

FORM GJ-38, INSTRUCTION AND BASIC INTERROGATORY FORM BY THE GRAND JURY TO THE WITNESS

This Form has three (3) parts that you need to work with. They are Part "A", Part "B", and Part "C".

VERY IMPORTANT: BEFORE you meet your first witness, you must have read this entire form,

Parts "A", "B" and C, **AT LEAST TWENTY (20) TIMES.** That's correct, **20 TIMES.**

The first part, PART "A", is your instruction on how to prepare yourselves for your meeting with the witness. First of Rule, never discuss, or argue or be showy, among yourselves, in the presence of a witness to impress the witness. Any difference of opinion among yourselves should be discussed confidentially.

Second Rule, Memorize it. Witnesses are of different stature and ability. A witness may be a person who would simply like to answer, "yes" or "no", or whatever paper you may want him to sign or whatever questions you may ask. Such a witness may be easy to handle.

Other witnesses may be very highly educated or skillful, such as a lawyer or a high government official. This type of witnesses would be brainy, proficient, sharp and quick but also evasive in giving the information you are asking. And you must have already memorized the next paragraph that you are about to read. He may neither answer "yes" nor "no". To overcome such a witness, psychologically, you must be dressed professionally, at least by wearing your barong tagalog or coat and tie. Secondly, all of you should be prepared to act like a foreman and you can accomplish this by memorizing the instructions to the witness in Part "A". You must show that you, too, are professionals and intelligent and you know what you are doing. If anyone of you is being overpowered by such witness, you must stand by and support your foreman. You must be united at all times and most of all be polite. Here is a frank answer [MEMORIZE IT TONIGHT] to evasive witnesses and memorize it at heart, THEN PRACTICE IT, SAY IT, IN YOUR NEXT MEETING TOMORROW IN FRONT OF YOUR FELLOW JURORS. DON'T BE SHY:

"Mr./Ms. Witness, we do not make the rules, the rules of the jury system. The questions we are asking you have been written or framed by the Supreme Court and we have no choice but go by them. We are not allowed to change them. The questions are simple questions and they only require simple answers. They are not difficult to answer if you simply tell the truth and nothing but the truth, and the truth shall make you free. We are not allowed to accept evasive answers that tend to cover up the truth or to frustrate, prevent, or stop us from performing the function of this Grand Jury. We are likewise instructed by the Rules that should a witness try to frustrate, prevent, or stop us from pursuing the function of the grand jury, we would simply file a criminal accusation against such witness for Obstruction of Justice under Presidential Decree No. 1829. So, if you want to stop this proceedings by walking away, then we will do what the grand jury rules have told us to do. Would you want us to proceed with our questions? The choice is yours."

The second is Part "B" of Form GJ-38. Part "B" are standard questions that have been prepared for you to ask the witness. You are not allowed to add, diminish, or modify, those questions. In this Part "B", you will be dealing with five (5) sets of forms which are as follows:

- Form GJ-12 - Grand Jury Quorum Record and Case Summary

- Form GJ-30 - The form where you obtain your Grand Jury Case Number to identify which case you are dealing with.

- Form GJ-31 - The form where you hide the true name of every one who has any involvement about the case and it is the source form for the SIDNs that you issue apart from your own SIDNs.

- Form GJ-38 - This is the form where your basic questions have already been written for you by the Rules of the Jury System. All you need to do through your foreman is to read each question to the witness and the witness will simply write in his answers in the copy of this form that you give him at the start of Part "B" to make your job very easy. Take note that in this form, no name of any person or company or some public office is written. Their names are designated with SIDN, the Security ID Number that you provide for the witness and others.

- Form GJ-41 - This form is where you will write the true name of any person who have any kind of involvement in the grand jury proceedings such as: the witness, primarily including his address and other personal information; names of other persons mentioned by the witness , etc., and those names are then registered in Form GJ-31, where they get their SIDN. Their SIDNs are then used to identify them in Form GJ-38 and their roles and connections or facts surrounding the crime that is the subject of your investigation.

Form GJ-38 (Part "A")- Instruction to the Grand Jury Officers and Members:

1. It requires a lot of creativity to successfully get a full information from the witness. The basic rule therefore is preparation and there is no substitute for preparation. You must not look like a clumsy confused navigator in the eyes of your witness. **MEMORIZE YOUR ROLE, BE PROFESSIONAL.**

2. If you cannot think of any question you plan to ask, begin with skeletal guides. They are: **"What," "who," "where," "when,"** and **"why"**. Use anyone of these any time, and make yourself "curious" of whatever the witness say. Be inquisitive to get more information from the witness: Example:

(a) To know about the WITNESS you are dealing with, ask other questions such as: his birth date, where he lives, school attainment, his friends, job or profession, family: spouse, children, parents; Remember that a grand jury is not a court and you are not covered by the restrictions of the rules of court such as asking for hearsay information, leading questions. No one can stop you from asking any question to the witness.

