

1956

Selection and Phrasing of Lie-Detector Test Control Questions, The

George W. Harman

John E. Reid

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

Recommended Citation

George W. Harman, John E. Reid, Selection and Phrasing of Lie-Detector Test Control Questions, The, 46 J. Crim. L. Criminology & Police Sci. 578 (1955-1956)

This Criminology is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

THE SELECTION AND PHRASING OF LIE-DETECTOR TEST CONTROL QUESTIONS*

GEORGE W. HARMAN AND JOHN E. REID

George W. Harman is Director of John E. Reid and Associates' San Francisco office, which he set up in 1953. A graduate of the University of Pennsylvania, he served for four years as an officer in the Army Intelligence Corps prior to receiving his training in lie detection under Mr. Reid and serving as a staff member at the Chicago office.

John E. Reid is Director and founder of John E. Reid and Associates, an organization specializing in lie detection with headquarters in Chicago, and offices in New York, Pittsburgh, and San Francisco. From 1939 to 1947 he was a staff member of the Chicago Police Scientific Crime Detection Laboratory. An author of several articles which have appeared in this Journal, Mr. Reid is also co-author with Fred E. Inbau of *Lie Detection and Criminal Interrogation*, (3rd Edition, 1953).—EDITOR.

An important key to the effective use of control questions in polygraph (lie-detector) examinations is the proper selection and phrasing of such control or comparative-response questions.¹ The main function of control questions in the test structure is to afford the examiner a valid means of comparing the subject's responses to the questions pertaining to the matter under investigation with those induced by a question calling for an answer which is a known lie or one which the examiner may reasonably assume to be untrue. The process of arriving at the question is in itself important, because the control question should be phrased to suit each individual subject, as well as have a balanced relation in the test with the pertinent or "hot" questions.

The introduction of the control question is best accomplished during the pre-test interview with the subject, when the examiner is discussing the questions pertaining to the investigation. In this way, the control question is introduced to the subject as "part of the procedure," and he will have no occasion to attach undue importance to it. Although occasionally a subject may object to the presence of the control question in the test, he will usually be satisfied if the examiner explains somewhat as follows, "I agree with you; this matter has nothing to do directly with the thing we are investigating, but we don't want anything concerning dishonesty or cheating in your past to cause you trouble on this test. We've found that people who don't get these little things off their minds may have trouble when we ask the main test questions. This is an important question for getting you through this test without any trouble, so cooperate with me, and we will get you finished here that much sooner." Although the control question usually has no direct bearing on the matter

* The writers gratefully acknowledge the assistance of Professor Fred E. Inbau, Northwestern University School of Law, in the preparation of this article.

¹ The complete explanation of the control question test, its theory, application and diagnostic technique is set forth in *Lie Detection and Criminal Interrogation*, (3d Ed., 1953), by Fred E. Inbau and John E. Reid. Also see, J. E. Reid, "A Revised Questioning Technique in Lie Detection Tests, *Jour. of Crim. Law and Criminol.*, vol. 37, p. 542 (March-April, 1947).

under investigation, there are actually very few subjects who will object to its being included on the test.

In selecting an area of the subject's background from which to draw a tentative control question, the examiner should adhere to the following principles:

1. The question must be one to which the subject will answer "no".
2. Either the examiner should know from the facts in his possession that the subject's "no" answer is a lie, or he should be reasonably certain the answer is untrue.
3. The subject should believe that the question is important to the procedure and the final test results.
4. The question should concern a matter of lesser weight than the pertinent questions.
5. The control question should be limited to the same general area as the offense for which the subject is being tested. Sex controls should be employed only in those tests involving sex matters or offenses. Most other crimes or offenses can be handled by a control pertaining to dishonesty or cheating.

