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At your request, on 13 September 1997 I conducted a polygraph examination of your client JAMES HARROD. The purpose of the examination was to assess his credibility with regard to allegations that he murdered JEANNE TOVREA. TOVREA was found in her bed on 1 April 1988 shot in the head. In 1995, an informant provided information that implicated HARROD, and his fingerprints were found on the kitchen window, which was the point at which the assailant apparently entered TOVREA's home and killed her.

The polygraph examination was conducted in Maricopa County Jail. At the outset of my interaction with HARROD, I obtained his permission to tape record the examination. I then turned on the tape recorder, explained his rights to him, described the procedures that would be used in the examination, and obtained his written consent to administer the examination.

During the pretest interview, HARROD denied having participated in the murder of TOVREA. He denied having been in her home and stated that he did not know how his fingerprints appeared on the window. He denied any knowledge or participation in her murder.

A control question polygraph examination was administered. The examination included a number test to assess HARROD's reactions when he answered truthfully and deceptively according to my instructions and to familiarize him with the recording procedures. The question structure of the actual test included relevant questions concerning the allegations, control questions to be answered with a directed lie, and neutral questions to be answered truthfully. All of the questions were then reviewed and discussed in advance of the actual test in order to elicit only "Yes" and "No" answers. Three repetitions of the question sequence were presented, which included the following relevant questions:

R1. WERE YOU PHYSICALLY PRESENT WHEN JEANNE TOVREA WAS KILLED?

Answer: No

R2. DID YOU SHOOT JEANNE TOVREA?

Answer: No

R3. DID YOU ENTER JEANNE TOVREA'S HOME THROUGH THE KITCHEN WINDOW ON APRIL 1, 1988?

Answer: No

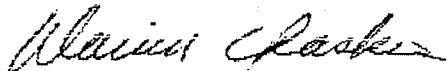
R4. DID YOU PARTICIPATE IN ANY WAY IN THE KILLING OF JEANNE TOVREA?

Answer: No

The physiological recordings were obtained with a Stoelting Computerized Polygraph System (CPS) that measured thoracic and abdominal respiration, palmar skin conductance (galvanic skin response), relative blood pressure, and finger pulse amplitude. The entire examination was recorded on audio tape. The polygraph charts were subjected to a detailed numerical evaluation that has been demonstrated to be highly reliable and valid by extensive scientific research. This scoring method compares the relative strength of reactions to relevant and control questions, such that negative scores are assigned when physiological reactions to the relevant questions are stronger and positive scores are assigned when reactions to control questions are stronger. Total scores of -6 or lower indicate that the subject answered deceptively, scores of +6 or higher indicate that the subject was truthful in answering the relevant questions, and scores of less than 6 in either direction are inconclusive.

JAMES HARROD obtained a total score of +23, which indicates that he was truthful in answering the relevant questions listed above. The pattern of scores on the individual relevant questions indicates that he was truthful in answering each of the relevant questions listed above. On the basis of the polygraph examination, it is my professional opinion that JAMES HARROD was truthful when he denied having participated in any way in the murder of JEANNE TOVREA. The scientific evidence indicates that the confidence in those conclusions is approximately 95%.

Sincerely yours,



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