(b) What the witness know about the suspected OFFENDER Had he heard before a person by the name of the "offender"; How did the witness learn about such person; Has the witness seen such person: Where, when, what he was doing, etc. Anything the witness say about the offender, follow up with another question to clarify what the witness is saying about the offender- it's like cross examination.

(c) What the witness know about the OFFENSE; If you have access to the Internet, search about that offense. Or go to the law library of the court near your grand jury room and do research. Learn its elements. From what you learn in your research, apply the question: what, who, when, etc.

(d) Does the witness know about other witnesses to the crime? Why the witness think that this other person is a witness to the crime? Always go back to the basic of asking: Who, where, when, how, and why.

(e) If a witness is very evasive in his/her answers, you may ask the witness: "Would you consider yourself a crime suspect in this case?" If he says: "No", then follow up with another question "Why?". Let him talk and talk. Follow up with: "Do you know the name of other people who can confirm of what you are telling us?" If he says "Yes", then ask: "who" and "address" of that person.

3. Those of you who are listening, while your foreman is dealing with the witness in PART "B" of Form GJ-38, make yourself curious and write your question to ask once the interrogator or foreman is done in asking the Part "B" Interrogatories or questions. You need to prepare your questions for Part "C" session on Form GJ-38. Always keep in mind the "Why", the "When", "How," "Where," the "who."

4. If there are some conflicting statements the witness said, ask why. Example as to the date, time, and place, or as to who did or did not do an act.

5. Ask questions to find out if the offender may have "good" reason to commit the crime.

6. When you reach Part "C" of Form GJ-38, what makes it easy to ask question is that you are not interrupted by objections from a defense attorney. If the witness is giving a long story, let him talk, and talk, and talk, and make sure what he is saying is being tape recorded.

7. The more the witness talks, the more chances you have to pause questions on him for clarification or cross examination.

8. Make your session conversational with the witness and make him feel at home so that he

will volunteer to give more information. Watch out if he is "making a story" that may be false. Now, relax, don't get mad if he is trying to fool you with his fake story to protect the suspect, then you end up "shooting" 2 birds with "one" bullet. Pretend that you believe what he is saying and ask more questions where he make more lies to you.

9. Ask the witness if there are more witnesses like him and then subpoena those witnesses who are, or may be, also liars. Then you end up indicting not only 2 offenders but 3 or more of them and clean up your community against grafters and liars. Is that not beautiful? Enjoy. Have fun! Make your day!

10. You file indictments for perjury and for obstruction of justice against that witness, and others, just like what the American people did to a certain U.S. President who was forced to resign on his own conscience relating to an anomaly known as the Watergate Scandal. After his perjured witnesses/accomplices were charged with obstruction of justice and got all convicted in court, the said U.S. President found himself very lonely and had no choice but resigned from office. Who knows, you will find one with that situation in your district? If you are thinking of somebody now, hold on. Concentrate with your present case yet and then salivate with professionalism and work on the new case you have in mind promptly.

11. As part of your preparation to interrogate the witness, read Grand Jury Standard Investigation (GJSI) No. (57) because that is where you will find what to do after the witness has testified. Make sure that you obtain from the witness all the information that you need to make a wise decision in the present case.

First: Prepare your Investigation Room settings and be ready to meet your witness.

- (a) The witness desk shall be located at the center stage facing the grand jury members;
- (b) The foreman's desk shall be located on the left side of the witness desk diagonally facing halfway towards the witness about 2 feet apart from each other's desk.
- (c) The secretary's desk shall be located on the right side of the witness desk diagonally facing halfway towards the witness about 2 feet apart from each other's desk.
- (d) The platform on which the foreman's desk stands should be elevated about 10 inches from the floor and the desks of the witness and the secretary shall be elevated in the same level of about 5 inches from the floor.
- (e) The desks of the members shall be arranged in five columns with 4 members on the first 4 columns and 5 members on the fifth column facing diagonally towards the witness desk with the front rows at a distance of about 5 feet from the desk of witness.

Second: Make two (2) clean copies of Form GJ-38 (Part B). This is the Basic Interrogatory to the Witness. Also 2 clean copies of attachments as Exhibits.

