: Now, you heard what your distinguished Boston colleague, Mr. Bailey, said, and that is that, ah, the choice is not up to them. You can, you can call for a choice there. Are you gonna do that? HAIRSTON: Well, that's somewhat unclear at this point, and that's why we are not saying yes or no. But he did make a very key point, and that is that, ah, the examiner is, is at least 50 percent of the test. The other 50 percent is the, the reactions of the subject. We're concerned about the examiner in this case, also about Mr. Geter as a subject, 'cause we have done some, ah, evaluations of him as a proper subject. I think there is a question whether or not everybody is a proper subject.

KOPPEL: Dr. Wood, let me just, ah, ask one more quick question to you before we take a break. Ah, and that is how is someone who is not a specialist, someone who is not an attorney, ah, like Mr. Bailey with a great deal of experience in this, how is he to know whether the man administering a test is the right kind of man? Is there a license? Is there, is there some kind of rating service for polygraph administrators? WOOD: That is a problem. At present there is no national legislation or standards on the use of and application of the polygraph. Some states have their own standards, but we lack a national standard. And it is very difficult, because there are many factors, not just the training of the examiner but the state of the subject, the condition of the test, the location of the test. All these things can affect the results of the exam.

KOPPEL: All right. Gentlemen, let's take a break. We'll be back with more of our discussion in a moment.

KOPPEL: Continuing our discussion now with F. Lee Bailey. Ah, Mr. Bailey, if I understand, ah, Dr. Wood correctly, he's saying that being the administrator of a polygraph test is kinda like being a report, anybody can do it. BAILEY: Well....

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KOPPEL: You believe that? BAILEY: First of all, that causes me to doubt Dr. Wood's credentials. First all, I never heard of him, and I've been at this game a long time. Second, anybody who knows anything about polygraph recognizes only examiners and those who aren't. And third, when he says there is no national standard, that's an absolutely false statement. There is a national standard. It is designated by the American Polygraph Association. Twenty-six states have licensing, and they set the standards. In the 26 that don't, you're either a member of the APA in full credit or you are not, and that is the public guideline that the public ought to know about.

KOPPEL: All right. Dr. Wood, give us your credentials--would you, please? WOOD: My credentials include a background in criminal justice areas and a doctorate in American science. And we have completed over the last eight months a review of perhaps one of the most comprehensive reviews of the entire body of research on polygraph validity, both public and private sector.

KOPPEL: All right. In behalf of whom? WOOD: This was done at the request of the United States Congress, the Committee on Government Operations.

KOPPEL: And you were assigned to do that by whom? WOOD: That was assigned, ah, by the office at the request of the United States Congress.

KOPPEL: Ah, Mr., ah, Bailey, I'm, I'm satisfied--are you? BAILEY: No, not by a longshot. I haven't heard that the doctor ever gave a test or has taken a test or is qualified to testify in court as an expert.

KOPPEL: All right. Well, but before this degenerates into purely ad hominem attacks here, ah.... BAILEY: It's not an ad hominem attack.

KOPPEL: Well it is an ad hominem attack, because you're suggesting the man doesn't have any credentials. Why would Congress.... BAILEY: I'm suggesting....

KOPPEL: Why would Congress turn to the one man who doesn't have any credentials to go, you know, to, to engage in an eight-month study of this? BAILEY: Because the polygraph is one of the hottest political issues that Congress has to face. Organized labor is against it. Government uses it all the time. That is not the place to thrash this out. The place to thrash it out is in court. Some courts find it to be admissible; others don't. Your question ought to be why the difference.

KOPPEL: All right. Why the difference? Why do 26 states accept and why do 24 others now? BAILEY: Good question. If you're entitled to the truth in America, you oughta be entitled to it no matter where you find yourself, not because you're unlucky enough to be in Missouri or lucky enough to be in New Mexico.

