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EXAMINING THE CSI EFFECT AND THE INFLUENCE OF FORENSIC CRIME
TELEVISION ON FUTURE JURORS

A Dissertation submitted in partial fulfillment of the requirements for the degree of
Doctor of Philosophy at Virginia Commonwealth University

by

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Dedication

This dissertation is dedicated to my parents, Mr. Edward J. Kopacki, Jr. and Mrs. Debra L. Kopacki. You have provided me with knowledge, wisdom, and guidance, which have served me well throughout my life. I truly appreciate all the sacrifices the both of you have made for me over the years.

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Abstract

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A Dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy at Virginia Commonwealth University

Virginia Commonwealth University, 2013

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This dissertation examines the relationship exposure to forensic crime television has on a potential juror's willingness to find a suspect guilty when presented with a case involving only circumstantial and eyewitness evidence. This study also looks at a potential juror's expectation of forensic evidence being presented at trial based upon this exposure. To better understand these relationships, the study utilized social constructionism as the theoretical framework. To collect data, an original survey instrument that included either a violent or non-violent crime scenario was developed. Responses from 1572 undergraduate students were analyzed to better understand what might influence their willingness to find a suspect guilty and their expectation of forensic evidence being presented at trial. The results indicate that viewership of forensic crime television does not significantly influence a potential juror's decision to find a suspect guilty or not guilty. After controlling for viewership, it appears that the number of justice-based classes completed by the potential juror does influence their decision to find the suspect guilty.

The analysis also shows that gender and the type of scenario (violent versus non-violent) may influence a juror's willingness to find a suspect guilty. It does not appear that there is a correlation between a juror's willingness to find a suspect guilty and their expectation of forensic evidence being presented at trial.

Chapter 1: Introduction

Since its invention, scholars and practitioners have studied the power of television because it has the ability to transmit persuasive messages to millions of people. More specifically, legal scholars and practitioners have sought to understand the impact law and crime based television has upon the populous, especially potential jurors. Currently, there is conflicting research about the impact crime television has upon potential jurors. The impact of the aptly named “CSI Effect” is still under debate. This study focuses on the relationship between viewership of forensic crime television and a juror’s willingness to convict a suspect. It also focuses on the relationship between this viewership and a juror’s expectation of forensic evidence being presented at trial.

Background of the Problem

The CSI Effect is a socially constructed phenomenon by which exposure to crime media distorts the viewers’ expectation of justice. It is a media effect. It takes its namesake from the popular CBS crime drama, *CSI: Crime Scene Investigation*. It also combines a science and technology effect. Constant exposure to crime dramas that present a plentiful amount of scientific evidence, potentially create jury bias (Thomas, 2006). The science to many viewers appears real and infallible (Tyler, 2006). It is not.

Current research in this area is conflicting. Recent theoretical works by, Cooley (2006), Mann (2006), Tyler (2006), and Cole and Dioso-Villa (2007) suggest there is theoretical plausibility for the CSI Effect. However, some of the most recent empirical studies conducted by Podlas (2006), Schweitzer and Saks (2007), Stevens (2008), Thomas (2008), and Kim, Barak, and Shelton (2009) offer conflicting evidence of a CSI Effect.

Cooley (2006) argues that science does have a different burden of proof than does the law. He believes the different and higher burden of proof science has may shift into the courts and therefore increase the burden of guilt in a juror's mind. Mann (2006) supports this by arguing the intended sense of realism provided by television shows specializing in forensic science have been evident in the courtroom. His research shows more jurors are demanding more evidence in court before they will convict. Jurors may come into court with a different expectation when they have increased exposure to these forensic television shows. People have difficulty separating themselves from these types of influences (Tyler, 2006).

Cole and Dioso-Villa (2007) do point out that there is little empirical evidence at this time. They do discuss the anecdotal accounts from some attorneys. They state that some prosecutors provide anecdotal accounts of juries acquitting defendants because of a lack of forensic evidence in cases that they believe had sufficient other evidence to warrant a conviction. This is a concern as circumstantial and eyewitness evidence has always been used to convict defendants.

Podlas (2006) looked at three aspects of the CSI Effect to include: (1) the possibility of creating unreasonable expectations on the part of jurors, (2) creating the belief that science is infallible, and (3) that forensic crime dramas seen on television increase interest in forensic science. She surveyed 306 undergraduate students and found no empirical evidence to the existence of a CSI Effect. However, she did point out that applications to forensic science programs have been on the rise and that in itself may be evidence of a positive CSI Effect.

Schweitzer and Saks (2007) had different findings. They specifically looked at the difference in perceptions of viewers and non-viewers of forensic science programming. They found that viewers of forensic science television rated themselves as having a better

understanding of the duties of a forensic scientist and more critical of the forensic evidence presented at trial. Schweitzer and Saks (2007) claim, “people who watch such television programs regularly expect better science than what they often are presented in courts” (p. 363). Their study only consisted of 48 undergraduate students.

Stevens (2008) and Thomas (2008) took a different approach to providing evidence of the CSI Effect. Both Stevens (2008) and Thomas (2008) in different studies surveyed trial attorneys. Stevens found that forensic evidence did not shape a prosecutor’s decision to charge a suspect. Stevens (2008) reported that more than half of the attorneys surveyed reported that juries were always influenced by forensic analysis. Thomas (2008) reported that 38% of the prosecutors he surveyed believed that they had at least one trial that resulted in an acquittal or hung jury because no forensic evidence was available. He found that prosecutors believed that juries focus so much on scientific evidence that they pay too little attention to the unscientific evidence.

Kim, Barak, and Shelton (2009) conducted a study of the CSI Effect using multivariate analyses and surveyed 1,027 actual jurors. They looked at a juror’s willingness to convict a defendant at trial without any scientific evidence. They found that exposure to forensic based dramas had no significant effect on jurors’ decisions to convict. However, they did find difference on willingness to convict when it came to juror race, education, age, and gender.

Theoretical Framework

The CSI Effect is examined through the lens of social constructionism. Social constructionist theory claims that an individual’s reality, or what they believe to be reality, is constructed from two sources: experienced reality and symbolic reality (Surette, 2011). Experienced reality is the knowledge one gains from their own experiences. Symbolic reality is knowledge gained elsewhere, such as television. These two sources combine to create an

individual's "socially constructed reality" (Surette, 2011). The theory of social constructionism applies well to the media's influence over individuals' views, as it can greatly influence the symbolic knowledge acquired by an individual.

Statement of the Problem

Television is one of the most influential mediums in the United States. It is so influential because it projects real life images into the homes of viewers (Mann, 2006). Of course, many of the programs watched on television are fictitious. A problem occurs when people believe that these realistic images and messages portrayed in fictitious television are reality. Television falsely portrays criminals, victims, the police, and the courts (Reiner, Livingston, & Allen, 2003; Surette, 2011; Wu, 2010). There exists a gap in the knowledge of how much forensic crime television exposure affects a person's expectation of scientific analysis in criminal investigations. There is no definitive evidence currently available.

Purpose of the Study

The purpose of this study is to better understand the relationship exposure to forensic crime television has on a potential juror's (student's) willingness to find a suspect guilty without forensic evidence being presented. This study looks at a potential juror's expectation of forensic evidence being presented at trial based upon this exposure. Differences between violent and non-violent crime are examined. Variables that may explain a potential juror's willingness to find guilt and a potential juror's expectation of forensic evidence at trial are also examined. A convenience sample of undergraduate students is used as potential jurors.

Significance of the Study

This study aims to better understand the CSI Effect and the impact television viewership has upon potential jurors, especially young, potential jurors. It is important to understand the

impact forensic crime television has upon the new generation of jurors. This study is designed to improve upon some of the limitations in the previous empirical studies discussed; specifically, sample size and variable measurement. Judges, trial attorneys, and academics benefit from having increased knowledge about jurors' willingness to convict a defendant and their expectations of evidence. Teachers benefit from understanding the influence these shows have upon their students. It provides additional evidence to support and refute previous claims made about the CSI Effect.

Link to Public Policy

As an issue of public policy, criminal justice has traditionally been a function of the government. The public has primarily relied upon the criminal justice system (police, courts, and corrections) to keep them safe. The administration of justice is a public policy concern. It is the responsibility of the justice system to ensure justice for those accused of crime and the victims of crime alike. Justice policy is an important focus of public policy.

Across the United States, violent crime has steadily decreased and is at its lowest rate in decades (FBI, 2012). According to the Uniform Crime Report published by the Federal Bureau of Investigation (2012), the violent crime rate in 2011 is almost half of what it was in 1992, 386.3 versus 757.7 respectively. Despite the decline, many Americans perceive crime as a growing public policy problem. Much of this may be due to the attention given the crime problem, especially violent crime, by the media. Although this study does not directly look at the public's perception of the crime problem in the United States, it does look at how television (media) exposure may affect the administration of justice. It looks at how potential jurors willingness to find a suspect guilty is influenced by crime television viewership.

Primary Research Questions

This study addresses the following research questions:

- 1) Does viewership of forensic crime based television affect a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented?
- 2) Do expectations for forensic evidence being presented at trial vary for violent versus non-violent types of crimes?

Hypotheses

For research question one listed above, the following hypotheses were developed:

H1: Higher levels of viewership of forensic crime television shows decreases a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

H2: After controlling for exposure, potential jurors (students) who have completed more justice-based courses have increased willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

For research question two, the following hypothesis was developed:

H3: There is a higher expectation for forensic evidence after reading the violent crime scenario than after reading the non-violent crime scenario.

Methodology

This study utilizes a quantitative approach within a cross-sectional research design. A survey instrument utilizing fictitious crime scenarios was developed to collect data. See Appendix A. The survey was piloted upon IRB approval. The dependent variables for this study are willingness to find the suspect guilty and expectation of forensic evidence. The independent

variables for this study include viewership of forensic crime television shows, the number of justice related courses the respondent has completed, the scenario itself (violent versus non-violent), race, political ideology, academic major, and class rank. Control variables include age, gender, and criminal history. The population for this study includes only undergraduate students that are jury eligible. Jury eligible students are those students that are at least eighteen years of age, speak English, are United States citizens, and have not been convicted of a felonious crime. Methodology is discussed in greater detail in Chapter Three.

Limitations

As with most studies, there are limitations. The greatest limitation with this study is that of the overall generalizability. The geographic location of the participants, age range, and other demographic characteristics limit the generalizability of the findings. Additionally, the types of participants used, students versus community members, may affect generalizability. Selection bias is also a factor, as a convenience sample is used. Some students within the population never have an opportunity to participate. However, the large sample size, 1572 students, helps to overcome some of these limitations.

This study uses a cross-sectional versus a longitudinal design, which is also a limitation. This cross-sectional design does not capture changes over time. This study only captured the information at one point in time. It does not track students throughout an academic career. Cost, time, and feasibility have been considered.

Summary

CSI and similar types of forensic crime shows offer an absolute or definitive “truth” about how, why, and who carry out crimes. As Kruse (2010) argues, *CSI* creates fictitious “wishful-thinking” science that affects those perceptions in nonfictional society. This has

created concern within public administration and the criminal justice system. A bedrock principle of the American society is to be able to provide justice to those that have been wronged. Extra-legal factors that may affect justice from being carried out must be examined. As the Honorable Judge Shelton states, “Our criminal justice system must find ways to adapt to the increased expectations of those whom we ask to cast votes of guilty or not guilty” (2008, p. 6).

Chapter Two examines the history of the CSI Effect and then defines it for the purposes of this study. The media’s role in the development of the CSI Effect is discussed. Chapter Two also includes discussion about social constructionism, the theoretical foundation for this study. It examines the most recent and relevant studies into this phenomenon.

