The Influence Of The CSI Effect On Juror Perceptions In A Courtroom

Inaccurate portrayals of forensic evidence and investigative techniques exist among criminal television series. The airing of CSI: Crime Scene Investigation, specifically has significantly altered viewer perceptions of the legal system. The media has distorted the public image of forensic investigation, therefore causing juror expectations that can be detrimental in a courtroom.

Criminal television series are well-known for their fast-paced scenarios that demonstrate speedy evidence collection and analysis. They fail to capture the mass amounts of paperwork and time spent waiting for lab results or the next lead. These dramatized scenarios also always end in a conviction, commonly due to a “match” from biological samples. Real-life criminal cases, however may not always be solvable and forensic evidence may not be salvageable. The inner workings of each criminal justice system component are much more complex and time-consuming while also being less entertaining for viewers. This aspect of entertainment results in misinformation that negatively impacts the decision of juries.

Media Influence on Key Components of a Courtroom

Criminals

There is speculation that criminal shows aide in criminal activity by allowing perpetrators to avoid detection in a crime scene. Episodes may feature an unknown suspect who is difficult to trace because of their caution, use of gloves, use of bleach, strategic disposal of the corpse, and long-distance getaway. Statements have been made that these visuals can provide individuals with the knowledge to carry out their own crime without being detected. If this was the case, less forensic evidence would be recovered from crime scenes. Because jurors favor scientific evidence and would not be certain beyond a reasonable doubt, they would be less likely to reach a guilty verdict. Criminals, however tend to act impulsively without a concern for consequences. If crimes are premeditated, they typically have some sort of evidence left behind. Regardless, the CSI effect has been accused of glorifying aggressive crime control strategies that are unethical and life-threatening for potentially innocent individuals (Stevens, 2011).

Prosecutors

The media portrayal of forensic work is of particular concern for the prosecution due to its influence on jurors. There is an expectation that the prosecution must persuade the jury by presenting a “burden of proof.” Prosecutors believe that a conviction is less likely to occur when this expectation is not fulfilled with forensic evidence. This, however is not always available in crime scenes, especially when crimes are premeditated with every precaution to leave no trace. As a result, prosecutors search for any form of scientific evidence, even if it is not pertinent to the criminal proceeding. Irrelevant tests are done, and unnecessary expert witnesses are called upon to describe the lack of evidence. The prosecution does these tests to demonstrate their

thorough examination. The appearance of results and experts in court is credible to jurors because they believe that any scientific evidence is important, even if it is circumstantial. Jurors may also be selected to the advantage of the prosecution. Public pressure can facilitate the need for a speedy trial, causing potential errors in work. This can lead to misconduct against the defendant as the prosecution attempts to achieve an inaccurate conviction.

Jurors

Because potential jurors frequently view crime television shows, they demonstrate the greatest influence from the media. They have higher expectations of the prosecutor for more physical evidence. Physical forensic evidence is considered more conclusive for a verdict due to its common presence on television. Having the mindset that all forensic evidence is conclusive is irrational considering that there can be faults in its analysis. If forensic evidence found at a scene is linked to an individual, it simply places them at the scene and cannot immediately convict them. Their denial of being at the given scene would be cause for suspicion and conviction. Otherwise, a wrongful conviction could occur. Jurors do not commonly recognize that cases are not always solvable with an obvious verdict. Pretrial publicity that is broadcasted through the media also affects forensics because of the pressure to reach the public's desired verdict. If this verdict is not reached, there may be more distrust in the criminal justice system and its jury selection process. The availability of forensic evidence would be insignificant if the jury felt pressure to decide in favor of a particular party.

Real-World Applications of the CSI Effect

Some key trials that involved the CSI effect include the O.J. Simpson, Amanda Knox, and Casey Anthony trials.

The 1995 O.J. Simpson trial involved charges for the murder of Nicole Brown Simpson and Ron Goldman. It was believed that the crime was fueled by jealousy, but the defense made the case appear as a hate crime against O.J. Simpson. The speculation that crime scene evidence was planted and manipulated by racist police officers created doubt in the jury despite the incriminating evidence. The timeline of events, bloody gloves, hair and fiber evidence, and footwear impressions linked O.J. Simpson to the murders, but the thought of manipulation and racism allowed for his acquittal (Linder, 2019).

