

Impeachment with Past Convictions

1) Rule 609

a) Generally permits use of witness's criminal convictions to impeach that witness

*i) Exception to general rule you can use propensity**

b) (a) General Rule:

i) Rules that apply to attacking a witness's character for truthfulness by evidence of a criminal conviction:

(1) NOT GENERAL CHARACTER - CHARACTER FOR TRUTHFULNESS ONLY****

(2) CONVICTIONS NOT ARRESTS

ii) (1) For a **crime** that, in the convicting jurisdiction, was **punishable by death or by imprisonment for more than one year**, the evidence:

(1)(A) Must be admitted, subject to Rule 403, in a civil case or in a criminal case in which the **witness is not a D**; and

(2)(B) Must be admitted in a criminal case in which the **witness is a D**, if the probative value of the evidence outweighs its prejudicial effect to that D; and

(a) *Special rule for criminal D's***

(b) *Reverse 403 rule—presumption it stays out unless = more stringent!!*

(3) **Punishable** → what *could* the witness have been punished with? [not what they actually got]

(4) **Extrinsic Evidence** is allowed to rebut answers where witness denies having a criminal conviction!!!!

iii) (2) For **any crime regardless of the punishment**, the evidence must be admitted if the court can *readily determine* that establishing the **elements of the crime required** proving - or the witness's admitting - **a dishonest act or false statement**

Past Convictions

M Planty



Past Convictions:

The Enigmatic Realm of **Past Convictions**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing short of extraordinary. Within the captivating pages of **Past Convictions** a literary masterpiece penned by a renowned author, readers set about a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting impact on the hearts and minds of those that partake in its reading experience.

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