



## **SLATTERY ASSOCIATES INC.**

FIRM FOUNDATIONS ARE BUILT ON THE TRUTH

### **POLYGRAPH EXAMINATION/EXPERT REVIEW**

February 9, 2023

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**RE:** Polygraph Examinations of Chester O. Weger and Lois Zelensek conducted by John Reid & Associates – 1960 re: Starved Rock Murders

**REQUEST:**

Attorney Andy Hale, Hale & Monico LLC, requested that I review the facts and circumstances of the polygraph examinations administered to Chester O. Weger and Lois Zelensek by John Reid & Associates in 1960 relating to the Starved Rock Murders. My professional fee for this expert review is \$2500.

**MY QUALIFICATIONS:**

A current and complete copy of my Professional Vitae is included as Attachment 1. This document provides a summary of my education, private sector, civilian law enforcement, and military experience in addition to other related activities. Previously as a sworn law enforcement officer, and then transitioning into applied science, my interests for soon to be 40 years have focused on the instrumental assessment of credibility, primarily the polygraph, and those sciences related to this endeavor.

During the 16 years I was a member of the Michigan State Police Forensic Science Division (now retired); I became probably the only PhD police officer/polygraph Examiner in the United States. During that tenure I conducted approximately 3,760 assessments routinely addressing subjects such as, but not limited to, rape, robbery, and murder, in addition to acquiring expertise in the assessment of factitious disorders (e.g., malingering / Munchausen / Munchausen by proxy), while also serving as a clinical resource to departmental psychologists and the Tri-County (Ingham/Eaton/Clinton) Community Mental Health Board Clinical Director, Dr. Gilbert W. Derath.

Following my retirement in 2000, I moved to Beijing, China where I became a scientist with the Chinese Academy of Sciences charged primarily with the teaching and review of assessments conducted by new examiners and, on occasion, conducting assessments for the Ministry of Public Security, China's National Police Force. Since returning to the United States in 2003, I have become a Consultant and Contractor conducting more than 9,544 documented assessments providing pre-employment screening (5,572) services to several government entities, in addition to Specific Issue assessments (3,972) for private, public, and government entities addressing the full breadth of human behavior; the last homicide assessment I conducted was in April 2019, for the Miami-Dade Police Department, Homicide Bureau.

Concurrent with my day-to-day responsibilities as a Consultant, I continue to address scientifically substantive issues related to the assessment of credibility. For example, in 2003 the National Academy of Science noted that perhaps the most glaring deficiency at that time, as yet unaddressed by those interested in the instrumental assessment of credibility, was its lack of a theoretical base, concluding that:



The bulk of polygraph research can accurately be characterized as *atheoretical* [italics and emphasis added]. The field includes little or no research on a variety of variables and mechanisms that link deception or other phenomena to the physiological responses measured in polygraph tests (p. 102).<sup>1</sup>

In January 2015, I became the first scientist to address the National Academy of Science's criticism with the acceptance and, after three rounds of peer review, publication of two papers<sup>2</sup> in the *International Journal of Psychophysiology*, which concluded a five-year review of the relevant scientific literature, and the first meaningful step in many decades addressing an issue that in large part continues to be ignored by my peers in academia.

#### INFORMATION:

On March 14, 1960, three women – Frances Murphy, Lillian Oetting, and Mildred Lindquist - were found murdered in St. Louis Canyon at the Starved Rock State Park in Illinois.

Between March 19, 1960 and April 1, 1960, two dozen individuals were each administered three (3) polygraph examinations that were conducted by the Illinois State Police at the Starved Rock State Park. Chester O. Weger, who was then a twenty-one-year-old dishwasher at the Starved Rock State Lodge, was among those two dozen individuals. The Illinois State Police polygraph examiner concluded that none of the subjects' polygraphs contained any significant reactions when asked the relevant questions and that it was the opinion of the State Police examiner that none of the subjects committed the murders of the three women.

On April 29, 1960, Chester Weger, along with two other individuals, were administered three (3) additional polygraph examinations that were conducted by the Illinois State Police at the LaSalle County Courthouse. The Illinois State Police polygraph examiner concluded yet again that none of the subjects' polygraphs contained any significant reactions to the relevant questions regarding the murders and that it was the opinion of the State Police examiner that none of the subjects committed the murders of the three women.

Despite having passed six prior polygraph examinations administered by the Illinois State Police, in September of 1960, Chester O. Weger was administered a series of polygraph examinations at the request of the LaSalle County State's Attorney Harland Warren. Those examinations were administered by John Reid & Associates.

The first examination occurred in early September 1960 at the Starved Rock Lodge and was administered by Stephen Kindig of John Reid & Associates.

Unbeknownst to Chester Weger, polygraph examiner Stephen Kindig was friends with Robert Murphy, the husband of Frances Murphy, one of the murder victims.

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<sup>1</sup> National Research Council (2003). *The polygraph and lie detection*. Washington, DC: Committee to Review the Scientific Evidence on the Polygraph, Division of Behavioral and Social Sciences and Education, National Academies Press. Retrieved from website [http://www.nap.edu/openbook.php?record\\_id=10420](http://www.nap.edu/openbook.php?record_id=10420)

<sup>2</sup> Palmatier, J.J. & Rovner, L.I. (2015a). *Credibility Assessment: Preliminary Process Theory, the Polygraph Process, and Construct Validity*. *International Journal of Psychophysiology*, 95, 3-13. DOI:10.1016/j.ijpsycho.2014.06.001.