Amanda Knox was convicted for the murder and sexual violence of her roommate, Meredith Kercher, in Italy. In 2009, she was given a prison sentence of 26 years. Forensic evidence was found on a knife in the kitchen of Raffaele Sollecito, Knox's ex-boyfriend. The knife had traces of Kercher's blood and Knox's DNA on the handle. Sollecito's DNA was on Kercher's bra clasp in the bedroom. There was argument that the evidence was contaminated due to mishandling (Chan, 2016). The conviction was based on this DNA evidence alone without any circumstantial evidence (Curtom, 2014). The media had portrayed the case as a "drug-fueled sex game," while Knox had no access to the media in a jail cell. Because the media created a scenario for Kercher's murder based on the forensic evidence, jurors decided a guilty verdict. Knox and Sollecito were later exonerated after spending almost four years in prison (Chan, 2016). Juror assumptions had an irreversible impact on the lives of these individuals who were wrongfully convicted.

In 2011, Casey Anthony was on trial for the murder of her two-year-old daughter, Caylee Anthony. Caylee's cause of death could not be determined, but the prosecution believed that she was suffocated with duct tape. The jurors doubted the prosecution because they believed a cause of death can always be determined. There was also no DNA evidence that could be recovered from the duct tape or any of Casey Anthony's DNA at the site where the body was found. Decomposition of the body provided little evidence after Casey Anthony waited a month before reporting her missing daughter. There was a tremendous amount of circumstantial evidence, involving the suspect's trunk and discussions with her friends about killing her daughter, so she could spend time with her boyfriend. The prosecution believes the CSI effect was to blame for her acquittal because jurors felt there was not enough physical evidence or DNA to convict beyond a reasonable doubt (Hoffmeister, 2011).

These celebrated cases are significant because they were broadcasted on the news, which does not provide the public with all information due to time constraints. People may not realize the lengthy trial process because they only witness the major leads and final verdict on the news. They also do not see the evidence presented in court that is deemed inadmissible. Though jurors cannot decide based on this evidence, they were still informed about it.

Solutions

To combat the CSI effect, an emphasis on education, training, and therefore funding must come into effect. The defendant has a right to an impartial jury, yet some jurors may not outwardly demonstrate bias. Because implicit bias exists, potential jurors must be thoroughly examined during voir dire. Despite a detailed questioning, studies have shown that jurors are dishonest about personal opinions and experiences due to evaluation anxiety. Because they either want to appear as the ideal candidate or wish to be excluded from jury duty, they will give dishonest responses that demonstrate impartiality or bias, respectively. Exclusion is typically desired because of the formality of the courtroom that intimidates the juror. After voir dire, former jurors have also admitted to dishonesty with their decision, in which they use situational cues from the judge to decide in favor of a particular party (Marshall & Smith, 1986). The demand characteristics present in a courtroom should not affect a juror's decision, therefore more instruction should be given prior to voir dire and trial in a less formal environment, potentially by an individual with lesser authority. The prosecution and defense must also use their opening statements to their advantage, giving jurors objective truths rather than emotional appeals that simply benefit their case. Irrelevant evidence must be avoided to prevent a hung jury that would require further deliberation. The goal of a trial is justice, therefore both parties must work collectively and efficiently in spite of their goal to convict or acquit their client.

The media clouds the judgment of the public because they believe that there is complete truth in what they watch. Because of this, there must be proper discretion prior to television shows or an accurate portrayal of the legal system and process of crime scene work. Though this would promote education, it would not be as useful for entertainment, thus causing a decline in views. It is essential that these aspects of the criminal justice system are enhanced when making important decisions about the defendant's future.

The increased appearance of forensic and crime scene work in the media has caused misinformation, but also with a positive impact. A greater interest in forensic science has arose. Those with this interest can obtain the necessary education in school, despite their previous

exposure to fictional crime shows. Viewers of these shows also demonstrate a greater understanding of legal terminology, which is beneficial for following court proceedings as a juror.

The CSI effect has existed for years and research has shown that jurors use rational decision-making and impartiality when reaching a verdict. They decide based on the use of good reasoning, expert witness qualifications, impartial witnesses, and objective truths (Shuman & Whitaker, 1996). While most investigative techniques shown on television are accurate, the constant use of them causes false perceptions that each case has an excess of unquestionable scientific evidence. This allows guilty defendants to evade justice simply because the evidence was found too late after the crime, therefore making forensic evidence unrecoverable.

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