- Foreman to give one copy set to the witness,

- Foreman to keep the other copy set for himself.

Third : Make one (1) clean copy of Form GJ-41 This is the Witness Confidential Info Sheet. Any SIDN entered in this form must first be registered in, and obtain from, Form GJ-31.

- Foreman to keep Form GJ-41 at his desk to be filled in by witness after each some questions in the course of the interrogation session with witness.

Fourth : As soon as the witness comes in, the Secretary will politely usher the witness to the witness desk. No private conversation at this stage with the witness should be entertained.

Fifth : All members will be seated behind their desks. In the mean time, the foreman stands behind at the back end row in either side of the column of the members with their SIDNs laid on their desks.

Sixth : The Secretary will now announce:

"This Grand Jury will now open for session. Our foreman, as you see, is identified by his SIDN _____. The SIDN will be explained to our witness what that means.

Seventh: The foreman shall now take over to preside the session and addresses the witness as follows:

- End of Part "A" of FORM GJ-38 -

(Important: Part "B" must be separated from Part "A")

Form GJ-38 (Part "B")- BASIC INTERROGATORY BY THE GRAND JURY TO THE WITNESS. Attached to this Form is/are: Exhibit/s -"A" -"B" -"C" -"D" -"E"
Mark Exhibit "A" for first witness; Exhibit "B" for second witness; Exhibit "C", etc.

"Mr. (or Ms) Witness:

"We welcome you to this Grand Jury.

"The Jury System has been instituted by the Supreme Court pursuant to its authority in Article VIII, Section 5(5) of the Constitution. There are two juries in our Jury System. The Grand Jury and the Trial Jury. We are the members of the Grand Jury and we are not a trial jury. We have nothing to do with the function of the Trial Jury. The function of the Grand Jury is to secretly investigate crimes under the direct authority of the people to make use of their sovereign accusatory power in justice by virtue of their sovereign authority under Article 2, Section 1, of the Constitution. The grand jury has independent deciding power to file criminal accusation, called "indictment", in court against crime suspects. or it may refuse to file an indictment called the "Memorandum of Non-Indictment" under certain conditions, The government or any high government official has no authority to change the decision of the grand jury.

"To the contrary, under the Jury System Rules, no person can be tried for the commission of an alleged crime unless the accusation against him shall have been approved by means of an indictment by a grand jury.

"The Grand Jury is not a court of law and it is not a trial court. Although it is not a court, the grand jury as well as its individual members are authorized to administer and accept oath in performing the functions of the grand jury. What this means is that before a witness gives his or her testimony in this grand jury, we are required to ask the witness to be sworn in. (Mr. Foreman shall now stand and continue to speak).

"At this point, I request you to swear before this Grand Jury. We will, thereafter, continue with other instructions and questions that we wish to ask you. (Foreman with raised right hand will require the witness to raise his hand and ask the witness):

"DO YOU SWEAR BEFORE THIS GRAND JURY THAT ALL THAT YOU SAY AND WRITE IN ANSWER TO ITS INTERROGATORIES OR THE QUESTIONS BY ITS MEMBERS SHALL BE THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH?"

Witness should respond: "I DO"

"Take your seat, please. You may speak or write in Tagalog or in your dialect. If you want a question translated in Tagalog or in your dialect, please let us know and we will do so.

"This Grand Jury is investigating a crime as follows: (foreman must fill in the following blanks prior to the day the witness comes in to testify.)

(Generic name of the crime) _____ (Examples: Bribery; Murder; Homicide; Election Fraud or Violence; Money laundering; Rape; Robbery; Thief; Arson; Illegal gambling; Extortion; Malversation of public funds or property; Illegal possession of firearms or explosives; Drug trafficking; Abduction, Illegal detention; Illegal search of private property; Etc. - You must use, however, the exact legal name of the crime as defined by law when you file your indictment in court).

"So far, we have already gathered the following information. But this grand jury still needs testimony of secret witnesses to support its accusation or indictment in court. We have been reliably informed that you are a witness in some way who have knowledge how this crime happened. It is for this reason why you were issued a grand jury subpoena to testify on whatever information or any evidence you may have. (Foreman with help of his assigned grand member to this case must fill in these blanks): _____

