

The Value of the Polygraph Technique in a Serial Murder Investigation

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Introduction

While the accuracy of the polygraph technique has been questioned by the courts and debated for years, the test remains to serve the law enforcement community as a valuable means by which the truthful subjects can be eliminated from suspicion and the deceptive individuals can be identified. In the investigative process the polygraph may not only result in providing conclusive test results, but may also succeed in bringing out valuable commentary during the pretest interview. An example of this occurred in the polygraph test that was administered to a co-worker of serial murderer John Wayne Gacy during the Des Plaines, Illinois, Police Department's investigation into the disappearance of 15-year-old Robert Piest, the last of Gacy's 33 victims.

The first author was the Des Plaines Police Department's Chief Investigator of the Gacy Case. Though he would find the polygraph examination of Gacy's associate to be inconclusive, verbal information obtained during the pretest and posttest interviews proved invaluable. In fact, this information aided investigators in obtaining a second search warrant, which resulted in uncovering 28 bodies from under Gacy's Norwood Park Township home in December 1978.

Background on the Reid Technique

One of the most significant contributors to the polygraph technique was John E. Reid who established a polygraph school in Chicago. In addition to recognizing the potential of the subject's hidden muscular activity affecting the test recordings (particularly the blood pressure recording), Reid's most significant contribution to the field was the use of probable-lie comparison questions in the structure of the polygraph examination process. In addition to the use of comparison questions, the Reid Technique, initiated during the 1940s, includes an extensive pretest interview during which a) the subject is questioned about the case under investigation (his activities at the time in question, his relationship with the victim, etc); b) all of the test questions are prepared and read to the subject prior to the testing phase of the examination; and c) the subject is asked a series of behavior-provoking questions. The Reid Technique also includes a variety of procedures to deal with under and/or over responsive subjects: A test which serves to identify the overly nervous; a test designed to identify "spot responders;" tests specifically developed to assess the level of the subject's cooperation or interest in trying to "beat the test" (the stimulation card test and confirmatory "yes" test); the silent answer test

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(Horvath & Reid, 1972); and an emphasis on evaluating the subject's behavior symptoms during the pretest interview and exam.²

Question Formulation

Eleven test questions were developed with the examinee, Gacy's associate, during the pretest interview. When these questions were asked during the examination (in several different tests in which the sequence of the questions varied) the subject's respiration, electrodermal activity (EDA), pulse, and blood pressure were monitored by the polygraph.

Three types of questions are utilized in the Reid Technique. In this case four irrelevant questions, five relevant questions and two comparison questions were used. In the Reid Technique a subject's responses on the comparison questions are compared to those for his/her relevant question responses. While similar to the relevant question, the comparison question is broader in scope. For example, "Did you take the missing \$50,000?" would be considered a relevant question, whereas "Have you ever stolen anything in your life?" would be a comparison question in the Reid Technique.

Generally, a subject who responds physiologically more significantly to the relevant questions than to the comparison questions would be considered deceptive, whereas if the subject exhibited more significant responses on the comparison questions it would be suggestive of his truthfulness.

In this case the following questions which were asked during the course of the examination:

1. Do they call you (subject's name)? (irrelevant question)
2. Are you over 17 years old? (irrelevant)
3. Last week, December 11-15, 1978 did you take part in the disappearance of Robert Piest? (relevant)
4. Are you in Des Plaines right now? (irrelevant)
5. Do you know where Robert Piest is now? (relevant)
6. Did you take part in an unnatural sex act more than ____ times? (comparison)
7. Did you ever go to school? (irrelevant)
8. Did you help remove the body of Robert Piest from any vehicle? (relevant)
9. Did you help hide Robert Piest's body?
10. Do you know who caused the disappearance of Robert Piest? (relevant)
11. Have you ever tried to have sex with another male? (comparison)

The subject's polygraph examination included the following segments which are standard in the Reid Technique:

- The pretest interview.
- Test 1 which consists of the questions being asked in numerical sequence.
- Test 2, the card stimulation test in which the subject is instructed to tell a lie about the number on a card he picked.
- Test 3, a repeat of the first test.
- Test 4 is the Silent Answer Test, a repeat of the third test but the subject is instructed to answer the questions silently to himself.
- Test 5 consists of the eleven questions being asked in a mixed order.

Because the examiner observed consistent responses to the relevant questions, a specialized Peak of Tension Test was administered. In this case the Peak of Tension Test involved the use of a Cook County, Illinois map divided into twelve grids, one of the grids being the unincorporated Norwood Park Township area where Gacy lived. While the polygraph recorded the subject's physiological responses and while looking at the map, the subject was asked: "Is the body of Robert Piest buried in grid #1? Is the body of Robert Piest buried in grid #2?" etc. While the subject showed an extreme response in blood pressure during the initial

² In view of the fact that the Des Plaines Chief Investigator was trained at John E. Reid & Associates, Chicago, Illinois, and licensed by the State of Illinois, the Reid Polygraph Technique was the foundation for the testing of Gacy's associate.

