

CRIME-SHOW-VIEWING HABITS AND PUBLIC ATTITUDES TOWARD FORENSIC EVIDENCE: THE “CSI EFFECT” REVISITED*

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The present study assesses whether watching crime shows affects attitudes toward forensic evidence and whether these attitudes result in a predisposition toward conviction or acquittal in a criminal trial. Data came from a telephone survey of a random sample of 1,201 California registered voters. The results indicate that, independent of criminal justice experiences, sociodemographics, and other background characteristics, crime-show-viewing habits affect potential jurors' pretrial attitudes and predispositions regarding scientific evidence and various forms of testimony. However, pretrial attitudes do not affect respondents' beliefs about their willingness to convict/acquit based on the presence/absence of forensic evidence. Instead, crime show viewing has a direct effect on this belief.

During the past twenty years, forensic science has made tremendous strides in incorporating scientific breakthroughs into its practice (e.g., DNA typing, physical-evidence databases, increasingly advanced instrumentation). At the same time, the public has experienced greater exposure to the use of forensic evidence in the criminal justice process through the popular media. Television programs such as *CSI*, *Forensic Files*, *Law and Order*, and *Without a Trace*, among others, have large viewing audiences. Newspapers and television news shows report on well-publicized trials (e.g., O.J. Simpson, Robert Blake, Scott Peterson, Phil Spector), often commenting on the use (or absence) of forensic evidence. Awareness of the achievements of the Innocence Project and the employment of DNA typing in gaining death-row exonerations has increased, as have Internet blogs dedicated to forensic issues. Thus, the general public is treated to a daily barrage of “reality” and “fictional” accounts of forensic issues.

The proliferation of crime and justice topics throughout all forms of media has led some to suggest that a “CSI Effect” has taken hold of the public. It has been argued that watching television shows, such as *CSI*, has influenced the general public's attitudes, expectations, and decision making related to the use of scientific evidence in jury trials. The impact of the presumed CSI Effect has reverberated throughout various sectors of society, with attorneys reporting changes in trial strategies so as to counteract it (Watkins, 2004; Cather, 2004) and law journals devoting issues or running ads for seminars on this topic (such as seminars presented by the University of Wisconsin and the University of Maryland School of Law in 2006 and the Brooklyn Law School's

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“Science for Judges” seminars in 2003-07). The present study adds to a growing body of research that explores whether watching crime shows affects public attitudes towards forensic evidence and whether these attitudes result in a *pre disposition* toward conviction or acquittal in a criminal trial.

REVIEW OF SELECTED LITERATURE

Only a handful of empirical studies have assessed the CSI Effect. One such study by the Maricopa County Attorney’s Office (2005) found overwhelming support for the Effect. The authors questioned prosecutors about their perceptions of jurors’ attitudes. Prosecutors reported that jurors expected detailed forensic evidence and that jurors, in fact, penalized the state by acquitting defendants when such evidence was not available. Similarly, Watkins’s survey of fifty-three attorneys in Florida (2004) also attributed jurors’ exaggerated expectations concerning scientific evidence to watching crime shows. Arguing the difficulty of questioning jurors directly, Watkins assumed that lawyers’ attitudes and television-viewing practices served as proxies for the general public and therefore, by extension, jurors. Watkins reported that Florida attorneys had even started modifying trial tactics to preempt what they felt were jurors’ inflated expectations concerning the presentation of scientific evidence during criminal trials. Although prosecuting attorneys may be observing changes in juror attitudes, Watkins provided no evidence that these changes emanated from crime show viewing nor that they correlated with the choice of verdict. Additionally, studies such as these, in which respondents with vested interests in the outcome of such research are asked to report on *others’* attitudes, suffer from potential threats to validity. There may be competing explanations for both the attorneys’ and the jurors’ perceptions, as well as for the impact of these perspectives on the outcome of a case. Nonetheless, neither study explored alternative interpretations.