Definitions of Terms

Circumstantial evidence – Evidence in which an inference is required to connect the evidence to a particular conclusion. It is related to the case but does not directly prove guilt or innocence. It is indirect evidence.

CSI Effect – A media effect in which a person's perceptions of the justice system are influenced by what they watch on television.

Eyewitness evidence – Evidence presented of an event or occurrence by one who was actually present and can account for the event firsthand. It is direct evidence.

Forensic – Of or relating to the law. Often denoting the application of scientific methods and techniques to the investigation of crime.

Forensic evidence – Scientific evidence that is applied to criminal investigations and the analysis of crimes. Examples may include fingerprinting, DNA, firearm identification, and blood spatter analysis.

Forensic crime television – Television shows that contain elements of both criminal investigations and forensic evidence. Examples of these shows include: CSI, Law and Order: SVU, Forensic Files, NCIS, etc.

Chapter 2: Review of the Literature

Media, specifically television, significantly influences American culture. It influences what consumers buy, how people act, and how people view the world. Media can play a major role in the social construction of an individual's view of the real world, which can specifically affect the American justice system. The media can also affect the public's fear of crime, their perceptions of the police, and their understanding of the justice system. Many citizens base their opinions of crime and punishment upon media accounts. Popular media depictions of criminal investigations may significantly alter people's perceptions of reality. Through this social construction, a relatively new phenomenon called the "CSI Effect" has emerged.

Brief History of Crime and the Media in the United States

Media has primarily been structured along two dimensions: types of media and types of content (Surette, 2011). The four types of media primarily referred to in the United States are print, sound, visual, and new media (Surette, 2011). Examples of print include novels and newspapers. Sound media can be any audible media source from radio to compact discs. Visual media often encompasses television and film. New media is media that combines the qualities of sound, print, and visual media (Surette, 2011). This includes media from the Internet, social networking, and even video games. Each of these types of media provides varied types of media content.

Media content includes the categories of entertainment, advertising, news, and infotainment (Surette, 2011). Infotainment is the combination of entertainment and news, which has significantly increased in popularity over the last decade (Surette, 2011). It includes news magazines, reality television, and court trials. Similarly, the term "edutainment" has been used (Andreasen, 2002; Raguragavan & Henley, 2009). It is similar in purpose as it is used to

promote positive behavioral changes by deliberate inclusion of socially desirable messages in entertainment television (Andreasen, 2002; Raguragavan & Henley, 2009). Reality television such as *Supernanny* and *The Dog Whisperer* would be examples.

Newspapers and print media existed prior to the colonization of what is now the United States. Through this history, crime stories have been covered. Evidence of this can be found throughout the 17th century. These early accounts attempted to link crime with sin (Surette & Otto, 2002). Early colonial newspapers contained local crime stories. One major example is that of the Salem Witch trials of 1692 and 1693. Pages of *The Athenian Mercury* newspaper in London, England are still in existence and show coverage of the trials across the Atlantic.

Media, such as newspapers, are said to have finally generated a mass market in the 1830s (Surette, 2011). In 1833, *The Sun* in New York started by selling copies on the street for one penny, hence the term “penny papers” (Weaver & Vilhoit, 1991). *The Sun* included a daily police-court column (Surette, 2011). Newspapers are able to provide an eyewitness account of stories and crime. This eyewitness reporting became very popular during the American Civil War (Weaver & Vilhoit, 1991). Also in the 19th century, “dime” novels became very popular. Many of the stories were detective and crime thrillers (Surette, 2011). They are really not that different than contemporary crime novels. Crime in print remains a constant today.

In the 1920s, radio started to dominate the home entertainment market. Although audio recordings existed prior, radio allowed live audio to enter the homes of many Americans. Radio was the first to provide “on-the-scene” coverage of news and crime events (Surette, 2011). An example of this was the live coverage of the Lindbergh kidnapping trial. In the 1930s and 1940s, radio crime dramas became popular (Surette, 2011). Radio programs such as *The Shadow*, *Sherlock Holmes*, and *Gang Busters* entertained radio listeners in the 1930s and 1940s as prime

time television dramas do today. These radio programs provided a model for modern day television dramas (Surette, 2011).

In the late 1940s and in the 1950s, television quickly replaced radio as the primary source of home entertainment. Television combined the audio from radio with visual content, which arguably left much less to the imagination. Crime shows became a staple of contemporary television (Dowler, 2007). Examples of these shows include *The Untouchables* and *Dragnet* (which was adapted from radio). Radio dramas became history. In the early 1950s, it is estimated that over 100,000 televisions were purchased each week in the United States (Edgerton, 2007). In 1977, the ratio of television sets to Americans became one-to-one and has never declined (Surette, 2011).

Over time the criminal justice system has shifted into mainstream media (Mann, 2006). Weekly police dramas often include technical police and legal procedures. These shows may lead many viewers to think that they are watching an accurate depiction of the justice system (Mann, 2006). One of the first forensic based shows to air on television was *Quincy M.E.* in the late 1970s and early 1980s. The show focused on a forensic pathologist investigating suspicious deaths. In 1990, *Law and Order* first debuted and ran for twenty seasons. It not only focused on the investigator's role in a case, but also the attorney's role in the trial process. A number of spin offs were created to include: *Law and Order: SVU* and *Law and Order: Criminal Intent*. In 2000, arguably the most influential of the forensic crime dramas, *CSI: Crime Scene Investigation* aired on CBS. *CSI* has continually received high rankings and has spun off a number of shows to include *CSI: Miami* and *CSI: New York* (Harnick, 2012). "CSI portrays a sense of forensic realism, and, in so doing, asserts the veracity of science" (Cavender & Deutsch, 2007, p. 67).

There is a wide gap between what popular media portrays on television and reality. The goal of television is to entertain and create an audience. If a television show does not entertain it will likely have no viewers. Without viewership, it will not sell advertising and therefore will no longer be aired.

Today, the newest type of media is referred to as “new media” (Surette, 2011). New media merges audio, visual, and print media with word of mouth. It is very powerful as it provides information access and psychological engagement (Manovich & Durlak, 2002). Forms of new media include the Internet, electronic games, and personal digital assistant devices (PDAs). It encompasses the digital world. Social networks, such as *Facebook* and *LinkedIn*, are examples of this new media. New media provides fast communication and on-demand access. People are able to get the content they want, when they want it, and how they want it. As television supplanted radio as the most influential type of media, an argument can be made that new media will be, if not already, the most powerful form of media.

The danger of new media, especially as it pertains to crime information, is that information published (or posted) is less vetted than it is from the traditional outlets. This creates significant concern for the criminal justice system. On the policing side, it may change the expectations a citizen has of the police. The citizens expectation may mirror what they see online versus the reality the police work within. On the courts side, jurors may research a case and may hear about information that is not legally admitted at trial. In essence, it has the potential to undermine the fairness of the judicial system.

Social Constructionism and the Media

Social constructionism is a theoretical framework that is applied throughout the humanities and social sciences (Bickerstaff & Walker, 2003; Davidson, & Frickel, 2004;

Freidland & McLeod, 1999; Hannigan, 1995; Heller, 2001). It has also recently received more attention in the science and technology communities (Bickerstaff & Walker, 2003; Jasanoff, 1996). The latter has been more controversial. Social constructionist theory has been applied to human emotions, gender studies, race and ethnicity, human sexuality, natural science, media studies, and many others (Bickerstaff & Walker, 2003; Bing, 2010; Freidland & McLeod, 1999; Haslanger, 1995; Heller, 2001; Wilson & Tagg, 2010). Specifically, in the area of media studies, social constructionism attempts to understand the relationship between facts, truth, human nature, and reality (Alexander & Hanson, 2013; Bing, 2010; Muraskin & Domash, 2007; Surette, 2011).

In its simplest form, social constructionism claims that an idea, based on fact or fiction, constructs another concept. This concept is the construct because it has been constructed. Concepts are constructed rather than discovered (Berger & Luckman, 1991). Typically this classical view of constructionism has allied with empiricism (Mallon, 2008). Human views or beliefs are often based upon witnessed accounts. However, many human beliefs are not based upon factual witnessed accounts, but upon information learned from others. Social constructionists attempt to understand “how people assign meaning to their world” (Hannigan, 1995, p. 33).

Ray Surette (2011) best explains social constructionism as the theoretical foundation for the media’s influence on crime and justice. He states “social constructionism views knowledge as something that is socially created by people” (Surette, 2011, p. 30). This constructionism creates an individual’s reality, or what they believe to be reality. Surette goes on to state that people primarily have two sources in which to create their reality: experienced reality and symbolic reality (Surette, 2011). These two sources combine to create an individual’s “socially

constructed reality” (Surette, 2011). This aligns with Berger and Luckman’s (1991) view that knowledge is created by an individual’s interaction with society (Schwandt, 2003).

Experienced reality is one’s own knowledge gained from one’s own experiences. This is likely one of the most limited sources of one’s own knowledge (Surette, 2011). People often credit indirect versus direct sources of knowledge when forming their socially constructed reality (Surette, 2011). These symbolic sources of knowledge include other people, institutions, and the media (Surette, 2011). These sources can collectively form one’s symbolic reality (Surette, 2011). The symbolic reality is formed from all the events an individual did not witness but believe occurred, all the facts about the world an individual did not personally collect but believe to be true, and all the things an individual believes to exist but did not see (Surette, 2011). Television helps create a symbolic reality because people that watch a great deal of television have a tendency to hold beliefs consistent with what they witness on the television screen (Podlas, 2002).

For example, if one were to ask an individual if the sun existed, most would respond in the affirmative. When asked why, they would likely state because they can see it. This is experienced reality. If one were to then ask them if they thought the surface of the sun was hot, they would again likely respond in the affirmative. Again asking them why, they would likely state that they learned this in school or read about it in a book. None of these individuals would be able to say they have been to the surface of the sun to experience this first hand. This is symbolic reality.

Mixing together an individual’s experienced reality with their symbolic reality creates an individuals socially constructed reality (Hannigan, 1995; Surette, 2011). This is an individual’s perceived “real world”. However, an individual’s socially constructed reality may not be reality.

This may occur when experienced reality is misinterpreted or too much credit has been given to one experience. This is a problem that can be created by having a small sample size. This false reality can also be created when an individual receives incorrect or biased information from others. Sources of symbolic information can be very influential. Information gained from close family or friends can carry additional weight. Information gained through the media or news outlets can also significantly impact an individual's symbolic reality.

An example of this could be of how a person views a police department. If a citizen has one interaction, with one officer, of one police department, their whole opinion about the institution may be based upon this one encounter. If the citizen is pulled over for speeding and the officer gives them a citation, they may believe that this agency never gives breaks and writes everyone a tickets. With this limited experienced reality, they are likely to discuss this encounter and their beliefs with friends and others; hence, contributing to others' symbolic reality about this one police agency. This is an example of how negative attitudes are socially constructed. The converse of a positive encounter is also likely if a warning had been given versus a citation.

As discussed above, media influence lies within the symbolic reality of one's socially constructed reality. Entertainment media specifically shapes this area. It enforces social constructions that are then taken for granted (Deutsch & Cavender, 2008). Alternative viewpoints are likely not presented as not to conflict with the fictitious reality that is created (Deutsch & Cavender, 2008).

The media provides information and reports of events, such as national disasters or plane crashes, issues such as crime or literacy rates, or conditions such as homelessness and poverty. It is important to realize that this information is passed from one person or institution to another. Bias or deficiencies in the informer's interpretation of the actual event, issue, or condition may

be transferred to the informed. This may or may not be done intentionally. It is likely the result of “competing social constructions” (Surette, 2011).

