



Ewa Gruza
Ocena zeznań i wyjaśnień
[in:] E. Gruza, M. Goc, J. Moszczyński
Kryminalistyka – czyli rzecz o metodach śledczych
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This modern and perfectly illustrated manual of forensic studies, which will definitely serve well as a compendium of knowledge for both police officers and prosecutors, and judges includes a chapter by Ewa Gruza entitled “Ocena zeznań i wyjaśnień”, which can be translated literally as “assessment of evidence and explanations”. Unfortunately, the level of the chapter stands out drastically from the entire manual, contains numerous material errors that may only misinform the user of the manual: all in all, it may bring harm to investigations and the judiciary.

In the chapter, the author included information on polygraphs tests (for which she uses the Polish word “variographic”). The very inclusion of polygraph tests in the chapter is a misunderstanding, as they serve neither the assessment of evidence nor of explanations. Moreover, such a use of the tests is clearly forbidden in Poland by the Code of Penal Procedure.

It goes without saying that polygraph tests for the use of an investigation or a criminal procedure may be performed only as a part of an professional study by an expert witness. In the light of today’s criminal studies, such a test is a method of identifying emotional traces, and so it has been treated for at least five decades. If in this period (that is for the last 50 years) the

name “lie-detector” has been in use, it was only in the colloquial sense, with its name “lie-detector” as a rule placed within inverted commas. At least since the 1960s, the scientific literature has rather used the term “detection of Deception”, with the deception defined as conscious telling of lies or withholding certain information possessed. During the last at least 20 years, the term “forensic psychophysiology” has been used to render the essence of polygraph tests. Hence the author’s considerations ending in the conclusion that a polygraph test is not a light detection is strongly anachronistic, belated if not by 50 then at least by 40 years.

The historic information on polygraph testing provided by the author is quite doubtful and at least challengeable. Why does she consider Benussi – and not for example Marston, Munsterberg, Mosso or Mackenzie – the precursor of such tests remains unknown. Primacy of Luria as the pioneer is also highly doubtful. The individual physiological correlates of emotions were measured and described at least a few decades earlier (see e.g. Mosso, Fere, Tarchanoff, Mackenzie, and Marston), while they were observed already in ancient times.

Describing techniques of polygraph testing, the author disqualifies Control Questions Technique (CQT), stating that “today’s knowledge, especially in the field of psychology, negates this approach to variographic tests”, which is an obvious deception. Today CQT are techniques commonly used and developed wherever polygraphic testing is performed. Yet the author follows here her erroneous assumption that the use of the CQT is tantamount to considering the polygraph a “lie detector”.

Ignorant of foreign literature, the author claims that the technique of “ustalania wiedzy o czynie” (literally “determining the knowledge on a fact” – competitive for the CQT – was proposed by M. Kulicki in 1976. Yet in 1976, Kulicki – who much like the author of the work reviewed here did not know foreign literature – believed that he invented the Peak of Tension tests, known and applied in practice since the 1920s! Having polygraphic tests based solely on this type of testing was proposed by David T. Lykken well over a decade before Kulicki (see: D.T. Lykken: *The GSR in detection of guilt*, Journal of Applied Psychology 1959, 43, 6; by the same: *The validity of guilty knowledge test*, Journal of Applied Psychology 1960, 44, 4; by the same: *Guilty Knowledge Test – the right way to use lie-detector*, Psychology Today, 1975, 8, 10;). To make matters even more ridiculous, Lykken’s works had been known in Poland much before Kulicki’s “discovery”. Thus, it is evident that what is lacking here is the knowledge of not only foreign but also Polish literature!

Let us provide the information withheld by the author by saying that the techniques she calls “determining the knowledge on a fact” is used today at

par with the CQT under the names of CIT (concealed information test) and GKT (guilty knowledge test).

Information on the psychological stress evaluator ("*psychologiczny analizator głosu*"), and also on hypnosis and Narco Analysis contained in the work reviewed, ignores the achievements of science in the last 25 years, and is therefore much behind the times and strongly out of date. It definitely does not present the state-of-the-art knowledge in those fields.

In turn, treatment of thermovision as a method of "assessment of evidence and explanations" at par with polygraphic testing, moreover, based on the most general information from a work by H. KołECKI from exactly 30 years ago without a reference to contemporary research is as bizarre as absolutely unacceptable.

Concluding, the reviewed chapter of the manual not only fails to provide a reliable source of information concerning today's forensic psychophysiology, but constitutes a major source of disinformation, and as such is simply harmful.

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