Peak of Tension Test, the full compliment of tests (usually 3) could not be administered because the subject refused to complete them, saying they made him feel uncomfortable.

Prior to this polygraph examination on December 20, 1978, at the Des Plaines Police Department Lab, it should be noted that the chief investigator had spoken to the subject on several occasions. In fact, the subject was initially encountered at John Wayne Gacy's home on December 12, 1978, the night following Piest's disappearance when Des Plaines Police went to question the Norwood Park Township contractor, Gacy. Interviews in the subject's home and at the Des Plaines Police Department followed. In conversation the 19-year-old subject related that he had once been arrested for disobeying a stop sign, eluding police, and reckless driving and, at a later date, for beating up Gacy.

Prior to this polygraph examination the subject denied ever having sex with John Wayne Gacy. He did, however, mention that Gacy had made sexual advances towards him. During the pretest interview the subject admitted that he had engaged in oral and anal sexual relations with Gacy on numerous occasions (the basis for the development of comparison question #6 in the earlier list of test questions). While the examiner was able to develop this type of information during the pretest interview, he nevertheless persuaded the subject to take the polygraph on the premise that it would concern the disappearance of Robert Piest.

During this subject's polygraph examination the examiner observed that the subject had poor eye contact during the pretest interview, as well as during interim periods between the various tests. Furthermore, during these periods the subject frequently sat with his feet crossed at the ankle, under the chair, shaking one foot.

Although the overall results of the polygraph examination were inconclusive, it was the opinion of the examiner that because the subject was consistently responsive to relevant questions, refusing to complete the Peak of Tension Test and his exhibited negative behavioral symptoms, he was withholding pertinent information regarding his involvement with John Wayne Gacy. A

close examination of the subject's physiological responses will demonstrate the foundation for the examiner's opinion.

Deceptive Parameters

Before evaluating the subject's responses to the test questions it is interesting to note the individual's reaction to the chosen card on the Card Test (See Figure 1). The Card Test is routinely administered as the second test. As its title indicates the test deals with numbered cards and does not involve any questions about the issue under investigation. The subject is instructed to select a card and memorize it. The subject is advised to answer "no" each time the examiner asks: Did you select card #_? Did you select card #_? etc. The Card Test, which ultimately involves the examiner identifying the subject's card while observing the individual's physiological responses, helps reinforce the accuracy of the polygraph in the subject's opinion and indicates that the instrument is adjusted properly.

In the case of Gacy's co-worker, the response to his chosen card, #12, is apparent in the rise in blood pressure, drawn out respiration, and an inconsistent electrodermal reaction.

As the subsequent test is reviewed, a significant indication of deception occurs in the subject's respiratory response to relevant question 5 (Do you know where Robert Piest is now?). Following the subject's verbal "no," his respiration became suppressed and his blood pressure increased (See Figure 2).

Another significant response in respiration and blood pressure occurred to relevant question 3 (Last week, December 11-15, 1978, did you take any part in the disappearance of Robert Piest?) during the Silent Answer Test (Figure 3).

During this particular subject's mixed question test he showed definite responses to relevant questions when compared to comparison questions. Strong responses in respiration on relevant questions 8 (Did you help remove the body of Robert Piest from any vehicle?) and 9 (Did you help hide Robert Piest's body?), in comparison to the minimal responses on comparison question 6 (did you

take part in any unnatural sex act more than -- times?), indicate probable deception. (See Figure 4).

Due to the concerns that these highlighted responses raised about the subject's truthfulness, as well as the various behaviors he displayed during the examination, a posttest interview was conducted. The posttest interview provides the examiner with the opportunity to discuss with the subject the reactions that he exhibited on the relevant test questions. During this posttest interview the subject related information that, when reviewed in relation to details compiled from others who had encountered Gacy, resulted in the issuance of the December 22, 1978 search warrant for the Gacy's home where 28 bodies were subsequently uncovered. Specifically, the subject related that while he was digging trenches under Gacy's home in the crawlspace area, as requested by Gacy, Gacy became very distraught when he (the subject) dug near a concrete slab. Following his arrest Gacy did admit to having poured concrete over his first victim in the crawlspace.

In addition, at one point during the examiner's posttest interview, which lasted approximately one hour, the subject was asked, "If you had to guess where the body of Robert Piest was right now, what would you say?" The subject's concluding remark was, "He's probably buried under John's house."

Although extremely emotional, as posttest interviews frequently are, it was this portion of the polygraph examination that proved extremely valuable to the investigator. What perhaps seemed like an assumption or generalization by the subject became paramount when added to testimonies of others regarding their relationship with Gacy. John Wayne Gacy was convicted of the murder of 33 individuals in the State of Illinois. The author of this article was a witness to Gacy's execution on May 10, 1994.

This case clearly illustrates the value of the polygraph examination process in developing critical investigative information to help resolve the most serious of cases.

Reference

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