Some studies, on the other hand, suggest that jurors do not have unrealistic expectations regarding the presentation of forensic evidence. In other words, jurors do not anticipate the same types or levels of evidence so often portrayed in crime and justice television shows; they can distinguish between the “fictionalized” accounts presented by the media with the “reality” of the courtroom. For instance, Podlas (2006) found in a mock-jury study of 254 college students that there was no CSI Effect. Using rape as the crime in question, the study found no difference between crime program viewers and nonviewers in terms of how they weighed the absence of DNA or fingerprint evidence in reaching a verdict. Actually, this study indicated that crime show audiences may, instead, have a greater tendency to convict. And Tyler (2006), in evaluating the “plausibility” of the CSI Effect, reached a similar conclusion. He, too, argued that should such an Effect exist, it may actually assist the prosecution by leading jurors to overvalue the evidence and thereby increase the likelihood of conviction.

The answer to the question of whether juror decisions regarding verdicts in criminal cases arise out of or in spite of the CSI Effect, or whether they bear any relationship to crime show viewing, remains elusive. In a study involving surveys of 1,027 prospec-

tive jurors, Shelton, Kim, and Barak (2006) strongly suggest that the expectation for scientific evidence at criminal trials is not related to crime show viewing, *per se*. Rather, it emerges out of a more generalized "tech effect" that has permeated popular culture. In other words, they argue that the general public has had, over the past thirty years, increasing exposure to and experience with such a wide range of scientific and technological advances that they "naturally" expect the trial venue to be similarly affected and, therefore, rely on scientific evidence wherever appropriate. Finally, Schweitzer and Saks (2007) conducted a mock-trial study (containing hair evidence) of forty-eight jury-eligible college students who were asked about their perceptions of the evidence, as well as their crime-show-viewing habits. Those who watched more crime shows were actually more skeptical of the hair evidence and had more confidence in their verdicts, but were no more likely to convict the defendant than nonviewers.

As indicated above, key studies on the CSI Effect have produced equivocal results. This may be due, in part, to their reliance on substantially different samples, with some studies drawing from college students, others using attorneys, and still others relying on information from the general public. Additionally, research in this area has employed different sampling designs, with some relying on random selection and others choosing samples purposively or conveniently. Some studies were experimental, while others were not, and the methods used ranged from jury simulations to surveys. Furthermore, there have been varying meanings given to the Effect and, therefore, diverse operational definitions of key variables. For instance, Cole and Dioso-Villa (2006-07) identified several different "CSI Effects," each with distinct implications for criminal justice actors, as well as for decision making. One such Effect represents actions taken by prosecutors to counteract juror expectations for scientific evidence; another refers to situations where convictions are solely based on the presence of forensic evidence regardless of its strength or empirical validity; a third involves claims that watching CSI-type programs educates the public concerning scientific evidence; yet another attempts to account for both increases in student interest in criminalistics sparked by the hype surrounding CSI and then dashed by the drudgery of real casework; and finally, Cole and Dioso-Villa suggest that offenders may become educated by CSI so that apprehension is less likely. Each of these Effects has had an impact on both discourse and research, and as a result, it is hard to compare studies and determine whether there is, indeed, a CSI Effect as the concept has taken on so many different meanings.

Additionally, it should be noted that much of the available research has focused generally on one outcome variable: the decision to convict or acquit. Thus, the aim of these studies has been to answer the question: Do the public's attitudes, expectations or both concerning scientific evidence, as influenced by their exposure to crime and justice television programming, affect their decisions as jurors? This is a crucial question as our system of justice rests on the belief that jurors, after being presented with the facts, will render a decision based on the law and not on their own individual biases, preconceptions, and life experiences. Yet recent research suggests that experiences and attitudes strongly influence all aspects of decision making, including how closely a juror will

follow instructions through the actual choice of a verdict (Louden and Skeem, 2007; Dann, Hans, and Kaye, 2006; Skeem, Louden, and Evans, 2004; Meissner, Brigham, and Pfeifer, 2003; Giner-Sorolla, Chaiken, and Lutz, 2002; Skeem and Golding, 2001; Casper, Benedict, and Perry, 1989; Dane and Wrightsman, 1982). Nonetheless, there is also a body of research that argues that the adversarial process, and specifically jury deliberation, can moderate the effect of preexisting attitudes on verdict decisions (Finch and Munro, 2008; Young, Cameron, and Tinsley, 1999; Weiten and Diamond, 1979; Kaplan and Miller, 1978; Izzett and Leginksi, 1974) and other studies that demonstrate that under certain conditions or with the aid of various trial innovations, jurors can set aside these attitudes and prior experiences (Dann, Hans, and Kaye, 2006; Meissner, Brigham, and Pfeifer, 2003). Therefore, there seems to be some suggestion that jurors can be either trusted or educated to decide based on the legal facts as they emerge during the trial.