"Here is an official form, Form GJ-41. We ask you to please write in your name, address, and other blanks that pertains to you personally. I will help you fill in later the other blanks in this form for other names of persons you may mention in the course of our proceedings. From the information in this form that you will give us, we will register your name in our Form GJ-31 and from said record we will issue to you your Security Identification Number, known as your "SIDN." The purpose of the SIDN is to prevent anyone from knowing that you have testified in this Grand Jury. Your SIDN is the name you will write in all other documents that comes up during our session. This document, Form GJ-41, is strictly confidential. This grand jury has no authority to give it out to anybody or to any government office, unless a court of law will authorize us to give it at a trial. Your name in this form cannot be disclosed earlier and at no other time than at the time you are actually sworn in as a witness to start your testimony in a trial before a jury of 12 citizens, if a criminal case is filed in court about the case that this grand jury is investigating. (Before continuing, have the witness accomplish Form GJ-41 completely up to the signature blank in it)

Here is another form. It is an Interrogatory form, which as you see, is titled as Form GJ-38 (Part "B"), described as "BASIC INTERROGATORY BY THE GRAND JURY TO THE WITNESS" and attached to it is a form designated as "Exhibit - ____" (To be marked for this witness, such as Exhibit 1, and then Exhibit 2, for the second witness who will testify also later in this case).

"As we go about answering your Interrogatory form, other members will be preparing their questions they may wish to ask you for clarification after you have accomplished this Part "B" of Form GJ-38.

"When it comes to a point where you need to write the name of a person in this form, please let me know before writing his name and I will provide the SIDN for that name which you shall write in this Interrogatory Form.

"After we are done with Part "B", we, the members of this grand jury, will be asking you in an open oral question and answer session. This session will be tape recorded by our Recording Secretary. The tape record in this session shall likewise be kept strictly confidential for hearing exclusively by our members to help us make the decision of the Grand Jury investigation in this case. It is a sort of review of your answers to the Interrogatories as well as to find out more information from you about the matter we are investigating. If you wish a question translated or explain to you in the language or dialect that you speak, please let me know. Let us begin.

Interrogatory No. 1. Date today: _____ <- (witness to fill in this blank)

- Write here your SIDN#- _____

Interrogatory No. 2. Currently you are in the Investigating Room of the Grand Jury of the _____ Jury (Legislative) District of _____ <- [ask the foreman of the name to fill in these two (2) blanks]. A Jury District is coterminous with the Legislative District.

Interrogatory No. 3. By instruction of the Jury System Rules, the members of this Grand Jury, will demand that the information you give in the following questions or blanks must be the truth, the whole truth, and nothing but the truth. Just a moment ago, please recall that you raised your right hand wherein you have sworn in to do so. Do you recall that? Answer: -Yes -No.

(If witness answers "No", request the witness to be sworn in anew before proceeding. If he refuses to swear in again, do not force him/her to do so. If he/she says "I don't want to testify" or "I do not want any part of this investigation" do not restrain him and let him leave the Grand Jury Room. Thereafter, you may simply charge or indict him/her in court for the crime of "Obstruction of Justice" for violation of Presidential Decree 1829 and to stand trial before a trial jury in court for that crime.)

Interrogatory No. 4. We would like to let you know the meaning of two very important legal words before we proceed: The word "perjury" and the other is "Obstruction of Justice".

Interrogatory No. 5. The word "perjury" is the name of the crime for making or stating untruthful statements after a person swears that he will tell the truth the whole truth and nothing but the truth. This crime is punishable by imprisonment in jail. Do you understand that? Answer: -Yes -No.

Interrogatory No. 6. The words "Obstruction of Justice" is the name of the crime for refusing to testify or for lying with the intention of misleading, or delaying, or stopping, or preventing, or to confuse this grand jury in order to fall into making a wrong decision about a criminal matter that it is

investigating. Obstruction of justice is punishable by imprisonment in jail from 3 t 5 years.
Do you understand that? Answer: -Yes -No.

Interrogatory No. 7. "Obstruction of justice" also includes the act of testifying to cover-up of the criminal acts of the offender. It is the act of willfully interfering with the process of justice and law by influencing, threatening, harming, or impeding a witness, potential witness, or by furnishing false information or otherwise impeding an investigation or legal process.
Do you understand that? Answer: -Yes -No. .

Interrogatory No. 8. We, the members of this Grand Jury, are clearly making you aware that if you give any false or misleading or untruthful answer to the following questions or blank lines calling for an information, we will hold you liable for perjury or for obstruction of justice before this Grand Jury. If you tell a lie to us, this Grand Jury will file an indictment or an accusation in court against you for perjury or for obstruction of justice. If you think you may be confessing a crime you have committed and may be criminally charged for such crime, you must write the answer "I WANT TO REMAIN SILENT ON THIS QUESTION" and do not make any other answer to that question.

