Discussion Board

Name

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Different ways are utilized in the courtrooms to confront the witnesses. The most common out of them include testifying behind screens and testifying on closed-circuit television etc. In cases of physical abuse and violence, the conviction of defendants is overturned, because the victims are unable to testify in courtrooms. Testifying in the open courtrooms can be a traumatizing experience for the victims, as they have to relive their experiences while being in the same physical space as their offender, so it should not be required.

One of the most important reasons, that the abuse victims should not be required to testify in the open court is that facing their offender while describing their traumatizing experiences can shatter their strength. Being in the same space can impact them strongly, leaving them unable to convey their point or their side of the story. The offenders often scare the victims about the outcomes of reporting them, which can terrify the victims while testifying against them in the open courtroom. So, the abuse victims should not be pushed to face their offender in the courtroom for testifying the defendant (Crowe, 2019).

For the sake of conducting a fair trial in accordance with the Sixth Amendment of the U. S. Constitution, the alternatives like two-way closed-circuit television, or pre-trial deposition of the victim can be utilized. The alternatives will secure the right of the defendant of a fair trial, as well as save the victim from the trauma of facing their offender. In addition to it, the victim will also be saved from repeating their experiences in front of several other strangers, who are not even directly linked with the case. Using the two-way closed-circuit television is the most reliable alternative which takes care of the concerns of both parties and allows the authorities to make a fair judgment.

Reference

Crowe, K. (2019). Sexual assault and testimony: Articulation of/as violence. *Law, Culture and the Humanities*, *15*(2), 401-420.