Competing social constructions are those offering differing descriptions of what the world is like. For example, the social construction of homicide may include official statistics and media stories of homicides near one’s home. Although homicide rates have been continually declining over the past decade, an individual may have a different socially constructed reality because the media recently reported on two separate homicides in their area. The media has a tendency to report on individual events (the homicide) versus on the issue (the homicide rate).

Socially constructed is the idea of the justice system. Socially constructed is the belief most people have about the police and the courts in real life. The concept of the “CSI Effect” is one that is likely the socially constructed reality of a citizen viewing the justice system from the outside. Most of this viewing is accomplished through television. These types of shows provide people cultural meanings through narratives that reflect popular beliefs about crime (Cavender & Deutsch, 2007). Of course, this is not exactly a new belief. Legal professionals for decades have chastised jurors for their inability to distinguish between law-related television dramas and the realities of the courtroom (Brickell, 2010).

Influence of Crime Television on the Populous: Creating Unrealistic Expectations

Television is one of the most influential mediums in the United States because it projects real life images into the homes of viewers (Mann, 2006). However, many of these accounts or “stories” viewed on television are fictitious in nature. They do not accurately represent the criminal justice system. They create false depictions of criminals, crime victims, crime fighters, and the courts. Reiner, Livingston and Allen (2003) support this portrayal of crime in the media. They state that compared to official crime statistics, “the characteristics of crime, criminals, and

victims represented in the media are in most respects the polar opposite of the pattern suggested by official crime statistics or by crime and victim surveys” (Reiner et al., 2003, p. 15). They refer to this as the “law of opposites” (Reiner et al., 2003).

Criminals are primarily discussed in two places today: in popular television shows and the news. Of course, there are a number of other places to gain information about criminals, to include books, magazines, journal articles, and the like. However, the majority of Americans construct their view of “the criminal” through what they see on television and the news (Surette, 2011). Criminals on television often appear attractive, intelligent, and decisive (Surette, 2011). In reality the opposite is likely true. In the news, violent criminals are most likely covered giving the false belief that violent crime is more rampant than it is in reality. According to the Uniform Crime Report (UCR) data published yearly by the Federal Bureau of Investigation (FBI), property crimes are committed at significantly higher rates than violent crimes.

Victims are also falsely depicted in the media. Television programs often depict victims as helpless or innocent. Innocent means they had no role in their own victimization. Commonly they are also shown as white and male (Surette, 2011). Supporting Reiner, Livingston, and Allen’s “law of opposites”, the reality is again often the opposite of this portrayal. Very rarely does the news cover the full background of the victim or discuss why the victim was victimized. The news neglects to mention how victims are often “active” or “passive” participants in their own victimization (Meadows & Kuehnel, 2005). Active-participant victimization is that behavior, in which the victim has some of the responsibility for his or her own victimization by actively engaging in a risky behavior (Meadows & Kuehnel, 2005). An example of this would be starting a fight and then the instigator became the beaten party. Passive participant victimization is when a victim did not take an active role in their own victimization but did

something so naïve that is likely caused them to be victimized (Meadows & Kuehnel, 2005). An example of this would be picking up a hitchhiker that robbed them of their vehicle.

Similar is the depiction of the police and crime fighters. Exposure to popular media can significantly influence ones' perception of the police and the job that they do (Wu, 2010). Through media depictions, police officers usually fall into either the "good cop" or "bad cop" frames. In the good cop frame, the police are part of a justice machine with dedicated professionals using the latest technology to repeatedly prove that crime does not pay (Surette, 2011). The bad cop frame is likely to show police in a more negative light. Police are commonly shown as inefficient, incompetent, or corrupt (Surette, 2011). The public is inundated with images of police officers, from the heroic crime fighter, to the bumbling ineffective bureaucrat (Dowler, 2002). On television, officers and detectives are also shown using high levels of force or being engaged in shootouts regularly. In reality, this is not the case and contributes to the public's inaccurate construction of the police.

It has been discussed in the literature that the majority of individuals' knowledge of the court system comes from media (Surette, 2011). Few individuals have experiential knowledge of how the court system works. Often crime shows depict crime-fighting attorneys chasing after criminals. They appear to be engaged in the "chase" as much as the police. In reality, this again is not true. The increase in mass media trials has contributed to the social construction of the courts in America.

Historically, the media has constructed the stereotypes of the white, male dominated justice system. The majority of early popular media shows males as the hero, crime-fighter. However, times have been changing. More and more women and minorities have been the focus of crime related television. Media portrayals show women and minorities in positions of power

in the justice system. Female and minority police officers, attorneys, and judges have taken a more dominant role in television.

Some studies suggest that popular crime shows affect individuals' gender perceptions of police and forensic scientists (Jones & Bangert, 2006). In a recent "Draw a Scientist Test" (DAST) conducted by Jones and Bangert (2006), in which female middle school girls were studied, they observed a more gender-balanced view of females' perceptions of scientists over similar studies conducted in the late 1980s. Today's crime dramas over represent the number of female detectives and crime scene investigators (DeTardo-Bora, 2009). Although there may be other significant contributing factors breaking down traditional gender stereotypes when it comes to policing, it is clear that the portrayal of professional women in popular media has an influence.

Television also may affect a person's perception of the reality of science. Forensic crime dramas like *CSI* construct "the illusion of science through its strategic web of forensic facticity" (Deutsch & Cavender, 2008, p. 34). The science in these television shows appears infallible (Mann, 2006). It also contributes to a belief that this science exists and will keep people safe (Harrington, 2007). Of course the impact of media on science is not a new phenomenon. Elliot and Rosenberg (1987) found that exposure to media science was a significant predictor for a person's belief in understanding science. Machado and Santos (2011) find evidence that this social construction perpetuated by media exposure creates belief in a "super-science". The representation of forensic science on television is meaningful to the viewer and should not be overlooked (Mopas, 2007).

The "CSI Effect" Defined

The "CSI Effect" is a media effect. It assumes its namesake from the vastly popular CBS crime drama, *CSI: Crime Scene Investigation*. It is a socially constructed phenomenon by which

exposure, or overexposure, to crime media distorts the viewers' expectation of justice. *CSI* and similar forensic crime dramas distort citizens' expectations of the police, the courts, and the justice system as a whole. By constant exposure to crime dramas that present a plentiful amount of scientific evidence, jury bias is potentially created (Thomas, 2006). Cole and Dioso-Villa (2009) also refer to this as the "pretrial publicity effect" (p. 1337). The CSI Effect is the idea that these forensically based, crime dramas have given jurors heightened expectations about the evidence, especially physical evidence, presented at trial (Cole & Dioso-Villa, 2007; Cooley, 2006; Ghoshray, 2006; Kim, Barak & Shelton, 2009; Mann, 2006; Podlas, 2006; Schweitzer & Saks, 2007; Shelton, Kim & Barak, 2006; Stevens, 2006; Thomas, 2008; Tyler, 2006). DNA evidence in particular has the public's attention. Citizens place a great amount of confidence in DNA evidence (Brewer, 2010). The mass media undoubtedly has played a role in this (Brewer, 2010).

This "CSI Effect" has evolved into the notion that in order to convict accused criminals, jurors are more likely to now expect prosecutors and the police to show scientific evidence rather than to merely overcome reasonable doubt (Harriss, 2011). *CSI: Crime Scene Investigation* and similar shows repeatedly enforce the idea to viewers that evidence is more truthful than people: "Science equates to truth and objectivity whereas people are linked directly with dishonesty and bias" (Harriss, 2011, p. 4). It possibly creates a false expectation of science (Tyler, 2006). This media effect is not likely intentional, the effect is likely involuntary and unconscious (Jenkins, 2006).

The majority of citizens do not have actual knowledge about police work and the courts. Some will have experience through interactions with the police, and fewer will be involved in a criminal trial, and even fewer will have experienced knowledge of what goes on behind the

scenes. Most of the information citizens gain about policing, the courts, and the justice system is gained through their symbolic reality (Surette, 2011). This knowledge is most likely obtained from what they see on television (Reiner et al., 2003; Surette, 2011). Shows like *CSI* and *Law and Order* allow viewers to be in places and situations that they would normally never be allowed to enter. These places include crime scenes and the prosecutor's office.

The CSI Effect is also a technology effect. A "tech effect" can be defined as a broader cultural influence based upon advances in modern technology (Shelton, Kim & Barak, 2006). Technology is often thought to improve efficiency and decrease the likelihood of human errors. Modern technology, especially in crime fighting, appears infallible (Tyler, 2006). This can create a higher expectation of the validity of physical evidence at trial (Tyler, 2006). The CSI Effect contributes to the belief that the justice system provides swift and certain justice because crimes are solved in sixty minutes with the aid of modern technology.

Current Research on the CSI Effect

Studying the so-called CSI Effect is a relatively new area of academic interest. A relatively small number of theoretical-based articles have explored the concept (Cole & Dioso-Villa, 2007; Cooley, 2006; Ghoshray, 2006; Mann, 2006; Tyler, 2006). Currently there are also a very limited amount of empirical approaches to studying the CSI Effect (Kim, Barak & Shelton, 2009; Podlas, 2006; Schweitzer & Saks, 2007; Shelton, Kim & Barak, 2006; Stevens, 2006; Thomas, 2008;). These most current and relevant studies will be discussed in order to develop a more thorough understanding of the topic and to identify any gaps in the literature.

Theoretical Works

Cole and Dioso-Villa (2007) define the CSI Effect as a phenomenon that jury verdicts are skewed due to the influence of media. Media is primarily defined as forensic-based police

dramas such as *CSI: Crime Scene Investigation* that debuted on CBS in 2000. It is a police-based drama that focuses on the use of forensic evidence to solve crimes. In these shows, forensic evidence rather than circumstantial evidence, is relied upon to solve a case (Cole & Dioso-Villa, 2007). However, as discussed earlier, this is not reality. The majority of criminal cases are not solved through direct forensic evidence linking a suspect to a particular crime. Cole and Dioso-Villa (2007) theorize that jurors that have been exposed to such programs might expect actual cases to be built in the same manner. This expectation would create a CSI Effect.

To study this new phenomenon Cole and Dioso-Villa (2007) conducted an examination of both media reports and scholarly professional publications. They determined that the term CSI Effect has been used to denote many different things. They identified six different claims that were labeled as the CSI Effect:

- 1) The *strong prosecutor's effect* occurs when prosecutors refer to actual jurors in actual cases wrongfully acquitting defendants that they believe are in fact guilty (Cole & Dioso-Villa, 2007). Prosecutors provide anecdotal accounts of juries acquitting defendants because of a lack of forensic evidence in cases that they believe had sufficient other evidence to warrant a conviction (Cole & Dioso-Villa, 2007).
- 2) The *weak prosecutors effect* is a lesser effect that finds some prosecutors are adopting remedial measures to combat a potential CSI Effect with juries and therefore giving claims of the effect credibility (Cole & Dioso-Villa, 2007). Some of these measures include questioning jurors about television viewing during the voir dire process, explaining why forensic evidence is absent or not needed during opening and closing statements, and calling experts to testify why forensic evidence was not found (Cole & Dioso-Villa, 2007). It is an effect on the prosecutor

that prosecutors believe that they need to change their tactics during trial due to television viewership.

3) The *defendant's effect* or “reverse CSI-effect” incorporates defense attorney’s views of media influence (Cole & Dioso-Villa, 2007). Cole and Dioso-Villa (2007) found some defense attorneys readily admitted to exploiting the supposed CSI Effect. Defense attorneys believed the positive image forensic scientist portray on television adds credibility to forensic scientists who testify in court. This in turn gives their testimony added weight (Cole & Dioso-Villa, 2007). Cole and Dioso-Villa (2007) state that this is the effect that prosecutors originally anticipated. With added credibility and weight of forensic evidence admitted into court, there is a perception that convictions are more likely in cases where defendants would normally not be convicted without exposure to such shows (Cole & Dioso-Villa, 2007).

