



Barland Polygraph

2162 East 6595 South, Salt Lake City, Utah 84121

Office/Home: .801.943.3360

E-Mail: Barland@hughes.net Web: www.BarlandPolygraph.com



Report of Polygraph Examination (1a) [Amended March 30, 2008]

Marc Gafni

October 30, 2007

For

Jacob Lehrer

Abba Hillel St. 7

Tel Aviv Israel 52522

GORDON H. BARLAND, Ph.D.

Member, American Polygraph Association
Honorary Member, American Association of Police Polygraphists
Member, Utah Polygraph Association

GORDON H. BARLAND, PH.D.
FORENSIC PSYCHOPHYSIOLOGIST
2162 EAST 6595 SOUTH
SALT LAKE CITY, UT 84121-2661

TELEPHONE: 801.943.3360

E-MAIL:BARLAND@HUGHES.NET

Report of Polygraph Examinations

Subject: **Marc Gafni** Issue: Sexual misconduct
Date of exam: October 30, 2007 Requestor: Jacob Lehrer
Examiner: Gordon H. Barland, Ph.D. File No: 07-DL26-1042a

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 Winfrey'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 Mr. 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. Mr. Gafni claims that Luke Ford is a hard core pornography gossip columnist who is universally considered a non reputable or credible source.

Regarding the 2006 allegations, Mr. 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 Mr. 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. These consisted of his relationships with Sarah Kabakow and Judy Stangen. He related the following information.

Sarah Kabakow was a 14 year old high school student in New York City with whom he fell in love when he was 19. They had a number of philosophical and religious discussions as they developed feelings for each other. They would kiss and pet, but they never had sexual intercourse. At the time, Mr. Gafni was an orthodox Jew, and felt guilty about having any sort of premarital sexual contact. The next time they got together, they would kiss again in a vicious cycle. Mr. Gafni said they had engaged in heavy petting, but denied having had any vaginal contact or penetration with her, and denied masturbating her, or having oral or anal sex with her. He said they loved each other deeply, and after he left, she wrote him a lengthy letter saying that she loved him, and they could only be happy if they were to remain together; they were destined for each other.

Regarding Judy Stangen, Mr. Gafni said that in 1986 when he was 24, he led a youth group. Judy was a 16-year old in this group, and she had a lot of personal problems in her home life. She stayed in his house with him and his wife for a couple of weeks. In retrospect this was a mistake, but at the time it seemed like a good idea to help her overcome her problems. She claims that he abusively initiated sexual contact with her and that she was horrified. Mr. Gafni said that she frequently flirted with him, and asked him to sleep with her. He refused, although on one occasion they had brief sexual contact. Mr. Gafni did not discuss the circumstances or extent of the contact, but insisted that Judy welcomed the contact and that there was no sexual intercourse.

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. Regarding Sarah Kabakow, have you ever had sexual intercourse with her? Answer: No.
2. At the time of your sexual engagement with Judy Stangen, did she ask you to have sexual intercourse with her? Answer: Yes.

3. Did you ever masturbate Sarah? Answer: No.
4. Have you ever had oral or anal sex with Sarah? Answer: No.

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 less than .01 on a scale ranging from 0.00 to 1.00.

After discussing the results with Mr. Gafni, he asked me to conduct a second series of charts pertaining to the 2006 allegations. I agreed to do so. The details of that series is reported separately at the request of Mr. Gafni.

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.