Despite wide discrepancies in research findings and interpretations, there are still worthwhile avenues to explore regarding the hypothetical relationship between crime-show-viewing habits and juror decision making. The current study aims to contribute to the discussion by examining public attitudes about specific forms of evidence; whether these attitudes are correlated with crime-show-viewing habits, criminal justice experiences, sociodemographics, or other background factors; and which of these factors, if any, result in a *predisposition* toward acquittal or conviction in homicide and rape cases. Here, we are not concerned with, nor can we address, whether juror preconceptions or biases actually determine the outcome of a case. Rather, we are interested in identifying whether the public, and by extension, potential jurors, consider some forms of evidence as more reliable than others; whether there are particular forms of testimony that increase the public's confidence in the reliability of evidence; and whether crime-show-viewing habits have any effect on these assessments.

An identification of the public's attitudes is of critical importance as research on juror decision making has consistently demonstrated that preexisting attitudes, biases, and experiences influence verdict *preferences*. This has been shown across a wide variety of cases and in both civil and criminal trials. From rape cases (e.g., Kovera, 2002; Davis, Bray, and Holt, 1977; Field, 1978), to capital offenses (e.g., Ellsworth and Mauro 1998; Allen, Mabry, and McKelton, 1998; Fikins, Smith and Tinday, 1998; Bowers, Sandys, and Steiner, 1998), with regard to the insanity defense (e.g., Louden and Skeem, 2007; Skeem, Louden and Evan, 2004; Roberts and Golding, 1991), and in civil litigation (e.g., Vinson, Costanzo, and Berger, 2008; Greene and Borstein, 2003; Hastie, Schkade, and Payne, 1999; Hans and Lofquist, 1994), research has pointed out the effects that jurors' preexisting attitudes have had on decisions. Additionally, there is a voluminous literature that explores the impact of media exposure on the development of these attitudes across various aspects of the criminal justice process (e.g., Kovera, 2002; Linz and Penrod, 1992; Kramer, Kerr, and Carroll, 1990; Greene and Wade, 1988; Greene and Loftus, 1984; Gerbner et al., 1979; Gerbner et al., 1977). Nonetheless, the purported relationships still elude replication. Thus, the present research joins with the

Table 1
Field Poll Sample Characteristics

	N	%
Gender:		
Male	549	45.7
Female	652	54.3
Race/Ethnicity:		
White	790	65.8
Black	64	5.3
Latino	248	21.2
Asian	72	6.0
Other	24	2.0
Education:		
< 12	72	6.2
H.S.	282	24.1
Some College	343	29.3
College Grad or Higher	473	40.4
Marital Status:		
Married or Living Together	796	67.7
Separated/Divorced	99	8.4
Widowed	97	8.2
Never Married	184	15.6
Age:		
Range	18-93	
Mean	50.94	
Median	50.00	
Income:		
<40k	304	30.4
40-79,999k	307	30.7
80+k	388	38.9
Served on a Jury	408	34.2
Worked for CJ Agency	91	7.6
Victim of Physical Violence or Theft	481	40.3
TV Crime Shows Hours Per Week:		
0	361	30.3
1-2	415	34.9
3-4	224	18.8
5-6	89	7.5
7+	101	8.5

Table 2
Reliability of Criminal Evidence

	Very Reliable	Somewhat Reliable	Not Too Reliable	Not at all Reliable	Mean Score
Police Testimony	23.3% (N=271)	61.3% (N=713)	9.8 (N=114)	5.6% (N=65)	1.98
Victim's Statement	21.2 (N=246)	64.5 (N=748)	11.0 (N=128)	3.3 (N=38)	1.96
Medical Expert Testimony	30.3 (N=352)	59.6 (N=691)	6.8 (N=79)	3.3 (N=38)	1.83
DNA evidence	89.5 (N=1,046)	8.6 (N=101)	.9 (N=11)	.9 (N=11)	1.13
Eyewitness Testimony	21.2 (N=245)	61.2 (N=708)	13.7 (N=158)	3.9 (N=45)	2.00
Fingerprint Evidence	78.8 (N=927)	18.5 (N=218)	1.7 (N=20)	.9 (N=11)	1.25

preceding studies in an attempt to shed light on the evasive phenomenon that has been so readily labeled the CSI Effect.