4) Cole and Dioso-Villa (2007) also discuss a *producer's effect*. This version suggests that these types of shows actually educate and therefore juries may know more about crime science. Some believe that now jurors are better at assessing testimony and evaluating evidence because of CSI type shows (Cole & Dioso-Villa, 2007). However, if science is not accurately and realistically being portrayed, this may be the most dangerous version.

5) The *professor's version* of a CSI Effect takes into account the increased interest students are showing towards forensic science, criminal justice, and criminology programs (Cole & Dioso-Villa, 2007). Enrollment numbers in these areas have increased (Bergslien, 2006; Catalani, 2006; Smallwood, 2002). Also observed is the number of students that drop out of forensic science programs because of the false perceptions obtained from viewership prior to entering the field of study (Cole & Dioso-Villa, 2007). However, educators may positively exploit this effect to stimulate learning (Cole & Dioso-Villa, 2007).

6) The final CSI Effect version discussed by Cole and Dioso-Villa (2007) is referred to as the *police chief's version*. This version believes that this type of media viewership educates criminals and makes them savvier to avoiding detection (Cole & Dioso-Villa, 2007). Cole and Dioso-Villa (2007) point out that some criminologists report that criminals clean up blood, use gloves, or remove evidence from crime scenes. However, other research suggests there is no increase in detection avoidance (Beauregard & Bouchard, 2010).

Cole and Dioso-Villa (2007) state, at the time of their study, that little evidence of a CSI Effect actually exists. It is likely nothing more than a media phenomenon created by a typical “media panic” (Cole & Dioso-Villa, 2007). They define media panics as over exaggerated social problems where the media creates an increased sense of danger over the issue.

Cole and Dioso-Villa (2007) also discuss the possibility that such a phenomenon alters the burden of proof required of criminal trials. In the United States, the burden of proof required for a criminal conviction is that of “beyond a reasonable doubt”. Reasonable doubt differentiates between “moral certainty” and “mathematical certainty” (Cole & Dioso-Villa, 2007). Mathematical certainty assumes a level of infallibility and absolute certainty (Cole & Dioso-Villa, 2007). Moral certainty should assume a lesser degree (Cole & Dioso-Villa, 2007). Science is often presumed to be a mathematical certainty; however, it is often fallible. At one time it was a fact that the earth was flat. Science is ever evolving and what was once thought to be correct may in fact turn out not upon future research. However, forensic scientists, and to a lesser degree crime scene investigators, are often viewed as having a higher level of certainty in their conclusions (Cooley, 2006). Science does have a different “burden of proof” than does the law. Therefore, this increased burden or expectation could influence a jurors mind (Cooley, 2006).

Mann (2006) defines the CSI Effect as a phenomenon that gives jurors heightened and unrealistic expectations on how definitive forensic evidence can be at trial when determining an individual's guilt. He writes that the intended sense of realism provided by television shows specializing in forensic investigations has been evident in the courtroom. Jurors are demanding more evidence before they will convict (Mann, 2006). Therefore, this increased pressure for forensic evidence is requiring some prosecutors to build cases that not only meet the legal standard of guilt but also a higher standard based upon television. Television shows rarely lack the physical evidence needed to find a defendant guilty. This can lead real jurors to expect the same definitive evidence. Witnesses may be perceived as having a lesser role in the court process. Television has taught potential jurors about DNA but not when to use it in a criminal trial (Mann, 2006). Television does not provide training and experience.

Mann (2006) also makes the argument that this increased expectation for more physical science has created "junk science". Experts may be hired to testify at trial to other opinions and answer numerous hypotheticals. Another concern is that forensic scientists bring an inherent bias into their work. Most forensic personnel work with or for policing agencies to support criminal investigations. State run departments of forensic science or laboratories primary does their work for law enforcement. However, when asked to report or testify in a case, they are expected to appear neutral and unbiased. Forensic evidence and science are quite often thought to be infallible unlike eyewitness testimony. Forensic evidence is therefore likely given more weight at trial by judges and jurors (Cooley, 2006; Mann, 2006).

Forensic crime dramas have significantly increased people's interest in science and the criminal justice process. Cooley (2006) states that:

the misleading images of forensic science portrayed by these shows will

potentially: (a) hamper the effectiveness of crime labs; (b) increase the likelihood prosecutors will make unreasonable requests to crime lab personnel; and (c) increase the chances forensic examiners will fabricate evidence, offer unjustifiable opinions in order to support a prosecutor's unreasonable request, or maintain the unrealistic perception forensic science can somehow accurately answer all questions relating to a crime (p. 501).

Research into media reports shows magazine and newspapers have increased reports speculating that a CSI Effect exists (Tyler, 2006). Many of these reports speculate that millions of viewers that watch *CSI* and similar forensic dramas develop unrealistic expectations about physical evidence and courtroom trials (Tyler, 2006). This may increase the likelihood that jurors will have "reasonable doubt" in a criminal trial that does not present similar types of physical evidence and therefore increase acquittals (Tyler, 2006). It can also have a converse effect when physical or forensic evidence is produced at trial. Juries may be more likely to convict when forensic evidence is produced at trial (Tyler, 2006).

Tyler (2006) makes the argument that if juror judgments are influenced by exposure to similar cases in the media and by pretrial publicity about a case, then it is plausible that jurors may be influenced by CSI styled television shows. People have difficulty separating themselves from these types of influences (Tyler, 2006). Tyler (2006) also concludes that by the repeated coverage of the media that the CSI Effect has become an accepted reality. Tyler (2006) also states that this is consistent with empirical findings in other areas of legal psychology although there is none directly linking it as of 2006.

The previous literature discussed does not offer a definitive answer to the question of whether or not the CSI Effect exists. They do offer a theoretical discourse into the plausibility of such an effect. However, the research lacks a true experimental approach. Over the past few years, a very limited number of studies have been conducted attempting to provide empirical evidence of such an effect.

Empirical Studies

In 2006, Shelton, Kim, and Barak conducted one of the first empirical studies of the CSI Effect in response to a number of prosecutors, judges, and journalists that have claimed juries have wrongfully acquitted defendants when no scientific evidence was produced at trial. They specifically surveyed 1,027 individuals that were called for jury duty in Michigan. Shelton, Kim and Barak (2006) specifically looked at demographic information, television viewing habits, and the respondents' expectations of whether or not the prosecutor would produce scientific evidence. They tried to determine if scientific evidence was needed as a condition for a guilty verdict.

The survey asked respondents how often they watched specific television shows to include general news, crime news, forensic dramas, forensic documentaries, crime documentaries, and general crime dramas (Shelton et al., 2006). Respondents were asked how accurate they thought these programs reflected the criminal justice system. Respondents were then asked what types of evidence they expected to be presented in a criminal case if they were to be a juror. The final part of the survey asked respondents how likely they would be to find a defendant guilty based upon the types of evidence presented by the prosecution and the defense. Thirteen different scenarios were given.

Descriptive analysis of the data was conducted to explore the general patterns of the respondents. They reported that 46.3% of the respondents expected to see scientific evidence presented in every criminal case (Shelton, Kim & Barak, 2006). Similarly, there was an expectation for specific types of evidence to include DNA (21.9%), fingerprint evidence (36.4%), and firearms evidence (32.3%). Shelton and colleagues (2006) point out that this is interesting because these types of evidence may be crime specific and may not be pertinent in many types of cases. They also found that there was a higher expectation for physical evidence in more serious types of criminal cases to include murder or rape (Shelton et al., 2006). One variable, *CSI* viewership, was also specifically analyzed. Frequent *CSI* watchers had a higher expectation for all types of evidence to be introduced versus the non-*CSI* watcher (Shelton et al., 2006).

Results when looking at demands for particular evidence as a condition for a guilty verdict were also interesting. Shelton, Kim, and Barak (2006) found that respondents were more likely to find a defendant guilty if there was specific testimony from a victim or witness. They also found that when a prosecutor relied exclusively on circumstantial evidence and did not provide scientific evidence that respondents were more likely to find a defendant not guilty.

This study confirms claims that jurors now expect more scientific evidence to be produced at trial (Shelton, Kim & Barak, 2006). As the seriousness of the crime increases, so did the expectation for scientific evidence. This expectation is not just for violent crimes, but also for property crimes such as burglary and larceny. However, based upon their results, they conclude that watching *CSI* and similar programs may only “marginally increase” the expectations for scientific evidence to be produced at trial. The authors do point out that the

significance of these findings is not clear due to other variables. They point out that actual knowledge of the criminal justice system may need to also be examined.

One of the most important concepts this study examined was whether a juror's expectation for scientific evidence ultimately would influence their finding of guilt during a trial. They found that approximately half of the respondents were willing to make a decision based on descriptions of cases with or without scientific evidence (Shelton et al., 2006). However, in most scenarios, "respondents' increased expectations of scientific evidence did not translate into demands for such evidence as a prerequisite for a finding of guilt or innocence" (Shelton et al., 2006, p. 359).

Shelton, Kim, and Barak (2006) confirm the argument made by Tyler (2006) that "the CSI Effect was "mixed" and that it did not always work in the direction hypothesized by complaining prosecutors and judges" (p. 333). The study found significant expectations from jurors for scientific evidence but did not find a clear link between these expectations and television viewing habits. The survey results did not show that a demand of scientific evidence for finding guilt is significantly related to watching crime scene dramas. They believe it may be more likely a "tech effect" rather than a "CSI Effect". A "tech effect" is defined as a broader cultural influence based upon advances in modern technology (Shelton, Kim & Barak, 2006).

In 2006, Podlas conducted an empirical study on whether or not the CSI Effect exists and its impacts on the justice system through juror deliberations. Three different conceptions of what the CSI Effect may be are detailed. A survey of jury eligible adults was conducted. Podlas (2006) also investigated trials that had been reported by prosecutors as tainted by a CSI Effect. Significant discussion into the theory of media influence on jurors' understandings of the law was included.

The first concept that Podlas (2006) investigated is that “*CSI* creates unreasonable expectations on the part of jurors, making it more difficult for prosecutors to obtain convictions” (p. 433). There is a belief that forensic based dramas condition potential jurors to have unreasonable expectations and that every crime can be solved with forensic science (Podlas, 2006). With this in mind, she argues that the effect itself may be increasing the practical burden for prosecutors and law enforcement. Podlas (2006) concludes that there is anecdotal evidence from prosecutors. Some report that jurors are now taking longer to deliberate and are asking more questions (Podlas, 2006). However, she finds no empirical evidence to support this concept.

The second concept that Podlas (2006) investigated is that of the infallibility of science. The conceptual definition is that *CSI* and similar crime dramas “elevates scientific evidence to an unsupported level of certainty thus bolstering the prosecution’s case” (p. 437). This is converse to the first concept. If forensic science is thought to be infallible, it gives prosecutors and law enforcement a decided advantage at trial where forensic evidence is introduced. Although not conclusive, Podlas (2006) finds some support for this concept. Television may be influencing how people perceive the strength of forensic science.

The third concept variation that Podlas (2006) discusses is that forensic crime dramas seen on television increase the interest in forensic science. It increases public awareness of the field and has created significant interest in forensics (Podlas, 2006). More colleges and universities have created forensic science programs as it is viewed now as a viable career path (Podlas, 2006). Applications to forensic science programs have been on the rise (Podlas, 2006). This itself may be evidence of a “positive” CSI Effect.

