

Truth Serum and Narco-Analysis — Its Medico Legal Aspects

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The use of narcotic and anesthetic drugs has evolved from a mere therapeutic use to being an aid in criminal investigation. The Author, before delving into a discussion of narco-analysis clarifies misconceptions regarding the subject, the first and most important of which is that the use of substances such as the truth serum will not cause a person to tell the truth. Instead, it should be properly regarded as “narco-analysis for detection of deception” and as an aid to scientific interrogation. The history of detection of deception, particularly in the field of criminology, is also provided for.

The Author then proceeds to a discussion of the technique and procedure of administering drugs for narco-analysis, particularly the scopolamine technique and the sodium amytal or sodium pentothal methods. He also provides for a detailed description of the steps prior to the administration of the drugs and the discusses the legality of the procedure. In this regard, the right of against self-incrimination becomes involved. Thus, the violation the technique and procedure earlier laid out can lead to administrative, civil, and criminal action. The procedure for the protection of the physician against such actions is also provided for.

Finally, he points out the possible conflicts arising from the use of narco-analysis for criminal interrogation vis-à-vis the rights guaranteed under the constitution. The opinions on this matter largely differ with regard to the element of voluntariness. As a remedy to such, he proposes the establishment of ethical standards and the necessity of reducing drug-influenced statements into a properly witnessed document. He also notes that privileged communication does not exist when a physician examines a patient at the request of the prosecution, however, a refusal to testify may lead to a contempt of court. As a solution he recommends the “North Carolina rule” in resolving the issue of whether a physician is required disclose information. As a warning, the Author ends his article with the note that narco-analysis lacks scientific approval required for the admission of examiner’s final conclusion as there

exists no reasonable measure of precision in this area. Thus, he advises the need to corroborate evidence with facts.