RESEARCH DESIGN AND METHODS

Data for this study were collected by the Field Research Corporation (FRC).¹ The FRC is an independent, nonpartisan, and professional polling organization. It regularly surveys the public opinions of California's registered voters on a wide variety of issues. In addition to collecting sociodemographic data, the FRC asks respondents questions regarding their political affiliations, perspectives on pressing issues facing Californians, and religious beliefs. The first author of this article was permitted to add twelve questions related to the public's opinions about the reliability of forensic evidence; their crime-and-justice television-viewing habits; their own experiences with the criminal justice system; and the role of scientific evidence in their willingness to convict in rape and homicide cases. In October 2007, a random sample of 1,201 registered voters, statewide, was contacted by telephone.

To examine the public's views on the reliability of different forms of forensic evidence, respondents were instructed to use a reverse-coded four-point scale, where 4 corresponded to "not at all reliable" and 1 indicated "extremely reliable," to rate the following types of evidence: police testimony, victims' statement, medical expert testimo-

¹ Specific information concerning the methodology used by the Field Research Corporation can be found on their Web site: field.com.

Table 3
Likelihood of a Conviction Without Scientific Evidence

	Very Reliable	Somewhat Reliable	Not Too Reliable	Not at all Reliable	Mean
Murder	20.2 (N=232)	38.6 (N=444)	25.9 (N=298)	15.2 (N=175)	2.36*
Rape	16.7 (N=189)	34.9 (N=395)	29.2 (N=331)	19.2 (N=217)	2.51

Significant difference murder-rape; *p=.000

ny,² eyewitness testimony, DNA, and fingerprints. In addition, respondents were asked how likely they were to convict a defendant in a murder and rape trial without scientific evidence (1 = very likely . . . 4 = not at all likely). Respondents were also asked about the number of hours per week that they watched television shows with crime and justice themes. To explore respondents' own experiences with the criminal justice system, they were asked if they had ever served on a jury, worked for a criminal justice agency, or were ever a victim of physical violence or theft of personal property.

RESULTS

Descriptive Statistics. The majority of respondents were white (65.8 percent) followed by Latino (21.2 percent), Asian (6.0 percent), and Black (5.3 percent). Forty percent had at least a college degree and most were married (67.7 percent). The mean age was 51, and 54 percent of the respondents were female. In terms of the respondents' experiences with the criminal justice system, 34.2 percent had served on a jury, 7.6 percent had at some time worked for a criminal justice agency, and 40.3 percent were themselves victims of a crime. Interestingly, 30.3 percent of the sample did not watch any television programming with crime and justice themes. At the other extreme, 16 percent watched five or more hours per week (see Table 1).

The respondents in the present study believed that different forms of criminal evidence and testimony had varying degrees of reliability (see Table 2). DNA was considered to be the most reliable (89.5 percent), with fingerprints (78.8 percent), medical expert testimony (30.3 percent), police testimony (23.3 percent), victim testimony (21.2 percent), and eyewitness testimony (21.2 percent) following behind. In addition, paired t-test analyses (not shown) were used to compare scientific evidence to various forms of testimony evidence. The results supported the position that respondents found all forms of "science-based" (i.e., DNA and fingerprint) evidence to be more reliable than victim, police, and eyewitness testimony. Overall, the average rating for the reliability of scientific evidence was 1.18 compared to 3.07 for testimony-type evidence

²Medical testimony is distinguished from the presentation of DNA and fingerprint evidence and includes testimony regarding cause of death, extent of physical injury, and psychological states. Respondents were provided with these examples of testimony to be used in their evaluation of reliability.

