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Ed Gelb
Intercept, Inc.
4201 Wilshire Blvd., Suite 312
Los Angeles, CA 90010

Re: Larry Sinclair

Subject: Review of the polygraph examination of **Larry Sinclair** conducted by Ed Gelb on February 22, 2008.

Background:

During the current presidential campaign Larry Sinclair claimed that in 1999 he performed oral sex on Senator Barack Obama and that he saw Senator Obama smoke crack cocaine while in the back seat of a limousine Mr. Sinclair had rented. Dan Parisi (www.WhiteHouse.com) challenged Mr. Sinclair to take a polygraph test regarding his allegations. Mr. Parisi offered to pay Mr. Sinclair \$ 10,000 to take the test, plus an additional \$ 90,000 if he was found truthful. Mr. Sinclair accepted the offer and Ed Gelb was selected as the examiner.

Materials reviewed:

1. Printout of two series of three charts each of an examination conducted on Larry Sinclair by Ed Gelb, dated February 22, 2008.
2. A digital copy of the numbers test administered prior to the first series.
3. A digital copy of the three charts of the second test series regarding cocaine.
4. Two question lists of the above charts.
5. A DVD containing the audio/video recording of the pretest interview and the initial test series regarding oral sex. I was not provided a DVD of the second series regarding cocaine.
6. PDF copies of the consent form signed by Larry Sinclair, the examinee data sheet, and Ed Gelb's two reports dated February 22, 2008.

Scope:

This review is conducted in accordance with ASTM standard E 2031-99 (reapproved 2004), entitled *Standard Practice for Quality Control of Psychophysiological Detection of Deception (Polygraph) Examinations*, in conjunction with related ASTM standards for the conduct of polygraph examinations and the standards of practice of the American Polygraph Association.

I reviewed the examination procedure, test format, question formulation and presentation, and the polygraph charts.

Observations:

1. The examination room was larger than average, and contained desks and materials irrelevant to the examination. However, during data collection, Mr. Sinclair was facing a blank wall with his back to the remainder of the room. There is no reason to believe that the surroundings interfered with the examination.
2. There were two video cameras on tripods present in the room, but they were unattended during most of the pretest and all of the data collection on the first series, and except as noted in items 4 and 5 below, Mr. Sinclair did not appear to be distracted by them. His attention was clearly focused on the examination procedure.
3. The pretest interview was professionally conducted. Mr. Sinclair has a complex background history, but I concur that there appeared to be nothing which would require terminating the examination. Mr. Gelb developed good rapport and allowed full discussion of the relevant issues and related matters.
4. Midway through the pretest interview a technician entered the room to replace the recording media in the two video cameras. A few minutes later a secretary entered to bring soft drinks that Mr. Sinclair had requested when the technician entered.
5. There was a bathroom break after the pretest interview, during which Dan Parisi and his video technician entered to reposition the cameras. They were still working on that when Mr. Sinclair returned and sat in the polygraph chair. It took an additional eight minutes before they completed the task, during which the examination was on hold. At one point, Mr. Parisi started asking Mr. Sinclair some questions about the matter under investigation, but Mr. Gelb cut him off. Mr. Parisi and his technician exited the room shortly thereafter, and the examination resumed.