The empirical portion of the Podlas (2006) study surveyed 306 undergraduate and graduate students of a large state university in the Northeast. Data on student television viewing habits was collected. Students were then given a criminal law scenario with verdict sheet. The verdict sheet collected information on reasons impacting respondents' selected verdicts. The criminal law scenario only included witness testimony and purposely did not include any forensic evidence. Analysis of the data was conducted to determine if there was an "anti-prosecution effect". Podlas (2006) reports that there was no anti-prosecutorial based CSI Effect, as *CSI* viewers were no more likely influenced by *CSI* factors than were non-viewers. Podlas (2006) concludes that the data suggests no such "CSI Effect" exists.

Schweitzer and Saks (2007) conducted a study of forensic science television viewers and report different findings from the two previously mentioned empirical studies (Podlas, 2006; Shelton, Kim & Barak, 2006). Schweitzer and Saks (2007) prepared a simulated transcript of a trial in which the key evidence was a hair recovered in a mask used by the perpetrator of a crime and found at the crime scene. In the fictitious scenario a forensic scientist testified he conducted forensic analysis of the hair found at the crime scene and hair from the defendant. His opinion was that they were from the same person. Forty-eight university students were presented the scenario and surveyed.

Participants were grouped as non-viewers or viewers of forensic science based on their television viewership. Viewers rated themselves as having a better understanding of the duties of a forensic scientist (Schweitzer & Saks, 2007). Viewers were also found to be more critical of the forensic evidence presented in the fictitious trial. Schweitzer and Saks (2007) claim, "people who watch such television programs regularly expect better science than what they often are presented in courts" (p. 363). They also report that their data supports the prosecutorial claim

that the CSI Effect increases the prosecutions burden. Schweitzer and Saks (2007) state an inference can be made that specific exposure to forensic-science fiction can influence attitudes and perceptions of potential jurors. They also state that this CSI Effect may not be limited to the heaviest consumers of forensic fiction but the casual watcher as well.

Stevens (2008) took a different approach to his study of the CSI Effect. By surveying 444 American prosecutors, he attempted to determine if forensic analysis performed by a crime lab or documented evidence secured by investigators influences prosecutor discretion. Stevens (2008) defined the CSI Effect as “fictionalized accounts of forensic analysis practices: criminal cases can be solved through the employment of hi-tech forensic science as seen on prime-time American drama crime shows” (p. 37). Questions were asked relating to performance contributions (agendas, future aspirations, incentives), law school, and about the predictive value of the elements of a crime.

Stevens (2008) found that forensic evidence did not shape prosecutor decisions on whether or not to charge a suspect. However, he found that the CSI Effect did shape prosecutors decisions to use “compelling” (forensic personnel or victims) witnesses at trial (Stevens, 2008). More than half of the attorneys surveyed reported that juries were always influenced by forensic analysis. More staggering was that 81% of the lawyers said that judges were always influenced by forensic analysis. Few prosecutors sought out forensic evidence in order to make a decision to prosecute (Stevens, 2008). The main reason for this was use of the plea bargaining process if there were issues with witnesses, victims, or evidence (Stevens, 2008).

In response to Tyler’s (2006) article, which states that it is plausible that the CSI Effect exists, Thomas (2006) reports finding a significant influence. Arguably less scientific, Thomas (2006) reports having surveyed 102 trial attorneys in the Maricopa County prosecutor’s office.

Thirty-eight percent of prosecutors surveyed believed that they had at least one trial that resulted in an acquittal or hung jury when forensic evidence was not available (Thomas, 2006). Forty percent of the attorneys reported that jurors had asked specific questions about forensic evidence when those specific terms were not used at trial. After speaking with jurors post-trial, 74% of the prosecutors surveyed stated jurors “expected to be presented with scientific evidence” (Thomas, 2006, p. 71). When scientific and nonscientific evidence was included, 45% of the prosecutors believed “the jury focused so much on presented scientific evidence that they paid too little attention to unscientific evidence like witnesses and police testimony” (Thomas, 2006, p. 71).

One additional concern was brought to light by this survey. Thomas (2006) reports that in 72% of cases, prosecutors felt a jury member who watched forensic dramas may have swayed jurors who do not watch these type of crime fiction shows (Thomas, 2006). Based upon these reported findings, the Maricopa County prosecutors have begun to use trial tactics to counter the CSI Effect. These tactics include using the voir dire process, opening and closing statements, presentation of evidence, and other evidence (Thomas, 2006). Prosecutors have had to take many more pre-emptive steps to prevent jurors from having heightened expectations from television.

Some research suggests that viewership of criminal investigative dramas heavy in forensic testing may alter jury outcomes (Robbers, 2008). Robbers (2008) conducted a study in which judges, criminal prosecutors, and defense attorneys were surveyed about their experiences with juries. The study reported that 79% of the 290 respondents cited specific examples in which they believed a jury had made a decision that was influenced by a forensic television program. The same study also indicated that a large majority (85.5%) of the respondents felt that

their job had changed in some way based upon the influence of these television shows. Some of the cited influences included spending additional time discussing forensic evidence, including negative evidence witnesses, added time establishing the credibility of eye witnesses, and discussing the differences between television programs and actual trials. Negative evidence witnesses are those witnesses called to explain why forensic evidence is not needed (Robbers, 2008).

Findings from prior empirical studies are relatively inconclusive due to the limitations of the methodologies used (Kim et al., 2009). Small sample sizes, limitations of scenarios used, and lack of demographic analysis have been cited as shortcomings (Kim et al, 2009). To expand upon these previous empirical studies, Kim, Barak, and Shelton (2009) conducted a study of the CSI Effect using multivariate analyses for the first time. 1,027 actual jurors were surveyed from Washtenaw County court in Michigan and presented with fictitious scenarios.

Two dependent variables were studied: a) circumstantial evidence and b) eyewitness evidence. They looked at whether or not these variables affected a juror's willingness to convict a defendant at trial without any scientific evidence. Circumstantial evidence or indirect evidence is that evidence that reasonably leads a person to infer other facts that are not directly observed. It requires a judge's or jury's interpretation and inference about causation (Kim et al, 2009). Direct evidence is that evidence in which a person has actual knowledge because they see or hear something. Eyewitness evidence is a type of direct evidence.

The Kim et al. (2009) study also looked at two main independent variables. Exposure to CSI dramas was collected using a five-point scale ranging from never (1) to regularly (5). Juror expectations about whether or not that will receive some kind of scientific evidence at trial were collected using a three-point scale (1 = no, 2 = unsure, 3 = yes). Demographic information was

collected on age, gender, race, education level, income level, neighborhood crime problems, and political views.

Using a multivariate analysis and controlling for the listed variables, they found that exposure to CSI type dramas had no significant effect on jurors' decisions to convict (Kim et al, 2009). However, they did find some significance in regards to race, education, age, and gender. Non-white jurors were more willing to convict on circumstantial evidence alone versus white jurors (Kim et al, 2009). Jurors with lower levels of education also showed more willingness to convict on circumstantial cases versus individuals with higher levels of education (Kim et al, 2009). Age and gender were significantly associated with an individuals' willingness to convict in direct evidence cases involving only eyewitness evidence. As age increased, so did the willingness to convict upon eyewitness evidence alone. Also males were more likely to convict on eyewitness evidence than females.

Other Relevant Research

Some empirical evidence does exist that judges and juries do sometimes disagree on verdicts (Farrell & Givelber, 2010). *Duncan v. Louisiana* (1968) recognized judges and juries do not always agree. *Duncan* made mention to a jury's potentially using a more commonsense, and sympathetic approach versus the more tutored approach of a judge. This commonsense and less tutored approach is a concern when commonsense is created through a socially constructed reality that does not accurately represent real life. Ultimately, there is no clear understanding of this influence when studying the CSI Effect.

Holmgren and Fordham (2011) point out that juries do want to know why forensic evidence was not presented at trial when it could have been. However, they found that juries might not shape their verdicts or acquit suspects on this fact alone. They suggest that while

jurors may question why forensic evidence is not presented, jurors will still carefully weigh all of the other evidence. The weight of eyewitness and other evidence would be considered.

Hughes and Magers (2007) conducted a study that mailed surveys to judges asking their perception of any CSI Effect. The judges surveyed perceived that forensic crime shows had an impact on their courts. The majority reported that the impact was negative. Specifically, they reported that the majority of the judges surveyed felt that these shows impacted attorney behavior and jury selection. This study did not address jury decision-making.

Summary and Conclusion

There is theoretical plausibility that watching forensic crime dramas may affect juror decision-making (Tyler, 2006). This potentially occurs by altering an individual's understanding of the standard of reasonable doubt (Tyler, 2006). Many of the measures of this phenomenon are based upon anecdotal evidence (Cole & Dioso-Villa, 2007; Ghoshray, 2006). However, if attorneys are changing their tactics in court, then this anecdotal evidence supports the existence of the CSI Effect in the court system.

There is no strong empirical evidence to date that a CSI Effect exists. One issue is how the CSI Effect is defined. If it is defined specifically as affecting jury outcomes, there is little evidence to support its existence. However, attorneys and judges are dealing with the CSI Effect in the courtroom (Lawson, 2009). Examples have been seen in minor drug and weapons cases to murder cases (Lawson, 2009). Much of the time prosecutors spend at trial now is educating jurors (Mertens, 2006).

Jurors should only base their decisions upon the facts, the case, and the law. However, extralegal factors have been shown to potentially influence some jurors (Feigenson & Park, 2006; Miller, Maskaly, Green & Peoples, 2011). Jurors are human beings, and human beings

inherently possess biases. When they are required to participate in the judicial process as a juror, they bring this bias into the jury box and potentially infuse it into the justice system. Research in simulated legal settings (i.e. mock jury trials) suggests that laypersons do not completely understand the statistical properties of evidence (Leshowitz & Okun, 2011). Conventional wisdom, emotions, and a lack of scientific reasoning affect the judgments of laypersons that compose the majority of jurors (Leshowitz & Okun, 2011). People bring their own biases into the decision-making process. The nature of the crime itself can alter the standards a juror uses to find guilt (Kovera, 2002).

After a review of the literature, there appears to be a number of areas to conduct further research into the CSI Effect. First, how much influence does watching copious amounts of forensic crime based television affect the biases jurors bring into the jury box? Second, does the nature of the crime significantly play a role in the expectation of evidence presented? Third, how does this affect the “next generation” of jurors? Much of the research discussed above consisted of data collected when today’s college students were not jury eligible. The influence of these types of television may vary for today’s young juror versus an older one. This is interesting to explore.

In addition, social constructionist theory provides a framework in which to frame future research. Social constructionism states that experienced reality combined with symbolic reality creates a person’s socially constructed reality. Using this framework, future research studies should examine a person’s knowledge through experiences and their symbolic sources of knowledge through education and television viewership. Understanding this combination of information may better explain the socially constructed reality that potential jurors bring with them into the jury box.

Chapter Three discusses a methodological plan to answer these questions. It integrates the scope of the problem discussed in Chapter One with the literature reviewed in Chapter Two. The methodology incorporates a social constructionist framework. It looks at how experienced reality combined with symbolic reality may affect a person's socially constructed reality in a jury setting. The population studied is also discussed. Methods and techniques to collect data to answer these questions are addressed.

Chapter 3: Methodological Plan

The primary goal of this research study is to examine whether a correlation exists between a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented and their exposure to forensic crime television. A positive finding may further support arguments for the existence of the CSI Effect phenomenon within a social constructionist framework. The secondary goal is to better understand if the nature of the crime, violent versus non-violent, affects expectations of forensic evidence being presented at trial. Variables that may explain a potential juror's (student's) willingness to find guilt and a potential juror's (student's) expectation of forensic evidence at trial are examined.