Table 4
Bivariate Results for Reliability of Evidence and Likelihood of Conviction Without Scientific Evidence

	Police Testimony	Eyewitness Evidence	Victim Testimony	Medical Testimony	DNA Evidence	Fingerprint Evidence	Murder Convict	Rape Convict
(Means) Gender:								
Male	3.01	3.05*	3.00	3.13	3.85	3.75	2.67	2.55
Female	3.03	2.96	3.07	3.20	3.88	3.76	2.61	2.44
Race/Ethnicity:								
White	3.10**	2.98	3.04	3.15	3.89	3.80*	2.65**	2.44**
Black	2.53	2.97	2.92	3.06	3.87	3.71	3.02	2.89
Latino	2.95	3.07	3.06	3.23	3.82	3.72	2.52	2.49
Asian	3.04	3.06	3.03	3.29	3.91	3.67	2.49	2.58
Education:								
<H.S. Grad	2.85*	3.28**	3.09	3.16	3.76*	3.57**	2.57	2.63
H.S. Grad	2.96	3.10	3.06	3.21	3.86	3.78	2.53	2.40
>H.S. Grad	3.06	2.95	3.02	3.16	3.89	3.77	2.68	2.51
Crime Victim:								
Yes	2.99	2.96	3.02	3.10**	3.88	3.75	2.73**	2.57*
No	3.04	3.02	3.04	3.22	3.87	3.75	2.57	2.44
Jury Experience:								
Yes	3.10*	3.02	3.01	3.11*	3.88	3.78	2.69	2.52
No	2.98	2.99	3.05	3.20	3.87	3.74	2.61	2.47
County of Residence:								
Los Angeles	2.92**	3.02	3.02	3.21	3.85	3.78	2.51	2.65
Other	3.06	2.99	3.04	3.16	3.86	3.74	2.49	2.63
Crime Show Viewing:								
0-2 hours/wk	3.03	3.02	3.03	3.18	3.86	3.73	2.57**	2.69*
3 or more hrs/wk	3.02	2.95	3.04	3.16	3.88	3.79	2.35	2.54

*p < .05, **p < .01; Reliability scale: 1 = not all reliable . . . 4 = very reliable; Likelihood-to-Convict scale: 1 = not at all likely . . . 4 = very likely

($t = 86.73$, $p = .000$). Thus, we can say that “scientific evidence” was assessed to be more reliable than the various forms of “testimony.” Nonetheless, slightly more than half of all respondents also reported that they would convict a defendant for rape or murder without the introduction of any scientific evidence (see Table 3). However, for these questions, significantly fewer respondents believed that they would convict defendants in rape cases without scientific evidence as compared to those charged with murder.

Bivariate Analyses. The analyses indicate significant differences in respondent views on the reliability of various forms of evidence by race, gender, victimization, coun-

ty of residence, educational level, and crime-show-viewing habits (see Table 4). Whites as compared to other race and ethnic groups were more likely to find police testimony and fingerprint evidence to be more reliable. Whites also would be less predisposed to convict in murder and rape cases without scientific evidence. In terms of gender differences, there was only one statistically significant finding. Women, as compared to men, were less likely to view eyewitness testimony as reliable.

A comparison of means indicated an inverse linear relationship between educational level and confidence in eyewitness testimony. Respondents with higher levels of education viewed eyewitnesses as less reliable. A positive linear relationship was found between educational level and DNA, fingerprint evidence, and police testimony. Respondents with higher levels of education perceived these forms of evidence as more reliable.

Being a victim of crime resulted in respondents finding medical expert testimony to be less reliable than respondents without any victimization history. Yet victims reported that they would be more likely to convict in both murder and rape cases, without any scientific evidence. Respondents with jury experience viewed police testimony as more reliable than those without jury experience but perceived medical expert testimony as less reliable than those without jury experience. Los Angeles County residents as compared to respondents in the rest of the state found police testimony to be less reliable than the other forms of evidence. Given the ethnic differences noted in the first paragraph of this section, the higher percentage of minority residents in Los Angeles County (i.e., Latinos and blacks) as compared to other counties (38 percent vs. 22 percent) may explain this variation.