KOPPEL: All right. But now, Dr. Wood points out, and if I understand you correctly, you don't totally disagree, that if what you're trying to is, is kind of screen people, you're not engaged in a, in a criminal investigation here, you're just screening people out, as for example at the Pentagon or at the State Department. BAILEY: Yes.

KOPPEL: Is it as useful? BAILEY: It is useful in a totally different context. My expertise is in specific criminal accusations, and with that category Dr. Wood seems to agree. However, we ought not to ignore the fact....

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KOPPEL: He doesn't, doesn't agree totally, ah, I should, I should add. BAILEY: He doesn't disagree as violently as he appears to in the area of screening. In the area of screening, the United States intelligence service, the Japanese intelligence service and the Israeli intelligence service, perhaps the best in the world, all rely heavily on the polygraph. On the flip side....

KOPPEL: It's one of, it's one of many techniques that are used but certainly not exclusively used. BAILEY: It is the most important for those three services and more important than that, the Russians would give \$100 million tomorrow to anyone that could show them how to beat the polygraph.

KOPPEL: A fascinating prospect, but let's get back to the question. What about as far as screening is concerned, is it useful? BAILEY: It is an indication of a state of mind. It is nowhere near as useful as a specific question where guilt and innocence is so clear that it's beyond the pale, such as, 'Did you kill Ted Koppel, or where you in fact in Los Angeles that night?' That's the easiest kind of test. That's why I said the Geter case is a classic, and I personally hope that it's pursued, although I very much sympathize with the misgivings of Geter and his counsel based on what they've been through.

KOPPEL: Dr. Wood, ah, let's examine for a moment the case of Maurice. It is useful in, I mean here we're talking about a large department store which has been suffering some kind of pilferage, ah, and runs through all of its employees and says in effect, 'Did you do it?' Now, that, that almost sounds as though it is a specific enough question to make the polygraph test useful--doesn't it? WOOD: Well, that's a borderline case. It's a specific incident, but it's a largescale screening. And when you move from a typical criminal investigation where you narrow it down to a very small number of suspects to a large-scale use, then you leave the area from which there is strong scientific support. So, we concluded in the area of large-scale screening order, whether it's in the employment, private context or in the government, there is really inadequate scientific evidence to establish the validity.

KOPPEL: Now, what about the point that Maurice makes about some of his own physical problems? Ah, and, Maurice, if I, if I miss anything, you said you have a speech impediment, you say you have a heart problem? MAURICE: No, a blood pressure problem.

KOPPEL: Blood pressure problem, I'm sorry. Ah, would, would either or both of those play a role in, in affecting the outcome of a polygraph test? WOOD: Yes, the could. The condition, the physical and emotional and psychological condition of the examinee can have a bearing on the results.

KOPPEL: Ah, Mr. Bailey, do you disagree with that? BAILEY: Ah, I don't at all. The problem with Maurice's test is, as he has told us, the examiner was not acquainted with Maurice's problem. Now, we can test people with high blood pressure. We can test them with pacemakers. We can test them with respiratory ailments. And usually we can see from the chart that they have these problems, even if they don't tell us, but sometimes they get by. And if Maurice was given an invalid test because the examiner didn't know, once again, you put him in the national limelight, I would say the American Polygraph Association would be happy to sponsor a test that was accurate beyond the pale and to support Maurice all the way.

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KOPPEL: All right. BAILEY: The polygraph is not infallible, and if it made a mistake he's entitled to the benefit of that disclosure.

KOPPEL: Mr. Bailey and Dr. Wood, one quick question to both of you--a quick answer. If someone is so convinced of a lie that he believes it, he will pass the polygraph test? Yes or no. Dr. Wood? WOOD: It is possible that the frame of mind that a person is in can affect the results. If you truly believe you are telling the truth, even though it's a falsehood, that can definitely affect the results.

KOPPEL: Lee Bailey, short answer, please. BAILEY: Dr. Wood is entirely correct. However, in 30 years I have never met a person who committed a crime and thoroughly believed that he had not.