

How to Prove Your Innocence

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If you have been accused of a crime you did not commit; of course, you will need to do all you can to help ensure you are not wrongly convicted. But, what can you do to *prove* you're not guilty? This is not an uncommon situation, unfortunately. Law enforcement is very good at determining whether an arrest is appropriate. Nevertheless, sometimes innocent people do get arrested. The police must make discretionary decisions, and not *every* one of their assessments will be accurate.

When you have been incorrectly accused, you need to work with an experienced Utah criminal defense lawyer to defend yourself with all possible evidentiary and legal resources available to you.

You Don't Need to Prove Your Innocence

Proving innocence in court is often not possible, depending on the situation. But, you should be clear that you do not necessarily *need* to prove you are innocent to win an acquittal in criminal court. It's the *prosecutor's* job to *prove* you are *guilty* — beyond a reasonable doubt. Your defense team's job is to show that the prosecutor has not reached the required threshold of proof. But, how do you do that?

Your defense lawyer will work to provide sufficient evidence that it doesn't make sense to believe you committed the crime. Your criminal defense attorney will attempt to show that your evidence weakens the prosecutor's evidence for conviction to the extent that a conviction would be inappropriate.

Generally, the design of the criminal court process does contemplate the benefit of the doubt for the accused person. Even if you cannot provide *any* proof of your innocence, it is the prosecutor, not *you*, who has the responsibility to provide sufficient *proof* under the law.

What Can I Do to Prove I'm Innocent?

As discussed, you do not have to prove your innocence. In fact, under the law, you are *innocent* until you are *proven* guilty beyond a reasonable doubt. So, the most productive thing you can do to help your case is to provide all possible evidence to weaken the prosecutor's case against you.

Depending on the details of your case, you may not be able to provide enough evidence to *prove* you are innocent. But, you may be able to offer enough evidence to make it clear that the prosecutor has not proven beyond a reasonable doubt that you are guilty.

3 Ways to Prove Your Innocence

Although you are not legally compelled to prove you are innocent, naturally, the more evidence you *do* have to show that you're innocent, the weaker the prosecution's case against you becomes. So, identifying and presenting any proof of your innocence you do have is helpful to your defense. Here are three ways to show you are innocent of a crime:

Provide Strong Exculpatory Evidence

Determine what kinds of evidence can show that you are not guilty. For example, maintenance records for a breathalyzer device may indicate that the equipment could have been performing poorly. Or, a DNA sample or fingerprints may be needed to prove that you were not involved in a crime. With many types of crimes, there are various possibilities that an experienced criminal defense lawyer will pursue to weaken the case against you.

Provide a Strong Alibi

If you can show that you were at a different location when the alleged crime occurred, then the prosecutor, judge, and jury should be able to see that you could not have committed the crime. Of course, that conclusion depends on the other details of your case. Compelling evidence for your defense can include:

- *Witness testimony*: Have a reliable witness testify about where you were at the time the crime occurred.

- *Security videos:* Present traffic camera video footage, surveillance footage, or personal camera footage that shows you were someplace else when the crime occurred.
- *Phone records:* Show phone records that indicate that you and your phone were someplace else at the time of the crime.
- *Bank, credit card, or work records:* Produce date- and time-stamped documentation validating your claim that you were doing something else during the time of the crime.
- *Photos and videos:* Gather photos or videos taken by you, friends, or family members that may show you were someplace other than where the crime occurred.
- *Social media posts:* Copy pages containing your social postings online at the time the crime was committed.

Expose a False Allegation Against You

Some kinds of false accusations are not uncommon in criminal courts, and those sometimes lead to other types of charges. If you have been falsely accused of a crime, discuss your situation with an experienced Salt Lake City defense lawyer who can help you build the strong defense necessary to win. If you have a strong alibi or there is other evidence that can help exonerate you, your attorney may be able to show that the accuser has lied.

How to Prove Innocence with No Evidence

Showing serious problems in the prosecutor's case is a more effective way of defending yourself than trying to prove you did not commit the crime of which you've been accused. Why? Because it's generally too difficult to prove a negative. In other words, it's tough to prove that something did not happen or who did not do it. So, focus on showing why the accusations against you do not fit with the evidence you have to the contrary.

Work with a Top Utah Criminal Defense Lawyer!

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