

WARREN D. HOLMES - VITAE

1. Graduate of Keeler Polygraph Institute - Chicago, Illinois.
2. Former Detective Sergeant of Miami Police Department in charge of the Lie Detection Bureau, 1955 - 1963.
3. Self-employed, Holmes Polygraph Service, Inc. 1963 present.
4. Charter and Life Member of the Florida and American Polygraph Associations.
5. Former President of the Florida Polygraph Association and Former President of the Academy for Scientific Interrogation- predecessor name of the American Polygraph Association.
6. Author of numerous articles on lie detection and interrogation for various professional journals.
7. Each year since 1957, Mr. Holmes conducts seminars on lie detection and interrogation for various police agencies throughout the U.S.
8. For ten years, Mr. Holmes was guest lecturer on interrogation of homicide suspects at the Royal Canadian Mounted Police Academy in Ottawa, Canada.
9. Mr. Holmes lectures each year at the FBI Academy and other federal agencies on lie detection and interrogation.
10. Former Special Consultant to the U.S. Senate Select Committee on Assassinations, Washington, D.C.
11. Mr. Holmes has administered polygraph examinations in the following national cases:
 - A. John F. Kennedy Assassination
 - B. Dr. Martin Luther King Assassination
 - C. Watergate
 - D. William Kennedy-Smith Case

AN ANALYSIS OF THE POLYGRAPH CHARTS
FROM THE POLYGRAPH EXAMINATION OF JESSIE LOYD
MISSKELLEY JR. TEST CONDUCTED AT THE WEST
MEMPHIS POLICE DEPARTMENT ON JUNE 3, 1993
BY EXAMINER DETECTIVE BILL DURHAM

BELOW ARE LISTED THE TEST QUESTIONS AND MR. MISSKELLEY JR'S
VERBAL RESPONSES

1. Have you ever taken a polygraph test before?

Answer: "No."

2. In regard to the deaths of those three boys, are you
going to tell the truth during this test?

Answer: "Yes."

3. Have you ever been in Robin Hood Hills?

Answer: "No."

4. Do you smoke dope?

Answer: "No."

5. Have you ever took part in Devil Worship?

Answer: "No."

6. Have you ever sold any dope?

Answer: "No"

7. Have you ever attended a Devil Worship Ceremony in the
Turner-Twist Area?

Answer: "No."

8. Have you taken any drugs or medication today?

Answer: "No."

9. Are you involved in the murder of those three boys?

Answer: "No."

10. Do you know who killed those three boys?

Answer: "No."

CHART ONE

TEST QUESTION NUMBER	VERBAL RESPONSES	ANALYSIS
1	No	<p>The examiner utilized a Stoetling Ultracscribe Instrument. This particular instrument possesses two pneumograph (respiratory) pens recording any changes in breathing in the chest and abdomen areas. The third pen, in the center, depicted by a singular line, measures what is called the electrodermal or galvanic skin reflex. In essence, this pen records any changes in skin resistance, to a minute electric current. The fourth pen, depicted in the heavy bottom tracing, records cardio activity primarily pulse rate and changes in relative blood pressure. In Question #1 there were no physiological reactions indicative of deception in any of the four parameters.</p>
2	Yes	<p>No physiological reactions indicative of deception in any of the four parameters.</p>
3	No	<p>No deception indicated. Just prior to this question being asked, there was a pronounced rise in the blood pressure tracing which in the opinion of this examiner, was caused either by arm pressure or general nervous tension.</p>
4	No	<p>A pronounced reaction in the electrodermal response indicative of deception. It is the understanding of this examiner that Mr. Misskelley after the test confirmed that he lied to this particular question.</p>

CHART ONE

TEST QUESTION NUMBER	VERBAL RESPONSES	ANALYSIS
5	No	No deception indicated in either respiratory tracing or the electrodermal response. There was however, a pronounced blood pressure reaction in the area where Question #5 was asked. It should be noted however, that the blood pressure response actually started before the test question was asked.
6	No	No deception indicated in any of the four parameters.
7	No	No deception indicated in any of the four parameters.
8	No	No deception indicated in any of the four parameters.
9	No	No deception indicated in any of the four parameters. There was however, a pronounced blood pressure reaction approximately eight seconds after this question was asked. It is the opinion of this examiner, that this response was not connected with the stimulus of Question #9. It is also noted, that the examiner failed to readjust the electrodermal pen to its normal position in the center.
10	No	No deception indicated in any of the four parameters. It is noted that approximately five seconds after this question was asked, there was a slight disruption in the cardio tracing which appears to be caused by finger movement.

