

## Evidence Admissibility

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## Exclusionary Rule

- Evidence located as a result of police misconduct is excluded (not permitted to be used at trial) in an effort to discourage police misconduct
- Remember the *fruit of the poisonous tree* doctrine

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## Exceptions

- Good Faith
- Inevitable Discovery Exception
- Independent Source Exception

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## Hearsay

- Unverified information heard or received from another; in other words, a rumor
- Evidence based on the reports of others rather than the personal knowledge of a witness and therefore generally not admissible as testimony
- Hearsay is not permitted at trial because it prevents the defendant from the ability to confront the witness

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## Hearsay Exceptions

- Excited Utterances
- Dying Declarations
- Present Sense Impression
- Plus 40 others...

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## Entrapment

- A person is 'entrapped' when s/he is induced or persuaded by law enforcement officers or their agents to commit a crime that s/he had no previous intent to commit
- There is no entrapment where a person is ready and willing to break the law and the Government agents merely provide what appears to be a favorable opportunity for the person to commit the crime

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