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Report of Polygraph Examination (1b)

Marc Gafni

October 30, 2007

For

Jacob Lehrer

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Tel Aviv Israel

52522

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Report of Polygraph Examination (Ib)

Subject: **Marc Gafni** Issue: Sexual abuse (X & X)
Date of exam October 30, 2007 Requestor: Jacob Lehrer
Examiner: Gordon H. Barland, Ph.D. File No: 07-DL26-1042b

Background

In May, 2006 three women in Haifa, Israel claimed that Mr. Gafni had engaged in professional sexual misconduct with them. According to reports of the complaints, one claimed he made false promises of marriage in exchange for sex, and another claimed he used his position as an employer to have sex.

The allegations were published on the Internet by Vicki Polin and is located at http://www.theawarenesscenter.org/Gafni_Mordechai.html. Ms. Polin is a controversial figure within the Jewish community, having appeared in 1989 on Oprah Winfry's TV show claiming to have grown up in a family that practiced satanic rituals involving cannibalism, and that she had been offered up as a sexual sacrifice on several occasions. Additional details about Rabbi Gafni and Vicki Polin are posted on Luke Ford's web site, http://www.lukeford.net/profiles/profiles/mordecai_gafni.htm and http://www.lukeford.net/profiles/profiles/vicki_polin.htm. See also Wikipedia at http://en.wikipedia.org/wiki/Mordechai_Gafni, http://en.wikipedia.org/wiki/The_Awareness_Center. For background on Luke Ford, see http://en.wikipedia.org/wiki/Luke_Ford.

Regarding the 2006 allegations, Rabbi Gafni denies engaging in any illegal sexual activity, having used his authority as an employer to induce an employee to have sex, or having made a false promise of marriage or other forms of deception to induce a woman to have sex or sexual contact. He requested a polygraph examination to substantiate his denials. The examination was conducted on October 30, 2007 in the DaVinci Suites in Salt Lake City starting at 1:15 p.m. and ending about 7:30 p.m., with several breaks for refreshments and the bathroom.

Materials reviewed

The following materials were reviewed prior to the examination. The first two documents appear to have been written by Rabbi Gafni. They were provided by his Salt Lake City attorney. The three complaints were not available for review.

1. Chronology of Gafni life; New and Old (no date). 14 pp.
2. X's Complaints. (no date). 65 pp.
3. Report by psychologist Cindy Lou Golin, Ph.D., March 14, 2007. 3 pp.
4. Report by psychiatrist Joseph H. Berke, dated 12 December 2007 [sic]. 2 pp.

Pretest interview – administrative portion

I explained the procedure to Mr. Gafni at the outset, advising him of his rights vis-à-vis the polygraph; that there is always a possibility of error in any diagnostic procedure; that the entire exam is being digitally recorded, and that the results are confidential. He signed an informed statement of consent regarding the polygraph.

During the pretest interview, I reviewed Mr. Gafni's medical and psychological background to see if there was anything which would make him unsuitable for examination today. There was nothing which would preclude testing.

Numbers test

Prior to discussing the matter under investigation, I conducted a blind numbers test, in which I instructed Mr. Gafni to choose one of five numbers, three through seven. He wrote the number on a piece of paper while my back was turned and concealed it beneath his leg. I told him I would ask him whether he wrote the number one, two, etc., through seven. He was to answer each question "no," thereby lying about which number he had selected. This acquaints him with the testing procedure and provides a chart which portrays his normal level of reactivity, both when telling the truth and when lying. Despite some distortions caused by movement, I correctly determined that his selected number was "6." This indicates that his body reacts normally. I cautioned him not to move on subsequent charts.

Pretest interview – investigative portion

Mr. Gafni had a long list of questions he wanted resolved on the polygraph. I told him that many of the questions were too nebulous to test, and it would take multiple tests to resolve those issues that were suitable. We decided to have the primary focus of the first examination covering the events which occurred two to three decades ago. The details of that examination are in a separate report.

After informing him of the results of the examination in which we covered the events of several decades ago, Mr. Gafni requested that I conduct a second series of questions regarding his interactions with X and X. I asked Mr. Gafni to describe the situation in his own words. He said he has never had any illegal or inappropriate sexual contact with any of these parties. All sexual contact was consensual and mutual. He emphatically denied promising marriage to X or anybody in order to have sexual intercourse with them. He denied using his authority as an employer to entice anybody into having sexual contact. He said he could not have used his employer influence to have sexual contact with X, because when that started, and for several months thereafter, she was not in his employ. Moreover, it was she who initiated the sexual activity on a number of occasions by sending him instant messages containing salacious verbal and pictorial content, and that she had consistently indicated her pleasure with their sexual contact.

Examination

I conducted a multi-issue **Utah Zone Comparison** test with four relevant questions. I thoroughly reviewed all questions with Mr. Gafni prior to conducting the first chart to ensure he understood what each question meant, that he agreed to have each question included in the test, and that they were worded in such a way that he could answer each with a simple yes or no. The relevant questions on this test were:

1. Did you make any false promises to X to have a sexual relationship with her?
Answer: No.
2. Did X initiate several of your sexual encounters? Answer: Yes.
3. Did you deceive X in order to have sexual relations with her?
Answer: No.
4. Did X tell you that her sexual encounters with you were positive and desirable?
Answer: Yes.

Results:

I ran a total of four charts. I found no persuasive evidence of countermeasures, and the charts were capable of being scored. I evaluated the charts using the Federal 7-position numerical scoring system with the Federal multi-issue decision rules. Mr. Gafni scored +3 or higher on every question, signifying **No deception indicated (NDI)**.

I also used the PolyScore algorithm (ver. 6.0) to analyze the charts. This algorithm was developed by the Applied Physics Laboratory of Johns Hopkins University under a series of contracts from the Department of Defense. The algorithm evaluated the charts as **No Deception Indicated (NDI)**, and calculated the probability of deception as being .02 on a scale ranging from 0.00 to 1.00.

Conclusion

In my opinion Mr. Gafni answered the relevant questions truthfully. This opinion is tempered by the fact that I had no access to the original complaints.

Respectfully submitted,

Gordon H. Barland

Gordon H. Barland, Ph.D.