CHART TWO

TEST QUESTION NUMBER	VERBAL RESPONSES	ANALYSIS
1	No	No physiological reactions indicative of deception in any of the four parameters. Following Question #1, the examiner made an adjustment upward in the cardio tracing.
2	Yes	A minor response in the electrodermal parameter and a rise in the blood pressure tracing. It is the opinion of this examiner, that the rise in the blood pressure tracing is more commensurate with arm pressure, than an immediate physiological reaction to the stimulus of Question #2.
3	No	The examiner indicates, by a marking, a slight response in the lower respiratory, which in the opinion of this examiner is too insignificant to even be noted. There were no responses indicative of deception, in the upper respiratory tracing, electrodermal response or the cardio tracing.
4	No	No major physiological reaction, as compared to when Mr. Misskelley was asked this same question on Chart #1.
5	No	A minor staircase reaction in the upper respiratory, as noted by the testing examiner, but no physiological reactions indicative of deception in the lower respiratory electrodermal or cardio parameters. A minor reaction in the cardio tracing approximately five seconds after the question was asked, which in the

CHART TWO

ANALYSIS

TEST QUESTION
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- opinion of this examiner, was not connected with the stimulus of Question #5.
- 6 No A disruption in all four parameters caused by a clearing of the throat, as indicated by the testing examiner.
- 7 No No reactions indicative of deception in the upper or lower respiratory tracings, nor the electrodermal response. Approximately, five seconds after this question was asked, there was a pronounced cardio reaction, which in the opinion of this examiner, is too delayed to be connected with the stimulus of Question #7. That response, in the opinion of this examiner was caused by either general nervous tension or arm pressure.
- 8 No No physiological reactions indicative of deception in any of the four parameters.
- 9 No No physiological reactions indicative of deception in any of the four parameters.
- 10 No A minor blocking in the upper and lower respiratory tracings indicated by a notation made by the testing examiner. No physiological reaction indicative of deception in the cardio tracing. The reactions in the respiratory tracing are not significant enough, in the opinion of this examiner to be classified as deception.

CHART THREE

TEST QUESTION NUMBER	VERBAL RESPONSES	ANALYSIS
1	No	Minor reaction in the electrodermal response not indicative of deception, in the opinion of this examiner.
2	Yes	No physiological reactions indicative of deception in any of the four parameters.
3	No	A minor staircase reaction in the lower respiratory, noted by a marking by the testing examiner, not significant enough, in the opinion of this examiner to be classified as deception. No indication of any physiological reaction indicative of deception in the electrodermal and cardio tracing.
4	No	A pronounced change in the descending limb on the exhalation stroke of the respiratory cycle. A minor reaction in the electrodermal response and no significant reaction in the cardio tracing.
5	No	No pronounced reaction in either respiratory tracing, a minor reaction in the electrodermal parameter and no physiological reaction indicative of deception in the cardio tracing.
6	No	No physiological reactions indicative of deception in either the upper or lower respiratory tracing. A minor reaction in the electrodermal response. A pronounced physiological reaction in the cardio section, that apparently was not resolved by any post-test admission. It

CHART THREE

ANALYSIS

TEST QUESTION
NUMBER

VERBAL
RESPONSES

should be noted, however, that this is the most significant blood pressure reaction which occurred precisely at the moment of the stimulus of the question.

7

No

The examiner noted a minor reaction in the lower respiratory, which is inconsistent, in that he has ignored other reactions in the respiratory, which did not come at the points where pertinent test question was asked. There were no reactions indicative of deception in the electrodermal or cardio parameters.

8

No

No reactions indicative of deception in either respiratory tracing. A minor reaction in the electrodermal response. No reaction indicative of deception in the cardio tracing.

9

No

No reactions indicative of deception in either respiratory tracing. It should be noted, that just prior to this question being asked, there was a significant change in the respiratory not indicated by any markings by the testing examiner. There were no reactions indicative of deception in either the electrodermal or cardio tracing.

10

No

No physiological reactions indicative of deception in any of the four parameters.