Do you understand this instruction? Answer: -Yes -No.

Interrogatory No. 9. We would like to ask you to avoid writing names of any person that come to your mind in stating your answers to this interrogatories. Just like you, we have not written your name anywhere in this questionnaire but we have given you a Security Identification Number or SIDN to protect your identity. This Grand Jury will likewise protect the identity of the persons you will refer to us in the course of this questioning including any suspected crime offender. The reason for using SIDNs is to keep our investigation strictly confidential without being known by the public as required by the Rules of the Jury System.
Do you understand this instruction? Answer: -Yes -No.

Interrogatory No. 10. When you want to give us a name in connection with this investigation, write his name in my Form GJ-41 which I will provide to you. I will then list the name in our Form GJ-31 and then we will designate an SIDN for that name. Only then shall we ask more questions about the person whose name matches with the SIDN we have issued.
Do you understand this instruction? Answer: -Yes -No.

Interrogatory No. 11. We would like to let you know that we will be sending a subpoena to another witness who may have known you. The purpose is to corroborate, confirm or deny the information you will be giving us in this investigation. It is therefore important that your testimony and his or her testimony must substantially agree with your answers in this investigation when we ask questions such as: Do you know each other? Have you been working together or not in the same office or company? Have you been close friends? Has he or she has or has not helped you in finding a job? Have you been doing business together in some manner? Have you talk to each other either over the phone or face to face? Have you been childhood friends? Where and when did you know each other for the first time? Have you been enemies to each other? Have you given him or her a gift

at one time or another? Do you live in the same neighborhood within a distance of about one (1) kilometer from each other? Have you given a bribe to this person? and other things that reveal close association or knowing with each other or enmity with each other? To avoid being charged for perjury or for obstruction of justice, you must therefore be totally truthful with your answers.

Do you understand what this instruction means? Answer: -Yes -No.

Interrogatory No. 12. Many questions we will be asking you are simple questions that need simple answer such as a "Yes" or "No". Example: "Do you know anything about a person whose name is "Name" and works for "Employer X" and you answer "No" when in fact you were working together in the same department or you were in fact appointed to your job in said organization where the other person works closely with you? We, therefore, caution you to be careful in giving your "simple" answer in such situations otherwise you could easily commit the crime of perjury or obstruction of justice. Do you understand this instruction? Answer: -Yes -No.

Interrogatory No. 13. Here is a name of a person I will show you. By any chance, did you happen to hear or know anything about this person sometime before? Answer: -Yes -No.

(If answer is "Yes", foreman should list the name of this person in Form GJ-41 and further register said name in Form GJ-31 to generate his SIDN for entry in the attachment to Form GJ-38, Part "B".

(If the answer is "No", the foreman should announce to the members of the Grand Jury the name of the person being asked about and inform them that "this witness does not know anything about said person." The foreman will then allow members of the grand jury to profound the question again to the witness during the session for Part "C" of Form GJ-38).

Interrogatory No. 14. We want to make you understand why a grand jury investigation is held strictly in secret and the reasons are as follows:

(a) To prevent the crime suspect of running away from justice; (b) To protect the constitutional innocence of the crime suspect from trial by publicity; (c) To prevent the suspect or victim or their respective sympathizers from tampering any evidence or of threatening, harassing or harming potential witnesses; (d) To protect both the victim and crime suspect from harming each other or by their followers. (e) To protect the members of the grand jury from threats or harassments or harm by heavily armed or highly influential or publicly powerful suspects of crimes and by their crime sympathizers and accomplices; (f) To prevent potential trial jurors from prejudging the guilt or innocence of the crime suspect once they are called in to serve as jurors; (g) To protect judges and government prosecutors and private investigators from illegal or unethical interference, threats, harassments, or physical harm from highly armed or powerful or wealthy elements of society; and (h) To encourage potential crime informers and whistle blowers to secretly report to the grand jury any criminal wrong doings in their workplace, neighborhood, organizations, and among circle of friends. Did you understand this Instruction? Answer: -Yes -No. If your answer is "No"

please tell me and I will explain this Interrogatory to you again.

Interrogatory No. 15. Here is a form I will attach and marked as "Exhibit ____" to Form GJ-38 (Part "B"). You are likewise required to accomplish this form. Do you understand this instruction? Answer: -Yes -No.

