



DIRECT VS. CIRCUMSTANTIAL EVIDENCE

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INFORMATIONAL
NEWSLETTER

THE COMMISSION ON CORRECTIONAL PEACE OFFICER STANDARDS AND TRAINING



DIRECT EVIDENCE

Refers to objects or perceptions that can be directly linked to the commission of a crime.

California Evidence Code defines direct evidence as, "evidence that directly proves a fact, without an inference or presumption, and which in itself, if true, conclusively establishes that fact."

Example: A witness actually sees the suspect commit the crime or bodily fluids such as the suspect's blood under the victim's fingernails.

CIRCUMSTANTIAL EVIDENCE

Refers to pertinent items that surround the circumstances of the crime but do not directly prove the components of the crime.

Example: A suspect's fingerprints are found at the scene of the crime. It does not provide the suspect committed the crime, but it does provide the suspect was at the scene of the crime.