

CREDIBILITY OF WITNESSES - ACCOMPLICE TESTIMONY

The testimony of some witnesses must be considered with more caution than the testimony of other witnesses.

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Thus,, you have heard the testimony of a witness who was convicted of (admitted to participating in) the same offense for which the defendant is on trial. (The fact that this witness has been convicted of participating in the same crime for which the defendant is on trial is not evidence against the defendant, and you may consider the witnesses' guilty plea only in determining his/her credibility.)

The State alleges that this person is an accomplice. An accomplice is a person who unites with another person in the commission of a crime, voluntarily and with the specific intent to make the crime succeed.

You also heard evidence indicating that this witness had entered into an agreement with the State whereby, in return for his/her testimony as a witness at this trial, the State had agreed to provide the accomplice with a more favorable disposition of his/her own legal difficulties than would otherwise be the case.

The State is entitled to enter into such agreements with an accomplice and to rely on the testimony of accomplices in support of its case. The testimony of an accomplice may be received in evidence, considered by you, and given such weight as you feel it deserves. The testimony of an accomplice may be enough in itself for conviction, if you find it establishes the defendant's guilty beyond a reasonable doubt.

However, it also is true that the testimony of an accomplice must be scrutinized by you with great care and caution in deciding what, if any weight it should be given. In particular, you must consider whether the testimony of an accomplice has been affected by the agreement s/he has struck with the State, or by his/her own self-interest in the outcome of this case or by prejudice against the defendant.