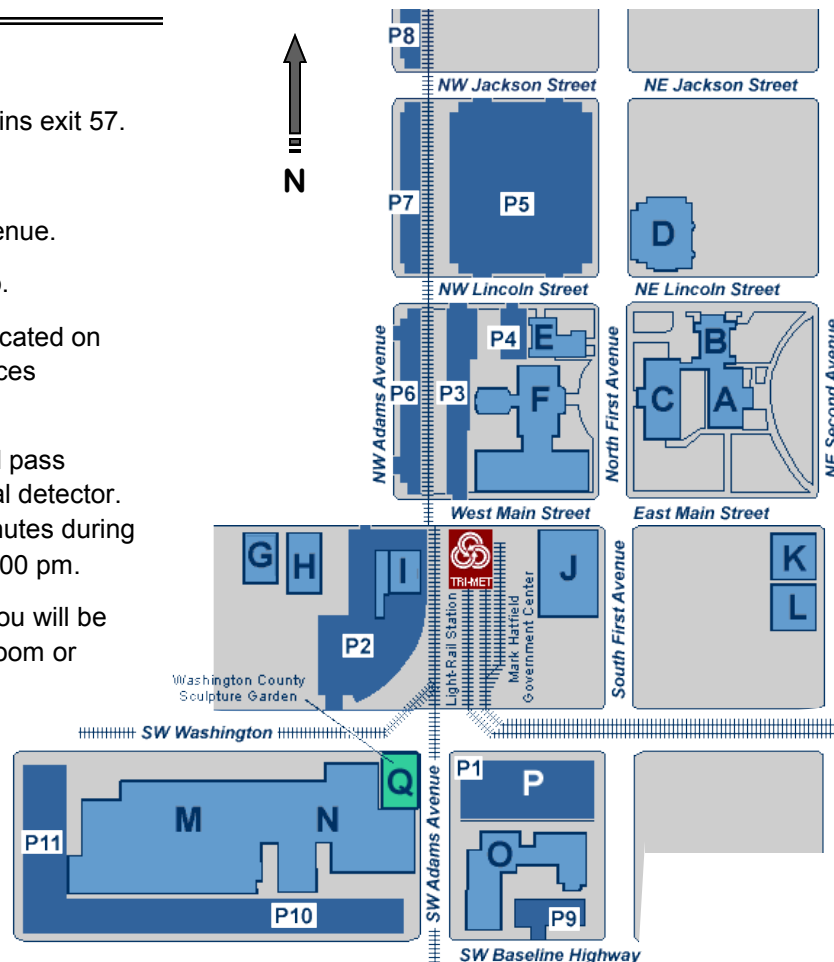


IN SUMMARY...

Not enough can be said about the importance of a witness who takes the time and makes the effort to come to court and testify. We hope this brochure has prepared you and given you some insight into the important part you play as a witness. If you have any specific questions about the witness process that have not been answered here, please feel free to contact our office. Thank you.

DIRECTIONS:

- From Highway 26, take North Plains exit 57.
- Proceed south on Glencoe Road.
- Glencoe Road becomes First Avenue.
- Continue into downtown Hillsboro.
- The District Attorney's Office is located on the third floor of the Justice Services Building, 150 N First Avenue.
- As you enter the building, you will pass through security, including a metal detector. There may be a wait of 10-15 minutes during the busiest times, 8:00 am and 1:00 pm.
- At the District Attorney's Office, you will be directed to the appropriate courtroom or grand jury room.
- **Please bring your subpoena with you.**



Hillsboro and Washington County maps available at http://www.co.washington.or.us/deptmts/sup_serv/fac_mgt/fac_mgt.htm. For a map of the Washington County buildings and parking lots, click on the blue-shaded area of the Hillsboro map.

WASHINGTON COUNTY DISTRICT ATTORNEY'S OFFICE



INFORMATION FOR WITNESSES

This brochure has been prepared for those of you who have been subpoenaed as witnesses in a criminal case. We hope it will answer most of your questions and help to prepare you for testifying. Please read through it carefully.