This study utilized a quantitative approach within a cross-sectional research design. A survey instrument was developed to measure the dependent and independent variables. Responses were collected from students. Students were given either a fictitious violent crime scenario or a fictitious non-violent crime scenario. The scenarios were consistent in the types of circumstantial and eyewitness evidence present. Only the crime was different. Students were then asked about their expectations for forensic evidence to be presented at trial and then their willingness to find the suspect guilty in the scenario. The scenarios only contain circumstantial and eyewitness evidence. No forensic or scientific evidence is included. Forensic evidence is defined as scientific evidence that must be qualified by an expert. Examples include but are not limited to fingerprints, DNA, chemical analysis, or tool marks. The scenarios and measurement of variables are discussed further in this chapter. This chapter includes the following research elements: research questions, hypotheses, research design, units of analysis and population, data sources and collection, survey instrument, measurement of variables, analytical techniques, and

limitations.

Research Questions

This study addresses the following research questions:

- 1) Does viewership of forensic crime based television affect a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.
- 2) Do expectations for forensic evidence being presented at trial vary for violent versus non-violent types of crimes?

By addressing the aforementioned research questions, this study will help law, justice, and police practitioners to better understand the willingness and expectations of current and future jurors coming out of college. It will be most beneficial for the judiciary and trial attorneys. It will also help policy makers be better informed about the CSI Effect problem.

Hypotheses

For research question one listed above, the following hypotheses have been developed:

H1: Higher levels of viewership of forensic crime television shows decreases a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

H2: After controlling for exposure, potential jurors (students) who have completed more justice-based courses have increased willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

For research question two, the following hypothesis has been developed:

H3: There is a higher expectation for forensic evidence after reading the violent crime scenario than after reading the non-violent crime scenario.

Instrument and Scenarios

An original survey instrument was created for this study. See Appendix A. There are two possible scenarios (listed below) associated with the survey: a violent crime scenario and a non-violent crime scenario. Specifically each scenario contains a realistic but fictitious story of a criminal occurrence. Both stories contain circumstantial and eyewitness information leading readers to a specific suspect. No mention of forensic or scientific testing is made in the scenarios. They were intentionally crafted to leave thoughts of forensic testing and evidence to the reader.

Violent Crime Scenario

During the afternoon of Friday, January 4th, Ms. Smith was home alone in her house. Her stand alone, two-story house is in a relatively quiet, suburban neighborhood. Around 1 p.m. she walked outside to go to her car. As she walked towards her car, an unknown male ran up to her and struck her in the head with a brick. She yelled for help. The man dropped the brick and ran away. Ms. Smith immediately called the police and told them somebody had just assaulted her and that she was hurt. She described the unknown person as a white male, wearing jeans and grey sweatshirt.

Approximately ten minutes later, Officer Taylor, who was responding to the call for service, spotted a person walking out of Ms. Smith's neighborhood matching the same description. They were approximately a half-mile from her house. Officer Taylor stopped and detained the man who was identified as Richard Flowers. Mr. Flowers was wearing jeans, boots, and a grey hooded sweatshirt. He was 32 years old. When Officer Taylor asked Mr. Flowers what he was doing in the neighborhood Flowers stated, "I'm just walking around. I live in the next neighborhood over." Mr. Flowers' identification showed that he did live in the area.

Not being positive that he may have caught the burglar, Officer Taylor, with the assistance of another officer, brought Ms. Smith to where Mr. Flowers was being detained at the entrance to her neighborhood. Once she arrived, Officer Taylor asked if she recognized Mr. Flowers. Ms. Smith immediately said, “Yes, that is the guy that hit me.” With this identification, Mr. Flowers was arrested for assault and battery.

Non-violent Crime Scenario

During the afternoon of Friday, January 4th, Ms. Smith was home alone in her house. Her stand alone, two-story house is in a relatively quiet, suburban neighborhood. Around 1 p.m she heard a knock at her front door. She decided not to answer the door as she was not expecting company and assumed it was a solicitor. A couple minutes later, she heard a knock at her back door followed by a large bang, as if somebody had kicked in the back door. She ran downstairs and saw an unknown male in her kitchen with her purse in his hand. She yelled for him to leave the house and that she was calling the police. The man dropped the purse and ran away out the same back door. Ms. Smith immediately called the police and told them somebody had just broken into her house. She described the unknown person as a white male, wearing jeans, and grey sweatshirt.

Approximately ten minutes later, Officer Taylor, who was responding to the call for service, spotted a person walking out of Ms. Smith’s neighborhood matching the same description. They were approximately a half-mile from her house. Officer Taylor stopped and detained the man who was identified as Richard Flowers. Mr. Flowers was wearing jeans, boots, and a grey hooded sweatshirt. He was 32 years old. When Officer Taylor asked Mr. Flowers what he was doing in the neighborhood Flowers stated, “I’m just walking around. I live in the next neighborhood over.” Mr. Flowers’ identification showed that he did live in the area.

Not being positive that he may have caught the burglar, Officer Taylor, with the assistance of another officer, brought Ms. Smith to where Mr. Flowers was being detained at the entrance to her neighborhood. Once she arrived, Officer Taylor asked if she recognized Mr. Flowers. Ms. Smith immediately said, “Yes, that is the guy that broke into my house.” With this identification, Mr. Flowers was arrested for burglary.

Respondents will be asked specifically about their expectations of forensic evidence being presented if the scenario went to trial. The scenarios will be very similar in that the only change to the scenario is the type of crime, not the circumstantial and eyewitness evidence. These scenarios were specifically created with the intent to limit the evidence to circumstantial and eyewitness evidence. No mention of physical or scientific forensic evidence is made in the scenario. Variables and questions to capture these variables will be discussed below in the measurement section.

Measurement

This section describes in greater detail how variables were collected and measured for the three listed hypotheses.

Hypothesis 1: Higher levels of viewership of forensic crime television shows decreases a potential juror’s (student’s) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

Hypothesis 2: After controlling for exposure, potential jurors (students) who have completed more justice-based courses have increased willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

Hypothesis 3: There is a higher expectation for forensic evidence after reading the violent crime scenario than after reading the non-violent crime scenario.

Dependent Variables (DV)

Willingness to find the suspect guilty variable- This is the primary DV used to test hypotheses 1 and 2. After reading the scenario, respondents were asked how willing they are to find the suspect guilty. The willingness variable is measured on a four-point scale. (Not willing=1, Less willing=2, More willing=3, Very willing=4). The intent of using this four-point scale is to remove a neutral position. It also allows the researcher to create a dichotomous willingness variable for analysis. (Not willing=0, Willing=1).

Expectation of forensic evidence variable- This is the primary variable to test hypothesis 3. After reading the scenario, respondents were asked specifically if they would expect forensic evidence to be presented at trial. The expectation variable is also measured on a four-point scale. (Definitely would not=1, Probably would not=2, Probably would=3, Definitely would=4). Again, The intent of using this four-point scale is to remove a neutral position. It allows the researcher to create a dichotomous expectation variable for analysis. (Would not=0, Would=1).

The correlation between the willingness and expectation variables is also examined using a chi-square test. The results are discussed in Chapter Four.

Independent Variables (IV)

Inclusion of these independent variables is based upon theory, literature, and the social constructionist framework discussed in Chapter Two.

Viewership variable- Exposure to forensic crime television shows, the main independent variable of this study, is measured with the question “On average, how many hours of forensic crime related television do you watch in a week?” Examples of these shows such as: *CSI, Forensic Files, NCIS, The First 48*, and the like are included in the question. The

viewership variable is an open-ended question looking to capture ratio level responses. Categories of amounts of viewership have been created to better understand the data. This is the question that measures potential jurors' (students') exposure to various law, crime, and forensic related television programs. Forensic crime shows are defined as crime dramas, documentaries, or reality television shows that discuss physical and scientific evidence.

Scenario variable- This is the primary IV for hypothesis 3. Which scenario was the student given? (Violent=1, Non-violent=0).

Race- (White, Black, Hispanic, Asian, American Indian, Bi/Multi-racial, Other)

Political ideology- When considering your political ideology, how would you classify yourself? This is measured on a 5-point scale. (Conservative=1, Lean Conservative=2, Moderate=3, Lean Liberal=4, Liberal=5). It should be noted that this variable is not included in the analysis. The question was included to collect data for a future study.

One area that previous research fails to examine is the potential affect class rank and types of classes and majors may have on students or potential jurors. These additional independent variables are collected:

Major- Are you in a public justice or criminal justice major. (Yes=1, No=0)

Justice related courses- How many public justice, criminal justice, or law courses have you completed? (0, 1, 2, 3, 4, 5 or more)

Class rank- What is your class rank? A student's class standing is determined by the number of hours of credit earned: freshman, 0 through 26 hours; sophomore, 27 through 56 hours; junior, 57 through 86 hours; senior, over 86 hours. (Freshman, Sophomore, Junior, Senior).

Control Variables

Listed are the specific control variables that are commonly found within the literature.

Age- How old are you? A ratio level response was collected.

Gender- (Male=1, Female=0).

Criminal history- Has the respondent ever been charged with a criminal offense?

Respondents are asked to exclude minor traffic infractions. (Yes=1, No=0).

Previous juror- Has the respondent previously served as a juror? (Yes=1, No=0).

Jury eligible- Is the respondent eligible to serve on a jury? To be jury eligible, you must be a U.S. citizen, be 18 years of age or older, never have been convicted of a felony, and able to understand English. This is a qualification question for the study. Those that are not jury eligible are excluded from the analysis.

The variables of viewership and number of justice related courses are intended to capture information about the respondent's symbolic knowledge, as a component of their socially constructed reality. The variables of previously being a juror and having been charged with a criminal offense relate to an individual's experienced knowledge, as a component of their socially constructed reality.

Research Design

This research utilizes a cross-sectional design. Therefore, it provides a "snapshot" of student expectations during a semester. This design is simple, cost efficient, and appropriate for this type of research seeking only to determine the existence of a correlation among expectations of forensic evidence and the listed independent variables. One limitation is that this design, unlike a longitudinal design, cannot capture change of expectations over time since it is only capturing student expectations at one point in time. A longitudinal study may have more value

as it could track student expectations over a multi year academic career. However, due to the cost, time, and complexity of a longitudinal study, it is not feasible.

Units of Analysis and Population

The population for this study was composed of undergraduate students. For students to be eligible to participate in the study, they had to have been enrolled in classes and physically attending during the Spring 2013 semester. Online students were not given an opportunity to be participants. They had to self-report being “jury eligible”. Jury eligible students are those students that are United States citizens, at least 18 years of age, speak English, and have not been convicted of a felonious crime.

A convenience sample of students was utilized. Therefore, this study utilizes a non-probability sampling frame. One of the limitations of such a frame is that some students will have no chance of being able to participate in the study. This limits the generalizability of the findings. The researcher for this study had access to college students and professors. Classes of students to survey were selected by size, convenience of scheduling, and approval of the professor. Large sections of classes were given the highest priority.

The benefit of using convenience samples containing college students for trial simulations, as opposed to archival records or post trial interviews, is “the ability to control extraneous variables while manipulating the variable(s) of interest” (McCabe, Krauss, & Lieberman, 2010, p. 730). Research in the area of mock juries versus actual juries shows that mock juries that use college students are reliable. Research has generally found that there are few consistent differences between representative samples and those consisting of college students (Bornstein, 1999; Nunez, McCrea & Culhane, 2011). The use of the sampling of college students is widespread in jury decision-making research and continues to rise (Lieberman,

Krauss & Wiener, 2011). The cost and convenience associated with these samples are the most common cited reasons for their use.

Data Sources and Data Collection

Data collection for the study was conducted by utilizing an original survey instrument. The surveys contain a crime scenario or “vignette”. As discussed in Chapter Two, these types of instruments are popular for collecting mock trial and juror data. There were two potential scenarios: 1) a violent crime scenario, and 2) a non-violent crime scenario. The circumstances presented in the crime scenarios are the same except for the type of crime being committed. Respondents only receive one scenario within their survey. Each type of scenario was distributed equally.

