

Criminal evidence



This essay investigates the literature on eyewitness testimony. In particular, it establishes the guidelines provided by the United States Supreme Court regarding the reliability of eyewitness testimony as a form of evidence. According to the literature available, inaccurate eyewitness identification poses a significant challenge to their acceptance in the court of law.

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The United States Supreme Court provided a range of guidelines that should be used to accept or throw out eyewitness testimony. These include verifying that the witness was certain and able to make a positive identification. According to the Court, the jury should critically evaluate eyewitness testimony and throw it out if the court finds it to be unduly suggestive. Conversely, the Supreme Court ruled that it must be proved beyond any reasonable doubts that the eyewitness was able to adequately view the defendant. If this is not satisfied, the court should treat such testimony merely as hearsay (Garraghan G. J., 1946).

Cases of similar nature continue to crop up in the courts of law. For instance, a defendant recently petitioned the Supreme Court to rule on whether to factor in certainty of eyewitness identification in the case of "United States of America v. Joe Antonio Perez". The defendant had been convicted of the murder of his rival drug dealer. Although the eyewitness claimed to have positively identified Perez, the court conceded that the procedure of identification was unduly suggestive. However, in reference to the case of "Neil v. Biggers, the court held that the evidence was not

entirely unreliable as the eyewitness had had the opportunity to adequately view the defendant (Loftus E. F., 1996).

In conclusion, eyewitness is slowly losing relevance as credible evidence in the court of law. This is because such evidence has in many occasions been contradicted by scientific evidence like DNA. In light of this, the guideline of witness certainty should strictly apply to prevent innocent citizens from being unfairly subjected to the law (Garraghan G. J., 1946).