

2.7 Transcript of Recording in Foreign Language

You [are about to [hear] [watch]] [have [heard] [watched]] a recording in [specify foreign language] language. Each of you [has been] [was] given a transcript of the recording that has been admitted into evidence. The transcript is an English-language translation of the recording.

Although some of you may know the [specify foreign language] language, it is important that all jurors consider the same evidence. The transcript is the evidence, not the foreign language spoken in the recording. Therefore, you must accept the interpreter's translation contained in the transcript and disregard any different meaning of the non-English words.

Comment

This instruction is appropriate immediately before the jury hears a recorded conversation in a foreign language if the accuracy of the translation is not in issue; it may also be included in the concluding written instructions to the jury. *See, e.g., United States v. Rrapi*, 175 F.3d 742, 746 (9th Cir. 1999); *United States v. Franco*, 136 F.3d 622, 626 (9th Cir. 1998); *United States v. Fuentes-Montijo*, 68 F.3d 352, 355-56 (9th Cir. 1995).

See Instruction 2.6 (Transcript of Recording in English); Instruction 2.8 (Disputed Transcript of Recording in Foreign Language); Instruction 2.9 (Foreign Language Testimony).