

Bill REF ID: A669944-53

This is the exact
excerpt from testimony
before the Senate -
It has not been
made public - so
for your info,
confidentially.

Boe Ellis

Approved for Release by NSA on 10-25-2013
pursuant to E.O. 13526

Sgt. Barry Sowers

MEMO ROUTING SLIP		NEVER USE FOR APPROVALS, CONCURRENCES OR SIMILATIONS	
1 NAME OR TITLE	INITIALS		CIRCULATE
ORGANIZATION AND LOCATION	DATE		COORDINATION
2			FILE
			INFORMATION
3			NECESSARY ACTION
			NOTE AND RETURN
4			SEE ME
			SIGNATURE
REMARKS			
Libbe, Max S.			
FROM NAME OR TITLE		DATE	
ORGANIZATION AND LOCATION		TELEPHONE	

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Replaces DA AGO Form 895, 1 Apr 48, and AFHQ Form 12, 10 Nov 47, which may be used.

16-48487-4 GPO ☆

The name "lie detector" is a complete misnomer. The machine used is not a lie detector. It shows the variations of your blood pressure and of your emotions. The person who operates the machine is the lie detector by reason of his interpretations. The machine technically is known as the polygraph. The man operating it must be extremely skilled and must be conservative and objective. He must be able to properly interpret the recordings made. However, whenever the human element enters into an interpretation of anything, there is always a variance. I would never accept the conclusion of a lie detector as proof of innocence or guilt. All that it can be called is a psychological aid.

For instance, I have in mind defalcations in banks. There was a case where one or two defalcations had been reported. We never use the lie detector except upon the agreement of the employees. Two employees immediately admitted they had committed this defalcation and eleven others admitted other defalcations which the bank did not know of and which had not been reported. That was psychological.

I saw the lie detector used in a kidnaping case some years ago in which a young man in his early twenties was picked up. He was quite a nervous and high-strung individual. The lie detector indicated he was guilty of kidnaping and murdering a child. We were not satisfied to accept that. We tried it on another suspect. He proved to be as innocent as any man could be. Five days later I received a full confession from the second suspect whom the lie detector proved to be innocent and he went to the chair and paid the penalty.

That is why I have said I do not have confidence in it as specifically proving anything. It is a psychological aid but as you and I both know, there are many persons who are highly excitable and highly emotional, who get very nervous when they have committed no crime. There will be differences of opinion. I personally would not accept solely the evidence of what the operator of a lie detector says the lie detector shows in proving that a man was or was not a sex deviate. There would have to be additional supporting information available. Accusing a person of sex deviation is a very serious charge to make against an individual and every step should be taken to insure against falsely charging any individual of such activity. In many cases, psychologically, the man might confess because of a guilty conscience. There are other sex perverts who are rather calloused and who might not show such reaction. I would never want to convict or acquit a man solely on the evidence of the lie detector because there is so much of a variance in regard to the human element and interpretation.