Palmatier, J.J. & Rovner, L.I. (2015b). *Rejoinder to commentary on Palmatier and Rovner (2015): credibility assessment: Preliminary Process Theory, the Polygraph Process, and Construct Validity*. *International Journal of Psychophysiology*, 95, 31-34. DOI:10.1016/j.ijpsycho.2014.11.009.

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Polygraph examiner Kindig claimed that Mr. Weger was not being truthful during his polygraph examination.

A second examination was conducted on September 27, 1960 in Chicago and was administered by the John Reid of John Reid & Associates.

Mr. Reid testified at Mr. Weger's criminal trial that he first saw Mr. Weger around 11:00 a.m. Mr. Reid further testified that he spoke with Mr. Weger from 1:00 p.m. until after 9:00 p.m. Mr. Reid further testified that around 10:00 or 10:30 p.m., the LaSalle County State's Attorney Harland Warren came to the John Reid & Associates offices, where Mr. Reid and Mr. Warren continued their conversations with Mr. Weger.

It is also noted that the Polygraph examiner Stephen Kindig subsequently received \$5,500 in reward money sometime after Mr. Weger was arrested and prosecuted for the murders.

**MATERIALS REVIEWED:**

1. April 8, 1960 report of Illinois State Police polygraph examiner William Abernathie.
2. May 2, 1960 report of Illinois State Police polygraph examiner William Abernathie.
3. Criminal trial testimony of John Reid.
4. The Times (Streator, IL) newspaper article dated July 18, 1963.
5. John E. Reid and Associates Laboratory Report dated November 29, 1960 re: Lois Zelensek.
6. Chester Weger testimony from motion to suppress hearing.

**STANDARDS OF REVIEW:**

The standard of review for polygraph examinations is directed by, and derived from, the relevant empirical research literature, which is published in peer reviewed scientific journals, professional writings, and presented at professional training seminars, colloquium, and through peer interaction.

**CONCLUSIONS/OPINION:**

Chester Weger passed six polygraph examinations administered by the Illinois State Police. To say that it is surprising that Mr. Weger was administered additional polygraph examinations and that he allegedly failed these additional polygraph examinations, is an understatement. The fact that Mr. Weger took six polygraph examinations administered by a state police examiner and then failed two polygraph examinations administered by two private examiners is highly suspect.

John Reid's examination of Chester Weger on September 27, 1960 was excessive. Mr. Reid admits that he interrogated Mr. Weger for over eight hours and thereafter he continued to interrogate Mr. Weger along with LaSalle County State's Attorney Harland Warren. Mr. Weger, additionally testified that while at John Reid & Associates, he was further questioned by Sheriff's Deputies Bill Dummett and Wayne Hess, and one of John Reid's assistants, quite possibly Mr. Kindig. Mr. Weger reported that both Mr. Reid and his assistant (possibly Mr. Kindig), threatened that they could obtain a court order and force Mr. Weger to be injected with truth serum, along with other threats. For example, Mr. Weger was told by John Reid's assistant that he could not leave, and when Mr. Weger asked to see his wife, he was told that he may never see her again. Mr. Weger further testified that he was questioned into the early morning not leaving Reid's offices until 1:00 AM to 1:30

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AM, when he was then transferred to the District Attorney's Office in Ottawa, Illinois for yet further questioning.

The length of this all-day, multihour, multi-participant interrogation had an unacceptably high likelihood of leading to the solicitation of facts that were at best arguable and more probably the basis for a false confession.

Stephen Kindig was friends with Robert Murphy, the husband of Frances Murphy. Mr. Murphy, simply by being the husband of one of the victims, would have been a potential suspect who would have to be interviewed. It was improper for Mr. Kindig to be professionally involved in this case based on his relationship with Mr. Murphy and certainly should have recused himself.

There are also questions regarding the polygraph test of Lois Zelensik, the telephone operator who reported hearing two male subjects discussing blood-soaked clothing and its subsequent disposal. The results of Ms. Zelensik's November 29, 1960, polygraph exam conducted by Mr. Kindig were couched in euphemisms and terms that could only be described as innuendo as to Ms. Zelensik's credibility. Furthermore, it is noteworthy that Mr. Kindig decided not to include in his report the questions he asked of Ms. Zelensik. After reading Mr. Kindig's report in detail, the only conclusion that can be drawn is that the results of Ms. Zelensik's polygraph examination was at best "Inconclusive".

The idea that Mr. Kindig, the polygraph examiner and friend to the husband of one of the murder victims, being allowed to collect any part of the reward offered for the arrest and conviction of a suspect in this triple homicide is not only questionable, but ethically and professionally repugnant. A reward of \$5500 in 1960 adjusted for inflation would today be more than \$55,100. As an expert, I have witnessed PhD level experts formulate opinions that were proven patently false in matters before the federal bench for fees significantly less; consequently, asked to believe that Mr. Kindig offered an objective opinion of Mr. Weger's credibility is not only questionable, but highly incredulous.

I hold all my opinions in this matter to a reasonable degree of scientific and professional certainty.

If you have any questions regarding my opinions or conclusions in this review, or I may be of further assistance, please contact me at your convenience.

Respectfully submitted,

John J. Palmatier, Ph.D.  
Credibility Consultant

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