

## GUIDANCE TO WITNESS

1. The first thing the judge will do is tell you who is there in the court-room.
2. The judge will then tell you the following (a witness in an administrative hearing is not placed under oath in the same way as at court-martial).

The judge will tell you that it is a federal crime, a violation of 18 United States Code, Section 1001, to lie or mislead in testimony given in the hearing. She will tell you that you can be sentenced to jail and a fine if convicted.

The judge will ask if you understand what she has just told you.

3. The judge will then turn to me for the questions.
4. Once I have finished she may have some questions of her own, although in this case maybe not.

## QUESTIONS OF THE WITNESS

1. What is your full name?
2. What is your military rank?
3. How long have you held that rank/grade?
4. What is your current duty station and assignment?

These questions are intended to develop your knowledge of the current unit and of [Accused]

5. State your current unit.
6. State your current position/duty assignment in that unit.
7. Briefly state what your unit does.
8. Do you know [Accused]
9. Is [Accused] assigned to your unit.
10. Did you know [Accused] personally before he was assigned to your unit.

11. Did you know of [Accused] before he was assigned to your unit.
12. When did you first meet [Accused].
13. How many other personnel are assigned to your unit.
14. How many other personnel of ..... grade/MOS are assigned to your unit.
15. How much contact do you have with ..... during the working day.
16. How much contact do you have with ..... during the working week.
17. How much contact do you have with ..... during the working month.
18. Do you have contact with ..... outside the duty day.
19. How much.
20. Under what circumstances.
21. Do you supervise [Accused]
22. How many others of his rank/grade do you supervise.
23. Do you have input to NCOER/Eval/EPR, as a rater or reviewer of people who work with you or who you supervise.
24. Do you have input to [Accused] NCOER/Eval/EPR, as a rater or reviewer.
25. When judging duty performance, what qualities do you look for.
26. Based on your knowledge of ..... and of his duty performance, do you have an opinion about the quality of his duty performance.
27. What is that opinion. [good, excellent, exceptional, or similar one word answer - give specific significant examples.]

28. Based on your knowledge of ..... and of his duty performance, do you have an opinion about whether or not he obeys orders. [**Yes**]
29. What is that opinion. [**He does obey orders or similar short answer** .
30. Do you know how others in your unit feel about the quality of his duty performance. [**Yes.**]
31. Do you know what his reputation is in the unit for the quality of his duty performance. [**Yes.**]
32. What is his reputation in the unit for duty performance. [**Good, excellent, exceptional, or similar one word answer** - DO NOT give specific examples unless asked.]
33. Do you know how others in your unit feel about the quality of his obedience to orders. [**Yes.**]
34. Do you know what his reputation is in the unit for the quality of his obedience to orders. [**Yes.**]
35. What is his reputation in the unit for obedience to orders. [**Good, excellent, exceptional** - DO NOT give specific examples unless asked.]
36. Do you rely on [Accused] to give you correct information. [**Yes.**]
37. Do you rely on [Accused] to give truthful information. [**Yes.**]
38. Do you have to rely on the information that [Accused] gives you. [**Yes.**]
39. Do you have an opinion about whether or not [Accused] is truthful. [**Yes.**]
40. What is that opinion. [**He is truthful.**]
41. Do you have an opinion about whether or not [Accused] would tell the truth under oath. [**Yes.**]
42. What is that opinion. [**He would tell the truth.**]

43. Have you had the opportunity to know how others in the unit feel about his truthfulness. [**Yes.**]
44. Do you know what his reputation in the unit is for being truthful. [**Yes.**]
45. What is his reputation for truthfulness in the unit. [**Good, excellent, exceptional.**]