

## **QUIZ – Questions & Answers – Types of Evidence**

- 1) Compare admissible vs inadmissible evidence?
- 2) What is the direct vs circumstantial evidence?
- 3) What is testimonial evidence; how does it differ from physical evidence?
- 4) Compare class & individual physical (real) evidence.
- 5) What is prima facie (case) evidence?
- 6) Explain impression or pattern evidence.
- 7) Define trace evidence.
- 8) What is exculpatory evidence?

## **1) Compare admissible vs inadmissible evidence.**

Admissible evidence refers to any testimony, document, or material presented in court that meets the legal standards to be considered in a trial. For evidence to be admissible, it must be relevant, meaning it helps to prove or disprove a fact in the case, and it must be obtained legally, following proper procedures and the rules of evidence. Additionally, admissible evidence must be trustworthy, meaning it is credible and reliable enough to be presented to a judge or jury.

Inadmissible evidence, on the other hand, is excluded from consideration during a trial because it fails to meet legal standards. This could be because the evidence was obtained illegally, such as through a violation of someone's rights, or because it is irrelevant, prejudicial, or unreliable. For instance, hearsay evidence—statements made outside of court—are generally inadmissible unless they fall under an exception. Evidence that unfairly biases the jury or causes confusion may also be ruled inadmissible.

## **2) What is direct vs circumstantial evidence?**

Direct evidence refers to information or material that, by itself, directly proves a fact without the need for inference. This type of evidence includes firsthand accounts like eyewitness testimony or a confession. For example, if a person witnesses a crime and testifies about it, this testimony would be considered direct evidence, as it directly links the suspect to the crime without needing additional reasoning or assumptions.

Circumstantial evidence, by contrast, requires inference to connect it to a conclusion. While it doesn't directly prove a fact, it can strongly suggest something when combined with other evidence. For instance, finding a suspect's fingerprints at a crime scene is circumstantial evidence that suggests their presence but does not directly prove they committed the crime. In many cases, circumstantial evidence can be just as compelling as direct evidence, especially when multiple pieces of it build a strong case.

### **3) What is testimonial evidence; how does it differ from physical evidence?**

Testimonial evidence is the account of witnesses given under oath during a trial. This can include firsthand observations, expert opinions, or statements about what the witness heard or saw. Testimonial evidence relies on the credibility and memory of the person providing the information, which can be scrutinized by cross-examination and evaluation by the jury.

Physical evidence, on the other hand, consists of tangible objects that can be presented in court, such as weapons, clothing, or biological samples. Unlike testimonial evidence, physical evidence is generally less subjective and can be tested, measured, or scientifically analyzed. While testimonial evidence is prone to human error and bias, physical evidence often provides more objective proof that can corroborate or refute testimony.

#### **4) Compare class & individual physical (real) evidence.**

Class evidence refers to physical evidence that can be associated with a group of people, objects, or characteristics, but not a specific individual. For example, a type of shoe tread found at a crime scene could be class evidence, as it indicates the type of shoe worn by a suspect but not the exact person who wore it. Class evidence is useful for narrowing down suspects but is not definitive on its own.

Individual evidence, in contrast, can be directly linked to a single person or object with a high degree of certainty. This type of evidence is much more specific and can often serve as a powerful tool in a forensic investigation. For instance, DNA from a blood sample or a fingerprint would be considered individual evidence because it uniquely identifies the person who left it behind. The combination of class and individual evidence is often critical in building a strong case.

## **5) What is prima facie (case) evidence?**

Prima facie evidence refers to evidence that, at first glance, appears sufficient to prove a case unless rebutted or contradicted by opposing evidence. This term translates from Latin as "at first sight" and represents the initial threshold of proof that must be met for a case to proceed. For example, in a civil lawsuit, a signed contract might be considered prima facie evidence of an agreement between two parties, unless the opposing party can show evidence that the contract was forged or entered under duress.

Prima facie evidence is important because it establishes a foundation for a case. However, it does not guarantee a verdict in favor of the party presenting it. The opposing side has the opportunity to challenge this evidence by introducing contradictory facts, cross-examining witnesses, or providing alternative explanations that weaken the initial claim.

## **6) Explain impression or pattern evidence.**

Impression or pattern evidence is created when an object comes into contact with another surface and leaves a mark or imprint that can be analyzed by forensic experts. Examples include footprints, tire treads, tool marks, or bite marks. This type of evidence is valuable because it can provide clues about the tool, object, or individual that made the impression, helping investigators link it to a specific suspect or object.

Forensic scientists analyze impression or pattern evidence by comparing it with known standards, such as a suspect's shoe tread or a tool used in the crime. These comparisons can either identify a match or rule out potential suspects. While some impression evidence can be classified as class evidence (like a common tire pattern), certain unique features, like wear patterns, can elevate it to individual evidence, making it a crucial piece of forensic analysis.

## **7) Define trace evidence.**

Trace evidence refers to small, often microscopic materials that can be transferred between individuals, objects, or environments during a crime. Common forms of trace evidence include hair, fibers, glass fragments, paint chips, or gunshot residue. Because these materials are often small and easily overlooked, forensic scientists use specialized tools and techniques to collect, analyze, and interpret trace evidence.

The importance of trace evidence lies in its ability to link a suspect to a crime scene or victim. For example, fibers from a victim's clothing found in a suspect's car may suggest contact between the two. Although trace evidence alone may not conclusively prove guilt, it can provide critical support when combined with other types of forensic evidence.



## **8) What is exculpatory evidence?**

Exculpatory evidence is any evidence that can exonerate or absolve a defendant of guilt. This type of evidence is crucial in criminal trials because it can demonstrate that the accused is not responsible for the crime. Examples of exculpatory evidence include alibi testimony, surveillance footage showing the defendant was not at the crime scene, or DNA evidence that excludes the suspect as a perpetrator.

In legal proceedings, prosecutors are obligated to disclose exculpatory evidence to the defense under the Brady Rule. Failing to provide such evidence can result in a mistrial or the dismissal of charges. Exculpatory evidence plays a pivotal role in ensuring that justice is served by preventing wrongful convictions and helping to maintain the integrity of the legal system.