Form GJ-38 - Part "B", Exhibit Attachment (Next Page)

Instruction in marking Exhibits:

1. If an exhibit has several components and closely related to the same exhibit, example: Page 1 and has page 2, marked the first page as "Exhibit 1-A", the second page as "Exhibit 1-B, and so forth;
2. If the next exhibit is another series of exhibits and closely related with each other, example: Exhibit 2, mark the first as "Exhibit 2-A", followed by "Exhibit 2-B", and so on;
3. If the exhibit is an object or thing and it has a detached part but closely related to it, follow the same pattern as instructed in Number 1 and 2 above.
4. Generally, be creative in marking your exhibits.

Form GJ-38 - Part "B", Exhibit Attachment
(Note: Coordinate this form with GJ-Form 31 and GJ-Form 41)

After accomplishment, attach this Sheet to Form GJ-38, Part "B", as EXHIBIT " ____ "

"THE GRAND JURY
Of the _____ Jury (Legislative) District of:

(To be filled in by the witness in his/her own handwriting - Do not type)
Witness to mark the appropriate boxes in the form. Read carefully
and understand before writing the answer to each question.

Date Today _____

GRAND JURY CASE NO. _____

I, identified herein with my SIDN as # _____, _____ years old, under penalty of Perjury and/or Obstruction of Justice, and on my oath before this Grand Jury, truthfully state, that:

1. - I was summoned to testify before this Grand Jury today.

2. - I was informed that the Grand Jury will ask me for information about a crime which the foreman has described to me as a case of _____.

Read carefully the two (2) NOTES BELOW:

[NOTE: If you are testifying to a crime of bribery against a public official, you will be given full exemption or immunity per Presidential Decree 749 from criminal prosecution if you promise to testify at the trial of this case as a prosecution witness against the public official who accepted the bribe from you. If you refuse to testify, you will be prosecuted instead for Obstruction of Justice for violation of Presidential Decree 1829.]

[NOTE: The laws on bribery are found in Articles 210, 211, and 212 of the Revised Penal Code of the Philippines. You will not be prosecuted for bribery under Article 212 of the RPCP because you will be protected by Presidential Decree 749. Other laws on bribery are found in Republic Act 3019, the Anti-Graft and Corrupt Practices Act; Section 345 of the Internal Revenue Code, and Section of 3604 of the Tariff & Custom Codes.

3. - Are you a giver or offeror in a crime of bribery? Answer: -Yes -No

4. - If your answer is "Yes", continue on Box No. 5, the next box below. If your answer is "No", go directly to Box No. 15 farther below or in the next page.

5. - I accept the protection and exemption from criminal prosecution granted under Presidential Decree 749 of any crime relating to the subject crime of bribery in this matter. I promise to testify as a prosecution witness in the trial against the public official whom I have given a bribe. I understand that if I refuse to testify for the prosecution, I can be prosecuted for Obstruction of Justice under Article V, Section 1(x) of the Jury Systems Law.
6. - If you are a giver or offeror in the above stated crime of bribery, state the information called for in the following blanks:

Name of subject official (Do not write name) Write SIDN-_____ (ask foreman)
 Name of his position or Title _____
 Name of his office or bureau _____
 Address of his office _____

Did somebody help you in bringing your bribe to the public official?

Answer: -Yes -No. If "yes" name of your helper?

((Do not write name) Write SIDN#_____ (ask foreman)

7. - I bribed this official:

- Because he does not act on my transaction with his office if I offer him no bribe.

- Because of his official position to make my transactions easier to get through with his office. If I give no money, I get no "honey."

Form of bribe: (1) If money was given, -Amount-_____ Approximately.

-Currency: - Pesos -Dollars -Other-_____

-Cash -Check & Name of Bank - _____

-Bank branch at: _____

-Date/time of transaction _____ approximately.

-City where bribery transaction took place- _____

-Name of witness to this transaction- Issue SIDN _____

(2) If property was given: Describe here _____

_____ -Value-_____ in -Pesos

-Dollars - If real property, -address - _____

_____ -Titled owner before the real property was given- SIDN _____

-If personal property, describe here - _____
Registration # _____ Name of government office
where property was registered _____

(3) Besides the above transaction, has there been any other money or property you have given to the same official? -Yes -No
If "yes" prepare records of said transaction(s) similar to the information called for above. (As many as you can remember).

(4) Besides the above referenced public official, have you given a bribe to another public official? Answer: -Yes -No
If "Yes", give us his name (Do not write) Write SIDN# _____
(Ask the foreman).

8. - Are you engaged in any form of business? Answer: -Yes -No.

- If "yes", name of your business- (Don't write name) (Issue SIDN-_____)

- Your position or title in the business- -Owner -President -Manager

- Kind of -Product -Service you sell or offer. Give general description only- _____ . Do not specify

- City or Municipality where you operate your business- _____
(Don't write exact address, name of city or municipality only).

