

65 PRELIMINARY INSTRUCTION: USE OF AN INTERPRETER FOR A WITNESS

No matter what language people speak, they have the right to have their testimony heard and understood. During this trial an interpreter will translate for one or more of the witnesses. The interpreter is required to remain neutral. The interpreter is required to translate between English and [insert appropriate other language] accurately.

You must base your decision on the evidence presented in the English translation. Although some of you may know the non-English language used, it is important that all jurors consider the same evidence. You must disregard any different meaning of the non-English words.

You must not give interpreted testimony any greater or lesser weight than you would if the witness had spoken English.

ADD THE FOLLOWING IF APPROPRIATE:

[Keep in mind that a person might speak some English without speaking it fluently. That person has the right to the services of an interpreter. Therefore, you shall not give greater or lesser weight to a person's translated testimony based on your conclusions, if any, regarding the extent to which that person speaks English.]

COMMENT

This instruction was approved in 2003 and revised in 2010. It is based on Wis. JI-Criminal 60. This committee concludes this instruction covers a party if the party testifies.