**Interpreter For Defendant, Witness, or Juror**

1. **Defendant, Participating with an Interpreter:**

The defendant is participating with the aid of

*Select appropriate alternative:*

an interpreter of (*identify the language*)

sign language interpreter

a reporter who will be recording the proceedings by a shorthand system and the recorded words will simultaneously appear on a computer screen for the defendant to read; that is known as Computer Assisted Real-time Translation.

(*specify*, *e.g.* a reader for a blind person; a lip reader, etc.)

The interpreter/reporter/(*specify*) is specially trained for such translation.

That the defendant is participating with the aid of an interpreter/reporter/(*specify*) is not evidence of anything, and you are not to draw any negative inference against the defendant or the People because of the defendant’s use of an interpreter/reporter/(*specify*).

1. **Defendant, Testifying with the Aid of an Interpreter**

**Note:** *If the defendant is the witness and the instruction above for a "defendant, participating with an interpreter" was given to the jury at the commencement of the trial, the court need only further instruct the jury as follows:*

1

"That the defendant is testifying with the aid of an interpreter/reporter/(specify) is not evidence of anything, and you are not to draw any negative inference against the defendant or the People because of the defendant's use of an interpreter / reporter / (specify). Under our law, jurors must accept and rely only on the translation even if a juror understands the language being spoken."

**(3) Witness, Other Than the Defendant, Testifying with an Interpreter:**

You are about to hear a witness testify with the aid of

*Select appropriate alternative:*

an interpreter of (*identify the language*)

sign language interpreter

a reporter who will be recording the proceedings by a shorthand system and the recorded words will simultaneously appear on a computer screen for the witness to read; that is known as Computer Assisted Real-time Translation.

(*specify*, *e.g.* a reader for a blind person; a lip reader, etc.) The interpreter/reporter is specially trained for such translation.

That the witness is participating with the aid of an interpreter/reporter/(*specify*) is not evidence of anything, and you are not to draw any negative inference against the witness, the defendant, or the People because of the witness’s use of an interpreter/reporter/(*specify*). Under our law, jurors must accept and rely only on the translation even if a juror understands the language being spoken.

2

**(4) Juror, Participating with Interpreter:**

Juror number (*specify*), Mr./Ms. (*specify*) will be participating with the aid of

*Select appropriate alternative:*sign language interpreter

a reporter who will be recording the proceedings by a shorthand system and the recorded words will simultaneously appear on a computer screen for the juror to read; that is known as Computer Assisted Real-time Translation.

(*specify*, *e.g.* a reader for a blind person; a lip reader, etc.)

The interpreter/reporter/(*specify)* is specially trained for such translation.

The interpreter/reporter/(*specify*) will be present during the trial and during deliberations. During your deliberations, however, the interpreter/reporter/(*specify*) is prohibited from participating in the jury’s deliberations, and any attempt to do so must be promptly reported to me.1

1 *See People v Guzman*, 76 NY2d 1 (1990). The Court also stated: “the signer should be sworn to keep the confidences of the jury room.” *Id* at 7.

3