Surveys included one of the following types of trial scenarios:

- 1) A violent crime scenario containing circumstantial and eye witness information, but no specific mention of physical, scientific, or forensic evidence being collected (violent crime case) or
- 2) A non-violent crime scenario containing circumstantial and eye witness information, but no specific mention of physical, scientific, or forensic evidence being collected (non-violent crime case).

Data was collected via a survey instrument from undergraduate students attending a moderate sized, liberal arts university in the northeast. Jury eligibility questions, to include age, were asked. The assumption is made that if they are able to complete the survey, they pass the English requirement.

Requests were made to professors within the university, directly asking for their class’ participation in the study. Convenience of scheduling, class size, and the professor’s willingness

to come let the researcher pass out the survey ultimately determined class selection. Focus was given to large classes containing high numbers of students. Secondary focus was given to public justice classes to compare justice majors against non-justice majors.

Procedures

Prior to collecting data and distributing the survey instrument, the researcher obtained institutional review board (IRB) approval from the participant university. This study required expedited review. The survey did not collect any personal identifying information. All participation has been and will be kept anonymous. Participation was voluntary and a consent waiver was obtained. All results have been and will be kept in a locked filing cabinet in a locked office.

After approval was obtained, the instrument was piloted. Feedback from the pilot, peers, and the researcher's dissertation committee were incorporated into the final survey. Feedback was used to fine-tune the instrument. The pilot consisted of 28 undergraduate students. Peer review came from colleagues, many of who teach justice or law based courses.

Once completed, the final survey instrument was distributed to undergraduate students. Professors of large class sections throughout the University were asked for their classes' participation. Data collection took place over four weeks. It was the goal of the researcher to obtain over 1000 responses. 1652 were collected.

Data Analysis

Several types of analysis were conducted and are expounded upon in Chapter Four. All responses from the survey were entered into the SPSS statistical package for analysis. Outcomes from both of scenarios are analyzed. Descriptive analysis for all the responses is reported. A

chi-square test is used to analyze the relationship between the two dependent variables. Analysis of the dependent variables is conducted utilizing regression.

Logistic regression allows the researcher to measure whether or not an independent variable has any predictive properties over the dependent variable. Since both the willingness and expectation variables are dichotomous (the willingness DV four-point scale and expectation DV four-point scale have been collapsed into dichotomous variables), logistic regression is used. It allows the researcher to understand the effect the independent variables has upon a potential juror's (student's) willingness to find the suspect guilty and a potential juror's (student's) expectation of forensic evidence being presented. Models for analysis of the two DVs are discussed in Chapter Four.

Limitations

There may be limitations to using students rather than community members to predict potential juror expectations. Using primarily students to conduct psycho-legal research, rather than community members, may incorrectly predict the likely behavior of actual jurors (Fox, Wingrove, & Phiefer, 2011). However, more research shows that the difference between student samples and community samples is negligible (Hosch, Culhane, Tubb, & Granillo, 2011; McCabe, Krauss, & Lieberman, 2010). In general, there is little difference in individual verdict preferences between students and community members.

The greatest limitation will be that of generalizability. The geographic location of the participants, age range, and other demographic characteristics will limit the generalizability of the findings. Selection bias is included. Using a convenience sample also limits the generalizability of the findings. As discussed above, some students, to include online only students, never had an opportunity to participate. However, a large sample size helps overcome

some of these limitations.

Additionally, using a cross-sectional versus a longitudinal design provides limitations. This cross-sectional design does not capture changes of willingness or expectation over time. This study only captured the information at one point in time. It did not track students throughout an academic career. Cost, time, and feasibility have been considered.

This chapter discussed the methodological plan for this study. The next chapter discusses the data analysis and results of the survey. This includes data cleaning, variable selection, descriptive analysis, and regression analysis. A discussion about these results is included in Chapter Five.

Chapter 4: Analysis and Results

Overview

This chapter will discuss the preparation of the dataset and then the results. First, data cleaning and selection of cases will be discussed. Second, descriptive statistics for the dependent and independent variables will be provided. Third, the process for transformation and then selection of variables into the logistic regression model will be discussed. Forth, each of the three hypotheses will be tested and the results will be reported. Finally, other related findings will be provided.

Data Cleaning

During data collection, 1652 surveys (Appendix A) were completed and entered into SPSS. Of the 1652, 1583 participants claim to be jury eligible. As this is a study of potential future jurors, those that did not report being jury eligible were removed. Four respondents did not answer questions one and/or two (willingness variable and expectation variable), which are the main dependent variables being tested. They were also removed. In addition, 14 of the respondents did not complete question three (hours of viewership), which is the primary independent variable. They too were removed. This results in 1572 cases to be included in the analysis.

Descriptive Statistics

The overall demographics of the respondents show that most respondents were white (84%) versus non-white (16%) and had a mean age of 20.3 with a range of 18 to 61. Responses show that the large majority had never served on a jury (98%), are not justice majors (86%), and had not previously been charged with a crime (94%). The survey covered all class ranks by showing that 28% were freshmen, 25% were sophomores, 26% were juniors, and 21% were

seniors. It also shows that most respondents had never completed a justice related class (59%). Only 8.7% had completed 5 or more justice classes.

Table 4.1 provides the frequencies for the dependent variable for willingness to find the suspect guilty, which was captured in question one of the survey. Table 4.2 provides the frequencies for the second dependent variable, expectation of forensic evidence being presented at trial, which was collected in question two of the survey. Table 4.3 provides the frequencies for the primary independent variable; average hours of viewership per week of forensic crime television. The viewership variable was collected at the ratio level and is used as such during analysis. For illustrative purposes, the variable was broken down into the four categories of viewership as seen in Table 4.3 below.

These tables show that the majority of respondents are somewhat willing to find the suspect in the scenarios guilty (58%), probably would expect forensic evidence to be presented at trial (39%), and report watching a minimal amount (1 to 3 hours) of forensic crime related television per week (39%). The average viewership reported is 2.8 hours. All frequencies and descriptive outputs for each variable are reported in Appendices C and D respectively.

Table 4.1

Willingness	Frequency (%) a	Count (n)
Not at all willing	4	61
Not too willing	24	371
Somewhat willing	58	906
Very Willing	15	234

a. May not total 100% due to rounding

Table 4.2

Expectation	Frequency (%) a	Count (n)
Definitely would not	2	34
Probably would not	21	324
Probably would	39	610
Definitely would	38	604

a. May not total 100% due to rounding

Table 4.3

Hours of Viewing	Frequency (%) a	Count (n)
0 (None)	35	552
1-3 (Minimal)	39	611
4-6 (Moderate)	16	252
7 or more (Heavy)	10	157

a. May not total 100% due to rounding

Transformation and Selection of Variables

As discussed in Chapter Three, logistic regression is used for analysis and to test hypotheses 1 and 2. Logistic regression allows the researcher to understand the influence single variables have upon a dependent variable while holding other variables constant. Binary logistic regression takes into account the categorical and non-metric nature of the dependent variable. It provides analysis of dichotomous dependent variables.

As previously discussed in Chapter Three, the intent of using the four-point scale to capture a respondent's willingness to find the suspect guilty was to remove the possibility of a neutral position. It was intended to require respondents to take a position and not "sit on the

fence”, which is similar to the requirements of a juror. It is shown in Table 4.1 that the majority of people fall into the middle categories of “not at all willing” or “somewhat willing” (82%). Few people stated they were “not at all willing” (4%) or “very willing” (15%). There were not many respondents that fell at the extreme points of the scale. With this in mind, the four-point “willingness” scale is collapsed into a dichotomous variable, “not willing” (coded 0) and “willing” (coded 1). Table 4.4 shows the frequencies of the new, dichotomous variable. The majority of the respondents fall into the willing category.

Table 4.4

Willingness	Frequency (%) a	Count (n)
Not Willing	28	432
Willing	73	1140

a. May not total 100% due to rounding

For preliminary analysis and to aid in selecting the most parsimonious model to test hypotheses 1 and 2, a logistic regression model including all of the independent variables was run. Table 4.5 shows the logistic regression coefficient, Wald test, and odds ratio for each of the predictors. Discussion and interpretation of the predictor variables follows.

Table 4.5

Logistic Regression Predicting Willingness from Viewership, Juror, Age, Gender, Race, Charged, Class Rank, Major, Number of Justice Classes and Scenario

	B	Wald	p	Odds Ratio
Viewership	-0.016	3.002	0.083	0.985
Juror	-0.539	1.752	0.186	0.583
Age	-0.02	1.138	0.286	0.98
Gender	-0.331	7.855	0.005	0.718
RaceBinary	0.225	2.101	0.147	1.252
Charged	0.41	2.39	0.122	1.507
ClassRank	-0.058	0.813	0.367	0.944
JusticeMajor	0.018	0.006	0.939	1.018
CJ_Classes	-0.079	1.853	0.173	0.924
Scenario	-0.391	11.181	0.001	0.677
Constant	1.83	22.339	0	6.236

Employing a .05 criterion of statistical significance, gender and scenario are the only variables show to have significant partial effects. The odds ratio for gender indicates that when holding all other variables constant, a man is .7 times less likely to be willing to find the suspect guilty. The odds ratio for scenario indicates that when holding all other variables constant, those receiving the violent crime scenario are .67 times less likely to be willing to find the suspect guilty.

Although not statistically significant at the .05 criterion, the variables can be interpreted as such in the following way. As viewership increases, willingness to find the suspect guilty decreases. Having been a juror in the past decreases the willingness to find the suspect guilty. As age increases, willingness to find the suspect guilty decreases. Whites are more willing than non-whites to find the suspect guilty. Those that have been charged with a crime previously are more willing to find the suspect guilty. As class rank increases, willingness to find the suspect guilty decreases. Those that are justice majors are more willing to find the suspect guilty. And as the number of justice related classes' completed increases, willingness to find the suspect guilty decreases.

Prior juror experience, previously being charged with a crime, class rank, age, major, number of justice-based classes, and race were not found to be statistically significant. Much of this is likely due to the homogeneity of the sample population. In addition, there is likely an issue with multicollinearity due to the inter-associations with the variables of class rank, age, major, and number of justice-based classes. Schooling is progressive. As age increases, so does class rank. The number of classes could be related to age or rank because major-specific courses are usually completed in the junior and senior years. Multicollinearity can result from the

repetition of similar variables. Number of justice-based classes captures similar information to age, major, and class rank.

Bivariate analysis, to include cross tabulations and chi-square tests of the independent variables and willingness variable, was conducted. These results were also considered when building the final model shown in Table 4.6. The outputs for the bivariate analysis are provided in Appendix G. The bivariate analysis of willingness and number of justice-based classes reports a chi-square statistic of 15.48 and a significance of .009. This suggests there is a strong relationship between the IV of number of justice-based classes and willingness to find the suspect guilty, even though this is not seen in the preliminary model. In addition, understanding the effect the number of completed justice-based classes has upon the DV of willingness is the focus of the second hypothesis. Therefore, in order to create a parsimonious model, variables that do not appear to significantly influence the dependent variable or create concerns of multicollinearity are removed.

Based upon the focus of the study and hypotheses presented, the variables of viewership (hypothesis 1) and number of justice-based classes (hypothesis 2) should be examined further. Therefore, the new model is created only including viewership, number of justice-based courses, gender, and scenario variables. Table 4.6 shows the logistic regression coefficient, Wald test, and odds ratio for each of these four predictors. The full SPSS logistic regression output is contained in Appendix F.

