

- 1 - Mr. Belmont
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. McGowan
- 1 - Mr. Hines

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June 11, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin
 General Counsel
 The President's Commission
 200 Maryland Avenue, Northeast
 Washington, D. C.

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 FBI
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Dear Mr. Rankin:

With reference to your conversation with Mr. J. R. Malley of this Bureau on June 10, 1964, concerning the desire to afford Jack Ruby, who is now confined in the Dallas County Jail, Dallas, Texas, a polygraph examination, I wish to bring certain observations to your attention.

You will recall, insofar as the polygraph is concerned, the FBI has established certain guidelines. The polygraph, often referred to as a "lie detector," is not in fact such a device. The instrument is designed to record under proper stimuli emotional responses which may indicate and accompany deception. It must be clearly understood that emotional disturbances observed during a polygraph test can and may also be prompted by anger, fear, violent dislike, et cetera. The polygraph operator must be extremely skilled, conservative and objective. This Bureau feels that the polygraph technique is not sufficiently precise to permit absolute judgments of guilt or nonguilt without qualifications.

The polygraph is used as an investigative aid or technique by the FBI in carefully selected cases. The results must be considered within the context of a complete investigation. The polygraph can be helpful to provide investigative direction but it must not be relied on solely or used as a substitute for logical investigation.

Inasmuch as the polygraph is used primarily as an investigative technique by the FBI, we would not consider the use of the polygraph as coming within our guidelines, particularly under circumstances wherein

- Tolson _____
- Belmont _____
- Mohr _____
- Casper _____
- Callahan _____
- Conrad _____
- DeLoach _____
- Evans _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

JAR:hw

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NOTE: See memo Rosen to Belmont, 6-10-64, captioned, "Jack L. Ruby, aka; Lee Harvey Oswald - Victim, Civil Rights," JRM:hw.

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Honorable J. Lee Rankin

the case involved has been adjudicated by a court of law. Specific reference, of course, is made to the Jack Ruby case. The trial of Jack Ruby was publicly aired, it was under the close scrutiny of the eyes of the world, it is reasonable to expect that numerous appellate procedures will be instituted for some time to come, and it is also reasonable to expect that this matter at some time will be judicially reviewed or at least submitted for such review to the Supreme Court of the United States.

Bearing in mind the above factors and the guidelines under which the FBI uses the polygraph, it would seem highly improper for the FBI to give favorable consideration to its use.

I wanted to bring the above facts to your attention in view of your request that the FBI make available its polygraph examiners in connection with the polygraph examination which you desire be afforded Jack Ruby.

Sincerely yours,