- If "No", where did you get the money to bribe this government official?

Answer: _____

- Was there an important reason for bribing this official?

Answer: -Yes. -No. Either way you must prepare your answer at the trial in court. State here the reason for your answer

9. - Do you know of other person/s who may have given a bribe to the same public official whom we identified earlier with SIDN _____ in Question No. 7?

Answer: -Yes -No.

10. - If your answer is "Yes" to the preceding question, the name of

said person? (Do not write name) Write SIDN# _____ (ask foreman)

11. - Any other person you know who have given a bribe to said official?
Answer: -Yes -No.

12. - If your answer is "Yes" to the preceding question, the name of
said person? (Do not write name) Write SIDN# _____ (ask foreman)

13. - Any other person you know who have given a bribe to said official?
Answer: -Yes -No.

14. - If your answer is "Yes" to the preceding question, the name of
said person? (Do not write name) Write SIDN# _____ (ask foreman)

- ### -

15. - Have you been induced or encouraged by another with his promise to reward you
with something to testify in this case? If your answer to this question is "Yes", mark
this box - > -and give us the name of the person: (Don't write here the name) Write
his SIDN#- _____ (ask the foreman). If your answer is "No", mark this box
and, if so, do you still consider yourself a witness in this case? Answer: -Yes.
-No.

16. - Do you know if there is any lawyer or attorney who has proposed, or asked, facilitated,
has received a part of the money you gave to the subject of this investigation?

17. - If your answer is "Yes", mark this box -and give us the name of the person: (Don't
write here the name) Write his SIDN#- _____ (ask the foreman). If your answer is
"No", mark this box and, if so, do you still consider yourself a witness in this case?
Answer: -Yes. -No.

18. - If your answer to No. 16 is "Yes", how did you know him? (Please explain in the
following blank lines: _____

19. - If your last answer in Box 15 is "No", tell us what other matters you wish to volunteer
to say about this case. Explain fully your answer: _____

- If your last answer in Box 15 is "Yes" in what way would you consider yourself a witness?

20. - Answer: Because (mark any or all that apply to you our observation):

- I am the victim in this crime. Explain: _____
_____.

- I saw what happened. Explain: _____

_____.

- I am a dependent of the victim. Explain how are you related to the victim:

_____.

21. - Do you know the offender of this crime? Answer: -Yes -No.
If your answer to this question is "Yes", when did you first know such person?
Answer: -Since _____ or -About ____ -days -weeks
-months -years - ago. -At or after the crime.

22. - How did you come to know him\ or her for the first time?
Answer (explain in full) _____

_____.

23. - Have you seen the offender before the crime happened? Answer: -Yes -No
If "Yes", how many times have you seen the offender?
Answer: - Around ____ times. -Many times. -Every day
-Almost every day -Every week -Almost every week
-Every month -Almost every month -Every year
-Almost every year -until _____ ago.

What was your purpose of seeing the offender? Answer (explain in full) _____
_____.

- This question is not applicable. - Why? Because: _____

24. - His/Her name? Answer (Do not write name) Write SIDN _____ (ask foreman)

25. - Before the subject crime happened, have you spoken with the offender?
Answer: -Yes - No. If your answer is "yes" what was the topic of
your conversation? Answer (explain in full) _____

26. - The date this crime happened? Answer: _____

27. - The approximate time it happened? Answer: _____

28. - Did this crime happen inside a building or house? Answer: -Yes -No

29. - If your answer to the preceding question in Box 28 is "Yes",
were you likewise inside the building or the house?
Answer: -Yes -No.

30. - If your answer to the preceding question in Box 29 is "Yes", describe the
visibility or lighting condition inside from your point of view whether:

- bright -dim -dark. Explain your answer in full- _____

31. - If your answer to the question in Box 28 is "No", explain in what location
did this crime happened? Answer in full: _____

32. - Write the: -Street address- _____
- Barrio/Municipality/City/ _____

- Do you know of anybody else who may have witnessed this incident?
Answer: - Yes - No.
If your answer is "yes", his or her name? Write SIDN# _____ (ask foreman)
How did you come to know this person? _____

33. - Fully describe how the offender committed this crime? Answer: _____

34. - If your answer to Box 21 is "No", is there any other witness you know who actually knows the offender of this crime?
Answer: -Yes -No.

35. - If you know, where was this witness situated at the commission of the crime?
Answer: -He -She was at _____

What was the witness doing? Answer fully _____

36. - After the crime was committed have you ever talked with such witness?
Answer: -Yes -No.