Some examiners are of the opinion that control questions are valuable only for determining whether a subject is generally responsive—a misconception that apparently results from the practice of introducing controls, as surprise questions, to test the reactions of comparatively unresponsive subjects. But control questions serve a much more valuable purpose when they are introduced during the pre-test interview phase of the test procedure. When thus employed the examiner is provided with a standard by which he can more accurately evaluate what occurs or does not occur in the subject's responses to the pertinent questions. It offers a real safeguard against the risks of error in cases where "clear-cut, guilty" responses may show up in the polygraph records of innocent, angry subjects and in those of innocent subjects having true guilt complexes. It is particularly with the responsive subject that the examiner must have a control question, since possibly the subject may be one of the above responsive-innocent types. Without a control question this could not otherwise be determined. This procedure also affords the examiner an opportunity for readily obtaining admissions from the subject before the test regarding lesser crimes or dishonesties; and it enables the examiner to compare the behavior symptoms of the subject respecting the pertinent questions with those regarding the controls at that time.²

The more the examiner knows of the subject's background, occupation, work record, criminal record, and area of activity relating to the matter under investigation, the easier it is for him to arrive at effective control questions. Armed with such information the examiner can frequently form a control question to which the subject's answer will be a known lie. Each occupation offers ways and means for employees to cheat or steal, and it is to the examiner's advantage to familiarize himself beforehand with the theft opportunities peculiar to the subject's job. Knowing, for instance, that a subject had been a bartender for many years, the examiner can be

² John E. Reid and Richard O. Arther, "Behavior Symptoms of Lie-Detector Subjects," *J. of Crim. Law, Criminal. and Pol. Science*, vol. 44, p. 104 (May-June, 1953).

reasonably sure the subject will be lying if he denies ever having cheated a customer or ever having kept money he failed to ring-up on the register.

When first approaching the subject on the control question it is wise to keep the inquiry as wide as possible, especially if the examiner is not in possession of any information about which he is certain the subject will lie. The question, "Did you ever steal anything in your life?" is much wider in scope and time than, "In the past six months did you steal more money than what you told about?" The examiner can start the discussion leading to the control question by saying, "Jim, this is basically an honesty matter you are being tested on, so I want you to tell me what you have ever taken during your life that didn't belong to you, either money or merchandise." The subject's reply, of course, determines the subsequent procedure to be followed. He may deny ever having stolen anything. If so, the control is then established as, "Did you ever steal anything in your whole life?" The subject may quibble over not being sure or not remembering. To this the examiner can explain that if the subject honestly does not remember a specific theft, it won't cause him any trouble on the machine. The examiner then states, "I'll ask you this then, 'Do you remember ever stealing anything in your life?' You can answer no to that can't you?"

Most subjects will make some control admissions before the test is begun. The examiner should write them down regardless of how petty they may be, thus maintaining the importance of this question in the mind of the subject. A few subjects will say, "Oh, I've stolen a lot of things—do you want me to tell you all of that?" These individuals will admit all they can think of, and rack their brains to think of more. To save time the examiner must cut them off by saying, "That's all you've taken, isn't it?" or "You've never stolen anything else, have you?", thus saving some of the advantage of the control question procedure, for if the subject makes a complete confession of his dishonesties, his fear of the question will diminish to a point where it will not serve its intended purpose. Other subjects may actually have stolen little or nothing during their lives, and if this appears to be the case, the examiner must use a still wider control such as, "Did you ever cheat anyone in any way?"

Whenever control question admissions are made during the pre-test interview, the examiner must qualify the question to exclude the admissions, and ask a question of the following type:

"Besides what you told about, did you ever steal anything else?"

"Besides when you were a child, did you ever steal any money?"

"Besides the one time did you ever indulge in an unnatural sexual act?"

Once the final content has been established, the phrasing of the control question should be simple, direct, and clearly understood by the subject. It should be composed as carefully as the pertinent questions, avoiding "loaded", unknown, or embarrassing words or phrases. There should be no doubt in the subject's mind as to the meaning of the question and of the words used, and he must understand that the answer to it is to be "no".