In terms of crime-show-viewing habits, respondents who watched three or more hours per week were less predisposed to convict in either rape or murder cases without scientific evidence. It should be noted that working in a criminal justice agency did not have any effect on respondents' views of evidence or inclination toward conviction in murder and rape cases.

Regression Analyses. The present study also regressed age, gender, education, race/ethnicity, crime victimization, jury experience, crime and justice TV viewing, county of residence (Los Angeles vs. other counties), and an interaction term for education and crime show viewing on the respondents' views of the reliability of different forms/sources of evidence: police, medical expert, eyewitness, victim testimonies, and forensic (DNA and fingerprint) evidence.³ The only model for which crime show viewing was a significant predictor of reliability was related to forensic evidence. The data in Table 5 demonstrate a significant relationship between the number of hours of crime and justice TV viewing and the perceived reliability of forensic evidence. That is, the

³The DNA and fingerprint variables were combined to form one four-point scaled variable: forensic evidence. Individual models assessing the reliability of DNA and fingerprint evidence were not significant due to the lack of variability in ratings, particularly for the DNA variable. Combining the two variables created a bit more variability in ratings and a significant model. In addition, the variables were recoded to indicate that high scores are more reliable.

greater the number of hours spent watching crime and justice programs, the more reliable the respondents found these forms of evidence, even when controlling for various respondent background characteristics. Specifically, respondents who watched three or more hours per week of crime shows were significantly more likely to rate forensic evidence as reliable compared to respondents who watched zero to two hours per week. Education and the interaction of education with crime show viewing were not significant. In addition to the number of hours of viewing, race/ethnicity also was a significant predictor of respondents' views of forensic evidence. Latinos were less likely to rate forensic evidence as reliable compared to white respondents.

Although crime show viewing was not a significant predictor relative to the other forms of evidence, it is worth reporting the findings for some of these analyses. The significant predictors of attitudes concerning the reliability of police evidence were race/ethnicity and jury experience. Blacks and Latinos were less likely to rate police evidence as reliable compared to whites. Respondents who served on a jury viewed police evidence as more reliable than their counterparts who had no jury experience. With regard to eyewitness testimony, the only significant predictor of reliability was education. Respondents with at least some college education rated eyewitness testimony as less reliable than those with a high school or less educational level.

In addition, the CSI Effect was explored in models that measured the predisposition to convict without scientific evidence in murder and rape cases (see Tables 5).⁴ The analysis for murder cases revealed that crime-show-viewing habits were related significantly to a willingness to convict without scientific evidence. Specifically, respondents who watched three or more hours per week of crime shows were less predisposed to convict without scientific evidence. Educational level and the interaction of education with crime show viewing were not significant. In addition, race/ethnicity also was a significant predictor of a willingness to convict without scientific evidence in murder cases. Blacks were more predisposed to convict without scientific evidence as compared to white respondents.

The results were very similar for rape cases. The data show that respondents who watched three or more hours per week of crime shows were less predisposed to convict without scientific evidence. Educational level and the interaction of education with crime show viewing were not significant. Similar to the murder case, blacks were more predisposed toward conviction without scientific evidence as compared to white respondents. In addition, males were more likely to convict without scientific evidence in rape cases than females.

Additional analyses (not shown) were performed to assess the causal sequence among crime show viewing, attitudes toward forensic evidence, and the likelihood to convict in murder and rape cases without scientific evidence. Mediation analysis was used to establish the influence of an intermediate variable or mediator (i.e., attitudes toward forensic evidence) that lies in the causal pathway between crime-show-viewing and the likelihood-to-convict variables.

⁴The variables were recoded so that high scores equal the greater likelihood to convict without scientific evidence.

Judd and Kenny (1981) suggested a way to do this by computing the difference between two regression coefficients. The first regression equation was:

$$\text{likelihood to convict} = a + b_1 \text{ crime shows} + b_2 \text{ attitudes} + e$$

The second equation was:

$$\text{likelihood to convict} = a + b \text{ crime shows} + e$$

The indirect effect was obtained by subtracting the coefficient for crime show viewing in the first equation from the coefficient for crime show viewing in the second equation: $b_1 - b_2$. The indirect effect was assessed by using a t-test of the ratio of the indirect coefficient to its standard error. The t statistics were not significant for the likelihood to convict without scientific evidence in both murder and rape cases ($t = .313$ and $t = .800$, respectively). Thus, a mediation model was not supported. Attitudes toward scientific evidence had no indirect or mediating effect on the likelihood to convict.