37. - If your answer in the preceding question in Box 37 is "yes", how long after the commission of the crime have you talked with said witness?

Answer: -__ minutes -__ hours -__ days
-__ weeks -__ months -years - after the crime
happened.

38. - If your answer to the question in Box 37 is "no", why not?
Answer: Because _____

39. - If your response to the question in Box 34 is "yes", what is the name of the witness?
(Don't write name) Write SIDN# _____ (ask foreman)
Address of this witness _____

_____ Telephone- _____

40. - Besides the person identified as SIDN _____, do you know of another person who
actually know the offender of this crime? Answer: -Yes -No. , If you
answer "yes", the name of such person: (Do not write the name) Write ISDN
_____ (ask foreman).

41. - Lastly. Is there anything in this grand jury investigating room that you have seen or
heard any deceptive, forceful, or intimidatory tactic or environment or statement from
any member of this Grand Jury that had forced you to testify falsely?

Answer: -No -Yes. If your answer is "Yes", please explain here: _____

Sign in here your SIDN _____ and write date today- _____

(If applicable, see Supplemental "Page 148-A", Anatomy of the Human Body)

- End of this Exhibit -

any answer you have given above or in the attached **Exhibit** “____” that you would want to change? Answer: -Yes -No.

Interrogatory No. 17. If preceding answer is "Yes" - Please cite the Question Number and write your correction:

Question No. ____ - Corrected Answer: _____

Reason for the change: _____

Question No. ____ - Corrected Answer: _____

Reason for the change: _____

Question No. ____ - Corrected Answer: _____

Reason for the change: _____

Question No. ____ - Corrected Answer: _____

Reason for the change: _____

Question No. ____ - Corrected Answer: _____

Reason for the change: _____

(Use additional sheet of paper, if necessary. Mark it with above Exhibit #, and "Page 2")

Interrogatory No. 18. If last answer in Interrogatory 17 is "No", let us now proceed to Part "C" of Form GJ-38. We wish to remind you that this part is included in your oath to tell the truth in this investigation. You are now free to mention any name that comes to your mind in answering the questions at this stage.

REMINDER to Mr. Foreman: The attachment EXHIBIT must be completed before proceeding to the oral questions and answer session.

- End of Part "B" of FORM GJ-38 -

PART "C" OF FORM GJ-38 - ORAL QUESTIONS & ANSWERS WITH THE WITNESS

Form GJ-38 (Part "C")- Confidential Oral Questions and Answers Session
With the Witness who wrote his/her SIDN as follows:

Witness (Witness to write in his/her SIDN here) -> SIDN _____

INSTRUCTION:

1. This part (C) shall be conducted after Part "B" is completed. Part C is to record electronically with a tape recorder the oral questions by any grand jury member and the corresponding oral answers by the witness.

2. The session in this part shall be TAPE RECORDED by the Recording Secretary. The tape record label shall be marked with the SIDN of the witness. Tape shall be replayed prior to the secret voting of the grand jury members to make the decision of the grand jury to indict, or not to indict the suspect. This tape shall be strictly confidential - not subject to disclosure for any reason to any person, attorney, court, government or non-government, other than to the grand jury officers and members.

3. Every officer and member of the grand jury shall use this part to ask question to the witness to seek clarification on any statement by witness that such member did not clearly understand as well as other questions that may arise in the oral question and answer session.

4. The foreman will now proceed by addressing the members:

"Any member of this Grand Jury may now ask his or her question to the witness. He or she may mention actual name of person or persons relevant to his or question. The witness is likewise free to mention names as he/she remembers."

(The members must be courteous in speaking with the witness. Avoid insulting remarks.)

A juror will then address the foreman: "Mr. Foreman, I am Juror Number _____. The question I wish to ask of the witness is this: Mr. or Ms. Witness (State the question)

Another member may follow to ask his question in the same manner.

The foreman must be alert to prevent a question to be asked that has already been asked and answered by the witness previously unless the question is a call for clarification of the previous answer.

5. After all questions, including the questions in the attached Exhibit, have been taken and answered, the foreman will conclude and make a statement as follows:

"The session with our witness is now completed. I would like to thank Mr./Ms. Witness SIDN _____ (smile for SIDN name) for your cooperation. You have done a great service to our community. We wish you a pleasant day/afternoon/evening or week-end" (and have a parting hand shake with the witness)

IMPORTANT: You must politely decline to give answers to the questions of the witness and you must not carry on a private conversation with the witness after closing your session.