**Kevin Barton
District Attorney**

**Justice Services Building, Third Floor
150 N First Avenue, MS 40
Hillsboro, Oregon 97124
(503) 846-8671**

www.co.WashingtonCountyDA.org

WHY ARE YOU A WITNESS?

You have been subpoenaed as a witness because you have knowledge about some of the facts in a criminal case. The criminal justice system works best when, as a witness, you are prepared to truthfully and accurately relate the facts as you know them. This often means making a sacrifice in time and expense, but please be assured that you have been called because your testimony is needed.

NOW THAT YOU HAVE BEEN SUBPOENAED...

You have received a subpoena with a date and time to appear in court. You should report first to the District Attorney's Office at the time indicated on the subpoena. This will allow you time before court to talk with the Deputy District Attorney assigned to the case and get some idea of what you will be asked in court. Every effort will be made to schedule your testimony to avoid needless waiting. If the date for which you are subpoenaed causes you undue hardship, please notify our office as soon as possible.

Cases may be rescheduled on very short notice. These changes do not always allow us time to notify you. Therefore, if you have received a **CRIMINAL ACTION SUBPOENA**, we ask that you call the telephone number given on the subpoena **AFTER 5:00 P.M.** on the day before your scheduled appearance. A recording will list all cases still scheduled for the next day. If you don't hear the case for which you were subpoenaed, you need not appear.

If you have received a **GRAND JURY SUBPOENA**, please appear as scheduled. Those cases will not be listed on the recording.

WHAT ABOUT GRAND JURY?

The grand jury is a group of seven citizens selected from the jury pool to hear evidence on crimes committed in Washington County. You may be asked to testify as a witness before the grand jury.

After the grand jurors have heard the evidence, they will decide whether or not to issue an indictment (file charges) against the defendant.

Grand jury is not held in a courtroom; therefore, a judge is not present. The only people permitted in the grand jury room are the grand jurors, the District Attorney and the witnesses, who testify one at a time. Neither the defendant nor the defendant's attorney is allowed to be present while witnesses are testifying.

If subpoenaed to testify before the grand jury, you will be given an oath by the grand jury foreperson and questioned by the District Attorney. Grand jury members may also ask questions. After giving your testimony, you may be excused.

CONTACT BY THE DEFENSE ATTORNEY

The attorney for the defendant, or an investigator on the attorney's staff, may contact you. Make sure you know with whom you are talking. Obtain identification, and to avoid confusion, ask who they represent.

You do have a choice – you can either talk to them or decline – it is up to you. If you do speak with them, you may ask to review their notes and/or take notes of your own. Before signing anything, read it carefully and retain a copy for yourself.

Feel free to call the District Attorney's Office if you have any questions about contact by a defense attorney or the attorney's representative.

COURTROOM PROCEDURE

As a witness, you may sit in the courtroom unless specifically excluded by the judge. If witnesses have been excluded, you will wait outside the courtroom until you are called.

When you are called to testify, you will be asked to step forward, raise your right hand, and take

an oath to tell the truth. You will then sit in the witness chair near the judge. You will be questioned first by the District Attorney (called direct examination) and then by the defense attorney (called cross-examination).

If there is a jury present, address your responses to the jury. Remain seated until the judge has excused you.

TIPS ON TESTIFYING

- **Be on time.** Arrive at the District Attorney's Office no later than the time indicated on your subpoena and check in with the receptionist. Be sure to have adequate transportation and childcare arranged in advance.
- **Dress appropriately.** Wearing clean, neat attire sends a message of respect to the court. Shorts and tank tops are not allowed.
- **Be polite.** Address the judge as "Your Honor". Answer "yes" or "no"; do not just nod your head. Speak slowly and clearly.
- **Take your time.** Consider the questions and formulate your answers. If the questions upset you, just remain calm.
- **Answer only the questions asked of you.** Do not embellish or volunteer information that is not requested. If you do not understand a question, ask for clarification.
- **Be truthful and accurate.** Do not guess. If you do not know the answer to a question, say so. If you make an estimate, make it clearly understood that your answer is estimated.
- **If either attorney objects to a question,** do not answer until the judge has made a ruling.
- **Freely acknowledge any out-of-court discussions** that you may have had with the defense attorney or with the District Attorney's Office.