6. Mr. Gelb conducted a numbers test, in which Mr. Sinclair was instructed to lie about which number he had written on a piece of paper. This serves several functions, one of which is to accustom the examinee to the polygraph attachments and procedure.
7. Following the numbers test, Mr. Gelb ran a Backster you-phase zone comparison test regarding the allegation of oral sex. This test is considered to be an excellent test for single issue exams such as those used on Mr. Sinclair.
8. During the examination, the GSR electrodes were attached to the same arm that the blood pressure cuff was on. This is unusual. When I asked about it, Mr. Gelb explained that when he attended polygraph school, Cleve Backster taught him to do that so that the examinee had an arm free to scratch, if necessary. I'm not aware of any research comparing the effectiveness of the electrodermal channel as a function of whether it is distal to or contralateral to the blood pressure cuff, however, most polygraph examiners put the electrodes on the arm opposite the blood pressure cuff.
9. All test questions, on both test series, appeared to be well formulated.
10. The technical quality of the charts was generally good, although one of the charts the amplitude of the electrodermal channel was substandard when the chart was printed out. I requested, and received, the original digital data from the second series. This allowed me to optimize the recordings for analysis. My findings are based on my analysis of both the digital data and hard copy of the charts.
11. I did not receive the DVD of the second test series, so my review of that is limited to the chart analysis. I cannot comment on the discussion at the outset of or during the second series.

Findings:

1. Except for the two disruptions by Mr. Parisi (who requested the examination) and his technician, I found the examination to be professionally conducted and in compliance with applicable ASTM and APA standards.
2. The two disruptions caused by the requestors' video-recording could have been avoided by better planning. It appeared that the cameras could store only one hour of imaging per cassette. The cameras should have been selected to have sufficient recording capacity to last the length of the entire exam. Mr. Gelb's video of the first series, provided to me on a DVD, was continuous, lasting 2 hours 5 minutes without interruption.

3. When Mr. Sinclair returned from the break after the pretest interview and before the cameras had been fully repositioned, his presence in the room allowed the opportunity for Mr. Parisi to ask questions. There should have been a clearer understanding that there must be no outside interference with the examination process. Mr. Gelb acted professionally in quickly terminating that, but in hindsight it would have been better to avoid the situation altogether. That could have been done either by having the cameras better positioned prior to the examination (for example, having an additional camera positioned to view the polygraph chair), or for Mr. Sinclair to have been seated in the waiting room until Mr. Gelb could resume the examination.
4. I found no significant indicators of mid- or high-level countermeasures in the charts which would preclude scoring the charts in the standard manner. Mr. Sinclair's respiration was very slow, which is often associated low-level countermeasures, but truthful subjects sometimes breathe slowly in an effort to avoid reacting on the test. Although Mr. Sinclair's paced breathing may have degraded the effectiveness of that channel to some degree, it was not so extreme as to require the examiner to take action, nor did it prevent chart interpretation.
5. I scored the printout of the first series of charts (regarding oral sex) using the Federal 7 position scale and the 2007 DACA reaction criteria. There were strong and consistent reactions to the relevant questions. I scored the charts as -17 (Deception Indicated). I was unable to score the charts using a computer algorithm, as I do not have the digital data for the first series.
6. I scored the printout of the second series of charts (regarding cocaine), but was not satisfied with the quality of the electrodermal channel on one of the charts. When I received the digital data and optimized the channel, I used the Federal 7 position scale and the 2007 DACA reaction criteria to evaluate the charts. I scored the charts as -7 (Deception Indicated). I also evaluated the second series using the computer algorithm PolyScore (v. 6.0). It evaluated the charts as No Deception Indicated, and calculated the probability of deception as being less than .01 on a scale from .00 to 1.00. This was inconsistent with my numerical analysis. This is a relatively uncommon occurrence. The DACA guidelines indicate that when there is conflict between the examiner's or reviewer's score and PolyScore, the human score takes precedence. The computer algorithms are considered to be useful supplements, but they are not definitive. I therefore concur with Mr. Gelb's conclusions that Mr. Sinclair showed indications of deception on both test issues.

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Conclusion

Although no examination is perfectly conducted, I believe that the irregularities in this examination would be more likely to create an inconclusive result than an erroneous one. However, these charts are not inconclusive. Based upon my review of this examination, I concur in Mr. Gelb's finding that Mr. Sinclair was not telling the complete truth in his claims to have engaged in oral sex with Senator Obama and that Senator Obama used cocaine in his presence.

Respectfully submitted

Gordon H. Barland

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