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STUDENT NOTES

The Use of Prior Convictions to Impeach the Credibility of the Criminal Defendant

INTRODUCTION

Under the early common law, conviction of an "infamous crime" disqualified one as a witness.¹ This rule was abolished by the legislatures of the various states, but in so doing, the legislatures generally provided that prior criminal convictions could be used to impeach the credibility of witnesses.² In many instances, these

¹ See C. McCORMICK, *EVIDENCE*, § 43, at 89 (1954). Infamous crimes included treason, felonies and acts which involved falsehood.

² *Id.* 3 J. WIGMORE, *EVIDENCE*, § 980, at 538 (3d. ed. 1940).