

# WITNESS INFORMATION

Witness Coordination (209) 468-2400

As a witness in court you play an important role. It is your testimony, along with the testimony of the other witnesses in this case, that will provide the judge or jury with the facts they need to reach a proper decision. The information on this sheet should answer many of the questions you may have about your role as a witness.

## APPEARING IN COURT

In court, testimony is given by a series of questions from the District Attorney and defense lawyer and answers to those questions from the witnesses. Your responsibility is to answer as honestly and accurately as you can based on your knowledge of the events in the case.

1. **TELL THE TRUTH.** A witness who appears to be misleading the judge or jury, even about minor details, will be viewed with distrust and the value of his or her whole testimony will be reduced.
2. **LISTEN CAREFULLY TO THE QUESTIONS.** If you do not understand a question or cannot hear a question, ask to have it repeated. You cannot give an accurate answer if you do not understand what is being asked.
3. **ANSWER ONLY THE QUESTION THAT IS ASKED.** Do not add information beyond what is needed to answer the question. What you want to add may not be proper under the rules of evidence that the court must follow. Do not try to tell what happened all at one time. The questions will bring out the events one step at a time. This will make it easier for the judge or jury to understand your testimony.
4. **DO NOT GUESS.** If you do not know the answer to a question then say so. However, if you are sure of your answer say so directly. It is best not to use phrases such as "I believe" or "I guess" when giving testimony in court.
5. **ANSWER OUT LOUD.** It is more difficult for the court reporter to make an accurate record of your answers if you simply nod or shake your head rather than saying "yes" or "no".
6. **TAKE YOUR TIME WHEN ANSWERING.** Think about your answer briefly before you speak to be sure it is accurate. This also allows the lawyers to object if they feel the question is not proper. If an objection is made to a question that you are asked, STOP. Do not try to finish your answer until the judge decides if the question was proper.
7. **DO NOT LET CROSS-EXAMINATION UPSET YOU.** Cross-examination is the way that our court system allows the lawyer for the defendant to test your knowledge and memory of the facts of the case. Becoming upset about the questions asked will only interfere with your ability to answer accurately. You do not have to agree with any statement a lawyer makes if he does not accurately state what you saw, heard, or did. Remember that all witnesses, including those called by the defendant, can be cross-examined.

Finally, please remember that the way you dress when you come to court and the way you act while you are at the courthouse are as important in making a good impression on the judge

and jury as your testimony inside the courtroom. T-shirts or sweatshirts with slogans printed on them, torn or dirty clothing of any sort, extremely short skirts or extremely tight pants, and similar clothing should not be worn to court. You should not discuss your testimony or the facts of the case while in the hallways or other public areas of the courthouse where jurors or other witnesses may be present to hear your conversation. If you have questions about what is happening in court, the deputy district attorney handling your case will speak to you in a private setting before or after court.