DISCUSSION

We found that scientific evidence was ranked as more reliable than all forms of testimony. Second, the study demonstrated that the number of hours that respondents spent watching crime shows was related to their assessments of scientific evidence as more reliable than various forms of testimony. Third, respondents' assessments of the reliability of different types of evidence were not statistically related to their beliefs about their willingness to convict in either murder or rape cases; that is, attitudes toward scientific evidence did not mediate the relationship between crime show viewing and preconceptions concerning the necessity of scientific evidence for conviction. Instead, we found that crime-show-viewing habits *directly* affected a respondent's belief about their willingness to convict without scientific evidence. Those who watched three or more hours of crime shows per week were less predisposed toward conviction when scientific evidence was absent. Thus, the present study supports the contention that, independent of criminal justice experiences, as well as sociodemographic and other background characteristics, crime-show-viewing habits do affect potential jurors' pretrial attitudes and predispositions regarding scientific evidence and testimony.

This study is consistent with other research suggesting that a CSI Effect may be lurking among prospective jurors (Maricopa County Attorney's Office, 2005; Cather, 2004; Watkins, 2004). There appears to be support for both the "strong prosecutor's" and the "defendant's" effects that were identified by Cole and Dioso-Villa (2006-07). In terms of the former, the present research suggests that those who watch crime shows may arrive at voir dire prepared to inappropriately acquit defendants. This may occur when beliefs they acquired vis-à-vis the media concerning the necessity of scientific evidence are not satisfied. In terms of the latter, crime show viewers may bring a belief in the infallibility of forensic evidence, one that is taught routinely on crime shows. Thus, they may initially consider themselves unwilling to convict without scientific evidence as compared to those who do not watch crime shows. According to Harvey and Derkson (2009), crime show audiences are more generally predisposed to accepting the

hegemony of scientific explanations due to the persuasive manner in which it gets presented on television, all day, all night, every day. Devoted viewers perceive the dramatic portrayals as factual and incorporate the perspectives presented into their “world-view.” After all, they reason, “the camera does not lie” (Harvey and Derkson, 2009:8).

What does this mean for criminal justice? It means, simply, that attorneys and judges need to take into account, from the start, that potential jurors may bring with them certain preconceptions that were formed through immersion in crime shows and that these ideas may contribute to their decision making. However, as Giner-Sorolla, Chaiken, and Lutz (2002) point out, preconceptions are not unchangeable. The first step may be for attorneys to identify which jurors are influenced by the CSI Effect and then to develop pointed strategies to counteract their biases and to bring them closer to arriving at a verdict according to the law.

Several limitations of the current research should be noted. First, it is important to address issues related to sample selection. The Field Poll relies on the universe of Californians registered to vote from which to capture its sample. Thus, its sample is representative only of registered voters. However, jury pools in California are derived from more than just voter registration lists. The state also uses data from the Department of Motor Vehicles, specifically drivers' licenses, to establish jury pools. Thus, despite the large and random sample size that appears in the current study, it is not truly representative of all jury-eligible Californians. Approximately 25 percent of that state's eligible voters do not register, often, albeit mistakenly, to avoid jury service (California Voter Foundation, 2009). A second weakness of this study was the Field Corporation's stipulation that only twelve questions related to this topic be included in their poll. As a result, the research was unable to provide any context for respondents to consider when making their assessments. Therefore, rather than obtaining more nuanced perspectives, the study was limited to obtaining black-and-white snapshots of public attitudes. This limitation is often part and parcel with using public-opinion polls in social research. However, the advantage of using such polls is that it permits the researcher to correlate the items of interest with a wide range of other behaviors, attitudes, and characteristics within large random samples.⁵