FINAL CONCLUSIONS

It is the opinion of this examiner, based on an analysis of the polygraph charts from the examination of Jessie Loyd Misskelley Jr., that there were no pronounced physiological reactions indicative of deception at the points on the polygraph charts where he was asked the pertinent test questions. The test results, in the opinion of this examiner, do not corroborate any contention that Jessie Loyd Misskelley Jr. was criminally involved in the death of Christopher Byers, Michael Moore, or Steve Branch.

The testing format utilized by examiner Durham, reveals several disturbing factors:

- I. No Peak of Tension test. The Peak of Tention test, in the opinion of most experienced examiners, is the most valid procedure in polygraph testing. It utilizes key information, known only to the guilty and to the investigators. The murders of the three boys, obviously provided sufficient information for Peak of Tension testing. For example, the following Peak of Tension Test could have been conducted.
 - A. Do you know if any of the three boys were tied up with plastic tape?
 - B. Do you know if any of the three boys were tied up with rope?
 - C. Do you know if any of the three boys were tied up with wire?
 - D. Do you know if any of the three boys were tied up with shoelaces?

- E. Do you know if any of the three boys were tied up with belts?
- F. Do you know if any of the three boys were tied up with clothing strips?
- G. Do you know if any of the three boys were tied up with string?

If Jessie Loyd Misskelley Jr. had reacted to the Key Question D, that would have been the best indicator that he possessed pertinent information regarding the crimes in question. It should be noted that all experienced examiners place much more reliability on this type of test than all others. In fact, polygraph examiners in both Israel and Japan, are reluctant to conduct any type of test other than a Peak of Tension Test.

II. There is nothing wrong with Question #3. Questions #5 and #7, however, presuppose that some type of satanic ritual took place at the time of the crimes. These questions, in the opinion of this examiner, clearly indicate an input by the investigators that may have negated examiner objectivity. Question #9, in the opinion of this examiner, is too generalized in nature to delineate any possible role Misskelley may have played in the deaths of the three boys. To determine precise involvement, the following questions, in the opinion of this examiner, should have been asked.

1. Were you present when the three little boys were killed?

2. Did you kill any of the three little boys?
3. Did you do anything to cause the deaths of any of the boys?
4. Did you tie up any of the boys?
5. Did you do anything to hurt any one of the boys?
6. Have you lied about where you were when the three boys were killed?

III. No Confirmation Test. After Jessie Loyd Misskelley Jr. allegedly confessed, a polygraph test should have been performed to determine the validity of the confession or to determine if Misskelley was more involved than what he admitted.

IV. Examiner Durham's notes do not reveal any information which may have caused a variable in the polygraph examination. There was no indication, in his test notes, that Misskelley revealed any drug use or his medical history. Polygraph test results are directly related to the personality structure of the person being tested. Many people are not suitable subjects for polygraph testing.

V. The introduction of the control questions, pertaining to drug use and sale, could have created a general tension evident in the polygraph charts, primarily in the cardio parameter. All polygraph schools teach that the control questions should be in the same crime category as the case in question. This was not done in the Misskelley examination. A more appropriate control question would have been: "Prior to May 5, 1993, did you ever hit

anybody you didn't tell me about?"

VI. This examiner has worked on five major murder cases, where false confessions were obtained.

1. Joe Shea - Florida Case
2. Mary Katherine Hampton - Louisiana Case.
3. Pitts-Lee - Florida Case
4. T. Sawyer - Florida Case
5. Dupont - Florida Case

The book: "In Spite of Innocence," by Michael L. Radelet, outlines many more miscarriage of justice cases. The common denominators are prevalent in most of these cases.

1. An invalid polygraph test, which cause the investigators to become more assertive and a catalyst to a false confession.
2. The person who falsely confesses, is generally of low I.Q., and highly susceptible in personality structure.
3. Alcohol and substance abuse leads to confusion, and these subjects begin to doubt their own minds, especially when told they failed a polygraph examination.
4. These subjects confess to get the police off their backs, and they assume that they can explain their behavior and their confession at a later time.
5. Those who falsely confessed, generally don't tell the investigators anything that the investigators don't already know, and their confessions conflict in detail on major points established by crime scene

analysis and investigation. The false confessor never provides any weapons, fruits of the crime, or anything physically material to corroborate the confession.

6. In most of these miscarriage of justice cases, there is a lot of pressure on the police to solve the case, and a desire on their part to believe the false confession. To the lay individual, it is extremely difficult for them to conceive that a person would confess to a crime they did not commit.

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