Criminal Trial

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In criminal law, the term character is the most talked about term, this is mostly in the context of bad character rather than good character. In most of the cases, it happens that the prosecution tries to put all the previous convictions before the court in order to convince them about the defendant’s guilt. After presenting the evidence and also the character the prosecutor will say that if the person has done the case before then there are more chances that he will do it again in the future. It is also quite evident that not all the defendants who are facing criminal trial will have some previous commited crimes. In such cases, the issue of good character will be quite significant. Defendants in criminal cases may offer proof of their own good character in order to negate a charge of some criminal conduct. To do that the defendants may provide evidence of their good character and also abiding by the law and character for some specific traits which are related to the behavior for which they are accused. The character evidence is used by the defendant to show their own character in the court as long as the specific character has some relevance to the crime that they are guilty about. In a criminal trial the "mercy rule" which allows the accused person to provide specific proofs related to his/her character as a defense tool for his/her character. The purpose of good character provision is to show that the convicted person is unlikely to commit the alleged crime. Character evidence which is normally offered from the defendant's side are provided by the close people of the defendants, this evidence should be relevant to the crime and also they must be based on the personal knowledge. That means that the traits of the defendant's character which are testified by the witness must have some link with the crime committed (Leonard, 2000).

In the criminal justice, the character evidence is often inadmissible in a criminal trial if it is first offered by the prosecution in order to show that the suspect is most likely to commit the crime with which he or she is charged. In other words, the prosecution will not start character evidence which shows the suspect's tendency to commit a particular crime. However, if the character evidence is offered by the defendant then the prosecution can rebut his/her claims. Once the defendant is done with presenting proofs about his or her good character then the state or the prosecutor may refute the evidence by providing proofs of bad character at the same time. It is noteworthy here that if the defendant does not provide proofs of his/her good character then the prosecutor cannot provide evidence of his/her bad character.

The character evidence related to a crime victim, the character evidence is only admissible if the defense attorney will introduce it into the criminal trial. It will be introduced at a point when the defendant has to prove that whatever he/she has done is against their nature, in order to convince the jury he /she will present the character evidence to show that he/she is a responsible person who basically abides with all the rules (“Character Evidence,” n.d.). It is not necessary that the court will give the decision on the basis of the character evidence, the ruling will be made based on the current offense and the evidence that are present but while ruling the case the character evidence will also be kept in mind by the jury.

**References**

Character Evidence: The Good, the Bad & the Ugly. (n.d.). Retrieved April 1, 2019, from Gambone Law website: https://www.gambonelaw.com/blog/what-you-need-to-know-about-the-rules-of-character-evidence.cfm

Leonard, D. P. (2000). Character and Motive in Evidence Law. *Loyola of Los Angeles Law Review*, *34*, 439.