Although this study does not set out to examine whether crime-show-viewing habits are related to jury decision making, it shares with other research on the CSI Effect an inability to parse out, with any precision, the wide range of factors that may impact attitudes that criminal justice actors bring to the courtroom and how they then may influence verdicts. This is due, in part, to the inability of these studies to become embedded in actual jury trials and deliberations and to engage in lengthy interviews with respondents both at the beginning as well as at the close of their deliberations. Thus, research to date has not fully explored, satisfactorily, a necessarily wide range of

⁵ Although not shown, analyses were performed that examined the relationships among respondent attitudes towards evidence and testimony as well as willingness to convict/acquit without scientific evidence with other variables, such as religious and political affiliations, among others. However, no significant relationships were uncovered.

salient factors that may influence the public's views and expectations regarding the use of scientific evidence in criminal trials. For instance, in terms of respondent opinions regarding the reliability of various forms of evidence, it may not be a public preference for science (as "taught" via CSI-type shows) over testimony that led respondents to their relative ratings. Research has suggested that both poor people and those of color harbor intensely distrustful views of criminal justice actors (Brunson, 2007; Jones Brown, 2000; Butler, 1995). Therefore, regardless of television-viewing habits, these respondents would likely not trust police testimony, period.

Similar misgivings with regard to expert testimony could also be explained by the public's generally "jaundiced" view of the criminal justice process. There is a body of literature that suggests that jurors are skeptical about, or at least not easily swayed by, the veracity of expert witnesses (Ghohasy, 2006-07; Vidmar, 2005; Ivkovic and Hans, 2003; Vidmar and Diamond, 2001; Cooper and Neuhaus, 2000; American Bar Foundation Special Committee on Jury Comprehension, 1989). Some argue that jurors recognize the pecuniary aspects of expert testimony and, therefore, have doubts about scientific neutrality. Although this has been documented in civil trials, jurors may not make such a nuanced distinction between civil and criminal and, therefore, possess a similarly negative view of expert testimony in criminal cases.

Juror perceptions that the performances of criminal justice actors may not be related solely to establishing the guilt or innocence of the defendant extend beyond expert testimony. There is some evidence to suggest that jurors are influenced by the personal characteristics of such criminal justice actors as attorneys. Therefore, the reliability of various forms of evidence may be influenced by a juror's evaluations of the actors' performances, physical appearance, and ability to establish rapport (Bothwell, 1999).

The role that lawyers and judges play in constructing the believability of particular pieces of evidence cannot be underestimated, nor can juror reaction to the performances of these actors. Regardless of the "truth," jurors are swayed by the strength of legal counsel's ability to impeach or support the credibility of a witness's statements (Sigler and Couch, 2002), the ability of the witness to maintain a steady and unwavering position, and the judge's decisions that sustain or overrule each party's arguments and his or her instructions to the jury (Lieberman and Sales, 1999). Additionally, research has indicated that jurors are often led to unlikely conclusions for extralegal reasons, such as dislike for a judge, an attorney, witnesses, or the defendant; or the juror may be unwilling or unable to see beyond their own personal preferences or biases (Tyler, 2006; Bothwell, 1999).

Although there is a dearth of empirical research on the CSI Effect, there seems to be significant research that suggests that juror decisions are not the result of some direct relationship with any one particular variable or behavior. In addition to some of the factors identified above, juror personality characteristics, such as authoritarianism and narcissism (Dillehay, 1999; Batt, 1999; Abbott, 1999; Bray and Noble, 1987; Howard and Redfering, 1985), ease of being influenced, as well as individual negotiating skills in the jury room, may affect trial outcomes (Bothwell and Abbott, 1999). Maybe as Ghoshray

(2006-07) suggests, the outcome of a case is little more than an attempt by jurors to reduce cognitive stress and effect justice. This is best done when “objective evidence” is presented, thereby depersonalizing the outcome and facilitating a “fair” resolution. In any event, one cannot underestimate the role that multiple factors and processes play in moving jurors toward a particular verdict. Based on available research related to the CSI Effect and to jury decision making, it is clear that future research must take into consideration an even wider array of dynamics and processes, across broader swaths of sociocultural and psychological terrains, if they are to understand the public’s attitudes toward and expectations regarding the use of scientific evidence in criminal trials. **jsj**

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