

Legal Thresholds & Admissibility

A framework for understanding the burdens of proof and the rules governing evidence (KA-MOD-009).

The Ladder of Legal Certainty (Burdens of Proof)

1. Reasonable Suspicion

Specific, articulable facts leading to belief criminal activity is afoot. (Stop & Frisk)

2. Probable Cause

Sufficient reliable facts to lead a reasonable person to believe a crime was committed. (Arrest / Search Warrants)

3. Preponderance (Civil)

More likely than not (greater than 50% probability).

4. Beyond a Reasonable Doubt (Criminal)

Highest standard; moral certainty that guilt is proven.

Each step requires a higher degree of factual support.

Gatekeeping Evidence: The Admissibility Criteria



1. Relevance

The evidence must have any tendency to make a fact more or less probable than it would be without the evidence, and the fact is of consequence in determining the action.



2. Competency / Foundation

The evidence must be presented by a qualified source (witness with personal knowledge, certified record keeper, qualified expert). Chain of Custody must be proven.



3. Prejudicial Balance

Relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, or misleading the jury.

The Exclusionary Rule ("Fruit of the Poisonous Tree")

Evidence obtained as a direct or indirect result of a constitutional violation (e.g., an illegal search or seizure) is **inadmissible** in a court of law. This rule exists to deter illegal police conduct.



ILLEGAL SEARCH



EVIDENCE DISCARDED