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PRECEDE NEW YORK 360
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NEW ORLEANS (AP)-THE NATIONAL BROADCASTING COMPANY'S CHARGE THAT GARRISON PROBE WITNESS PERRY RUSSO FAILED A LIE DETECTOR TEST WAS DISPUTED TUESDAY BY THE MAN WHO SUPERVISED THE TEST.

IN A SIGNED STATEMENT, PRIVATE INVESTIGATOR LEONARD GURVICH SAID THAT THE POLYGRAPH OPERATOR WAS UNABLE TO GET A READING ON RUSSO AFTER MAKING TWO ATTEMPTS TO ADMINISTER THE TEST.

NBC COMMENTATOR FRANK MCGEE MADE THE FOLLOWING STATEMENT MONDAY ON THE TELEVISION NETWORK'S "WHITE PAPER" PROGRAM: "RUSSO'S ANSWERS TO A SERIES OF QUESTIONS INDICATE, IN THE LANGUAGE OF THE POLYGRAPH OPERATOR, DECEPTION CRITERIA. HE WAS ASKED IF HE KNEW CLAY SHAW. HE WAS ASKED IF HE KNEW LEE HARVEY OSWALD. HIS "YES" ANSWERS TO BOTH OF THESE QUESTIONS INDICATED DECEPTION CRITERIA."

IN A STATEMENT DATED JUNE 19, GURVICH SAYS THAT HE SET UP THE TEST AND WAS PRESENT WHILE IT WAS ATTEMPTED. HE DESCRIBED THE PROCEEDINGS THIS WAY:

"IT WAS DETERMINED BY THE OPERATOR THAT THE SUBJECT, PERRY RUSSO, WAS HIGHLY NERVOUS AND THAT HE COULD NOT DETERMINE RELEVANCY OR IRRELEVANCY DUE TO HIS PRESENT STATE. A SHORT TIME WAS ALLOTTED TO ALLOW THE SUBJECT TO ENGAGE IN CONVERSATION WITH THE POLYGRAPH OPERATOR, MR. ANDREW SCIAMBRA AND MYSELF. THIS WAS DONE IN THE HOPE THAT WE WOULD BE ABLE TO MAKE A LITTLE EASIER THE CONDITIONS FOR THE TESTING OF MR. RUSSO.

"AFTER A SHORT PAUSE, A SECOND ATTEMPT WAS MADE TO TEST MR. RUSSO AND AGAIN THE POLYGRAPH OPERATOR ADVISED THAT HE WAS UNABLE TO GET SPECIFIC READINGS."

GURVICH SAID THAT TO THE BEST OF HIS KNOWLEDGE, RUSSO WAS NOT TESTED AT THAT TIME. HE ADDED THAT HE WAS NOT AWARE OF ANY OTHER ATTEMPT TO TEST THE WITNESS.

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NBC ALLEGED THAT GARRISON KNEW THAT RUSSO HAD FAILED THE TEST WHEN HE PUT HIM ON THE STAND AT THE PRELIMINARY HEARING OF CLAY L. SHAW. THE TEST WAS MADE, SAID NBC, SIX DAYS BEFORE RUSSO GAVE HIS TESTIMONY.

AT THE HEARING, RUSSO, A 25-YEAR-OLD BATON ROUGE INSURANCEMAN, TESTIFIED THAT HE OVERHEARD CLAY L. SHAW DISCUSSING AN ASSASSINATION PLOT WITH DAVID W. FERRIE AND LEE HARVEY OSWALD. RUSSO SAID THE PLOT WAS HATCHED AT A PARTY AT FERRIE'S APARTMENT IN SEPTEMBER, 1963. KENNEDY WAS ASSASSINATED ON NOV. 22, 1963.

LARGELY ON THE BASIS OF RUSSO'S TESTIMONY, THE ORLEANS PARISH GRAND JURY INDICTED SHAW FOR CONSPIRACY TO ASSASSINATE THE PRESIDENT. WHEN ASKED WHAT HE THOUGHT OF NBC'S PROGRAM ON THE PROBE, GARRISON SAID, "I DIDN'T WATCH IT. I HAVE BETTER THINGS TO DO WITH MY TIME."

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