The examiner's appraisal of the subject, based on the pre-test control admissions and the subject's behavior symptoms exhibited during the selection of the control question, will give the examiner some indication of whether or not the subject is

withholding information on the control. General evasiveness, physical movements to relieve inner tension, and responses such as, "That's all I can think of"—"As far as I can remember"—"Not that I can think of right now"—will assure the examiner that the control is still valid. Even if the subject is telling the truth as he knows it when he states, "That's all I can remember," there will often remain enough doubt in his mind to cause a response when the question is asked on the test. The admission of one crime or act can generally be considered a good indication that it occurred more than once. It can generally be assumed that an admitted burglar has committed more than one burglary, or that a man who admits an act of sexual perversion is responsible for others.

With some subjects it is very difficult for the examiner to arrive at any control question which he feels confident will produce the desired results. Subjects who will admit to almost anything the examiner introduces, and subjects who claim they cannot answer "no" because of their uncertainty, are among those who will cause this impasse. In these cases the examiner may have to change and rephrase questions five or six times before obtaining a control question agreeable to him and the subject.

After the main control question has been included in the test, it is frequently desirable to insert a secondary control. This may be one which covers a different area of the subject's background, and/or one which is less wide in scope or time. It may also be one which borders more closely the subject matter of the pertinent questions. Such questions may be:

"Besides what you told about, did you ever steal any money from a place where you've worked?"

"Have you stolen anything since you got off probation?"

"In the past six months have you been in a house of prostitution?"

"Besides the 50¢ in postage did you steal anything else from the ABC Company?"

After the selection of the secondary control or after the first tests, it may become evident to the examiner that it is more effective than the main control. If so, their positions in the test should be interchanged. In some cases a lesser pertinent question having to do with some phase of the investigation other than the commission of the crime or offense, may serve as a control question. This usually happens after the testing has begun. For instance, the question listed above concerning postage could be used as a control in a case where there had been a mysterious disappearance of money in the ABC Company.

The "guilt-complex" question is a specialized control and should be used wherever possible. Its use is particularly desirable when the examiner's estimate, based on the facts and the subject, indicate that the subject may have a true guilt-complex. In constructing a fictitious crime situation on which to base the guilt-complex control question, the examiner must be careful not to exclude from the subject's mind the fear that he might actually be a possible suspect. This has happened to the writers, when after a date, time, and location for a fictitious crime were phrased for the subject, to have him declare, "Oh, I was in the County Jail all that week." It becomes virtually impossible then for the examiner to retreat and create a new set of facts. Determine first, if possible, whether the subject was in town, not in custody, and not sure of having an alibi for the fictitious crime. The elements of the guilt-complex

control should be specific rather than general. A general question such as "Did you commit a burglary on the east side of town last month?" may not be fictitious. The examiner cannot really be positive the subject did not commit such a crime. The elements of the fictitious crime should closely parallel those of the actual crime under investigation. The two should be equal in weight.

During the testing it is frequently necessary to change or replace control questions or switch their relative positions in the test. These changes are occasioned by control admissions the subject will make between tests, or to clarify a misunderstanding as to the exact meaning of a question. This procedure is closely related to subject stimulation, a discussion of which is not included in this paper. Other than for stimulation purposes, it is desirable to secure control admissions after the tests are run so that the controls can be established as known lies.³

CONCLUSION

The process of selecting effective control questions is one of trial and error. It demands a careful appraisal of the subject, his capabilities, probable honesty pattern, and his known background. The examiner must exercise all his imagination and ingenuity to arrive at controls which will provide the degree of response required for comparison purposes. Each subject presents a different and challenging problem, and no pre-collected list of questions can do more than act as a general guide.

³ For the description of the control question, test structure, and the relative positioning of pertinent, control, guilt-complex, and irrelevant questions before and during the test; and the discussion of changing the position of questions in the test as related to subject stimulation, see Inbau and Reid, *Lie Detection and Criminal Interrogation*, (3d Ed., 1953), pp. 17-22.