Table 4.6

Logistic Regression Predicting Willingness from Viewership, Number of Justice Classes, Gender and Scenario

	B	Wald	p	Odds Ratio
Viewership	-0.014	2.551	0.11	0.986
CJ_Classes	-0.101	8.082	0.004	0.904
Gender	-0.321	7.749	0.005	0.725
Scenario	-0.369	10.323	0.001	0.692
Constant	1.473	170.267	0	4.362

Employing a .05 criterion of statistical significance, the variables of gender, scenario, and justice classes appear to have significant partial effects. Viewership is still not statistically significant. The odds ratio for gender indicates that when holding all other variables constant, a man is .73 times less likely to be willing to find the suspect guilty. The odds ratio for scenario indicates that when holding all other variables constant, those receiving the violent crime scenario are .69 times less likely to be willing to find the suspect guilty. The odds ratio for justice classes indicates that when holding all other variables constant, as the number of classes increases by 1, the potential juror is .9 times less likely to be willing to find the suspect guilty. The viewership variable suggests that as the number of hours of viewership increases by 1, the willingness to find the suspect guilty decreases by .99 times. However, viewership does not appear to significantly influence the dependent variable of willingness.

As shown in Appendix F, this model has a Cox and Snell r-square statistic of .019 and a Nagelkerke r-square statistic of .028. These statistics are low and may suggest the model has limited predictive power. However, these pseudo r-square statistics are not heavily relied upon in binary logistic regression analysis, as the r-squared statistic was designed for linear regression analysis. The Omnibus Tests of Model Coefficients shows a chi-square of 30.26 and a significance of .000. This shows the model is statistically significant. Another test to show goodness of fit is the Hosmer-Lemeshow Test, which was conducted. It shows a chi-square of

10.94 and a significance of .205. This non-significant chi-square indicates that the data fits the model well and that the overall model fit is good.

Hypothesis 1: Higher levels of viewership of forensic crime television shows decreases a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

Using the above model, displayed in Table 4.6, it appears that as viewership increases that the willingness to find the suspect guilty decreases. The odds ratio for viewership suggests that for every one hour increase of viewership of forensic crime television shows, a potential juror is .99 times less likely to be willing to find the suspect guilty. Using the .05 criterion for statistical significance, viewership is not statistically significant. It does not appear to affect a person's willingness to find the suspect guilty. Therefore, in the absence of forensic evidence, higher levels of viewership of forensic crime television shows **do not** decrease a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

Table 4.7 helps reiterate this finding. It shows how the probability for finding guilt changes when hours of forensic crime television is increased and other factors are held constant. For this illustration, the average potential juror is used. The average potential juror from the study is a female, receiving the non-violent scenario, and has completed no justice-based classes. Viewership is shown from 0 to 7 hours per week. Again, it must be understood that using the .05 criterion for statistical significance, viewership is not statistically significant. It has little to no predictive power over the dependent variable. Converting logits to odds and then to probabilities created the probabilities reported in Table 4.7.

Table 4.7

	Hours of Viewership							
	0	1	2	3	4	5	6	7
Willing	62%	61%	61%	61%	60%	60%	60%	59%
Not Willing	38%	39%	39%	39%	40%	40%	40%	41%

(Potential juror that is female, received the non-violent scenario and has completed no justice-based classes)

Hypothesis 2: After controlling for exposure, potential jurors (students) who have completed more justice-based courses have increased willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

Using the above model, displayed in Table 4.6, in absence of forensic evidence, it appears that as the number of justice related courses completed by a potential juror increases, the willingness to find the suspect guilty decreases. The odds ratio for justice classes indicates that when holding all other variables constant, as the number of classes increases by 1, the potential juror is .9 times less likely to be willing to find the suspect guilty. This is the opposite of what is stated in hypothesis 2.

Table 4.8 helps to illustrate this effect. Table 4.8 takes the average potential juror (female, receiving the non-violent scenario, and 2.8 hours of forensic crime television viewership) and shows how additional justice-based classes change the probability of the potential juror finding the suspect guilty. It shows that as the number of completed justice-based courses increases from 0 to 5, there is a 13% decrease in likelihood that the potential juror will find the suspect guilty. Therefore, after controlling for exposure, potential jurors (students) who have completed more justice-based courses have **decreased** willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented. This suggests that a juror having additional justice education may be more critical of eyewitness and circumstantial evidence. This idea is further expounded upon in Chapter Five.

Table 4.8

	Number of Classes					
	0	1	2	3	4	5
Willing	61%	58%	56%	53%	51%	48%
Not Willing	39%	42%	44%	47%	49%	52%

(Potential juror that is female, received the non-violent scenario and watches 2.8 hours of forensic crime television)

Hypothesis 3: There is a higher expectation for forensic evidence after reading the violent crime scenario than after reading the non-violent crime scenario.

To test hypothesis 3, a chi-square test and cross tabulation of the expectation variable and the scenario variable is used. A chi-square test is used when the researcher wants to see if there is a relationship between two categorical variables. Both expectation and scenario are categorical variables. The cross tabulation will help illustrate how the scenario affects expectation of forensic evidence being presented at trial.

Table 4.9

Expectation * Scenario Crosstabulation

		Scenario		Count n
		Non-Violent %	Violent %	
Expectation	Definitely would not	2	2	34
	Probably would not	25	16	324
	Probably would	37	41	610
	Definitely would	35	42	604

Table 4.10

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	23.720a	3	.000
Likelihood Ratio	23.893	3	.000
Linear-by-Linear Association	17.401	1	.000
N of Valid Cases	1572		

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 16.98.

Table 4.9 shows that the scenario received by respondents does affect their expectation of forensic evidence being presented at trial. Respondents are more likely to expect forensic evidence at trial for a violent crime rather than a non-violent crime. The chi-square tests show that significance is less than .05, and therefore statistically significant. There is a higher expectation for forensic evidence after reading the violent crime scenario then after reading the non-violent crime scenario.

Breaking down expectation into a dichotomous variable (would and would not) may help to illustrate the findings a bit more. Table 4.11 shows this breakdown. 72% of those that received the non-violent crime scenario would expect forensic evidence to be presented at trial. 82% of those that received the violent crime scenario would expect forensic evidence to be presented at trial. Again, the difference is shown to be statistically significant.

Table 4.11

Expectation(Binary) * Scenario Crosstabulation

		Scenario		
		Non-Violent	Violent	Count
		%	%	n (%)
Expectation(Binary)	Would Not	28	18	358 (23)
	Would	72	82	1214 (77)

Table 4.12

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	22.886a	1	.000
Continuity Correction b	22.314	1	.000
Likelihood Ratio	23.041	1	.000
Linear-by-Linear Association	22.872	1	.000
N of Valid Cases	1572		

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 178.77.

b Computed only for a 2x2 table

Additional Findings

During the analysis conducted to test hypotheses 1 and 2, it was found that two other variables, gender and scenario, are statistically significant. Table 4.6 shows the odds ratio for gender indicates that when holding all other variables constant, a man is .73 times less likely to be willing to find the suspect guilty. The odds ratio for scenario indicates that when holding all other variables constant, those receiving the violent crime scenario are .69 times less likely to be willing to find the suspect guilty. To help understand the influence of these variables on the willingness to find the suspect guilty, the following tables have been created using the same logistic regression model from above (Table 4.6).

Table 4.13

	Gender	
	Female	Male
Willing	61%	53%
Not Willing	39%	47%

(Potential juror receiving the non-violent scenario, watches an average of 2.8 hours of forensic crime television, and has completed no justice-based courses)

Table 4.13 takes the profile of the “average” potential juror and shows differences by gender. The profile above is looking at that of the average viewer (2.8 hours) that has completed no justice classes, and received the non-violent scenario. It shows that female respondents are more willing to find the suspect guilty than male respondents. It shows approximately an 8% difference. The model does show gender as being statistically significant (Table 4.6).

Table 4.14

	Scenario	
	Non-Violent	Violent
Willing	61%	52%
Not Willing	39%	48%

(Potential juror that is female, watches on average 2.8 hours of forensic crime television, and has completed no justice-based courses)

Table 4.14 again takes the profile of the “average” potential juror and shows differences by scenario. The profile is looking at a female that is an average viewer (2.8 hours) and has taken no justice classes. It shows that respondents receiving the violent crime scenario are less willing to find the suspect guilty. The model shows that the independent variable of scenario is statistically significant. It shows approximately a 9% difference. The difference in scenario appears meaningful. All else being similar in a case involving only circumstantial and eyewitness evidence, the crime itself, violent versus non-violent, may affect a potential juror’s (student’s) willingness to find them guilty.

It is also important to look at the relationship (if any) between the two dependent variables analyzed in this study. To do so, a chi-square test is used. The dichotomous variables of viewership and expectation are examined. Table 4.15 and 4.16 show the results of a cross tabulation and chi-square tests for these variables. The results show there is not a statistically significant relationship between willingness to find guilt and expectation of forensic evidence.

Table 4.15

Willingness(Binary) * Expectation(Binary) Crosstabulation

		Expectation		Count a n (%)
		Would Not	Would	
		%	%	
Willingness	Not Willing	28	27	432 (28)
	Willing	72	73	1140 (73)

a. May not total 100% due to rounding

Table 4.16

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	.048a	1	0.827
Continuity Correction ^b	0.023	1	0.88
Likelihood Ratio	0.047	1	0.828
Linear-by-Linear Association	0.048	1	0.827
N of Valid Cases	1572		

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 98.38.

b Computed only for a 2x2 table

Summary of Results

From the results of the data collected in this study, it does not appear that viewership of forensic crime television influences a potential juror's (student's) decision to find a suspect guilty or not guilty. After controlling for viewership, it appears that the number of justice-based classes completed by the potential juror (student) does influence their decision to find the suspect guilty. As the number of completed courses increases, the willingness of the potential juror to find the suspect guilty decreases. The analysis shows that gender and the type of scenario (violent versus non-violent) may influence willingness to find the suspect guilty as well. Females are more willing to find the suspect guilty and males are less likely. Those exposed to violent crime scenarios may be less willing to find the suspect guilty with only eyewitness and circumstantial evidence presented. It also appears that potential jurors (students) are more likely to expect forensic evidence at trial for a violent crime rather than a non-violent crime.

Table 4.17
Summary of Findings

Hypothesis 1

Higher levels of viewership of forensic crime television shows **do not** significantly affect a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

Hypothesis 2

After controlling for exposure, potential jurors (students) who have completed more justice-based courses have **decreased** willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

Hypothesis 3

There is a **higher** expectation for forensic evidence after reading the violent crime scenario than after reading the non-violent crime scenario.

Chapter 5: Discussion and Conclusions

Introduction

The focus of this chapter is to discuss the relevance of the analysis and provide recommendations for further research. The purpose of this study is to better understand the relationship exposure to forensic crime television has on a potential juror's (student's) willingness to find a suspect guilty without forensic evidence being presented at trial. This study also looks at a potential juror's expectation of forensic evidence being presented at trial based upon this exposure. Additional predictors for willingness to find a suspect guilty and expectation of forensic evidence being presented at trial were also examined. Some of the predictors the study focused on included the number of justice-based classes completed, gender, and the type of crime scenario (violent versus non-violent) the potential juror received.

The theoretical foundation for this study is based upon that of social constructionism. As discussed in much greater detail in Chapter Two, social constructionism is the idea that people combine experienced reality with symbolic reality to create a socially constructed reality (Surette, 2011). Knowledge is created by an individual's interaction with society (Schwandt, 2003). People gain some knowledge from first hand accounts (experience) and gain some knowledge through other sources (symbolic). These symbolic sources may include other people, books, media, and television. These experiences and symbolic sources create a person's perceived reality. This perceived reality might influence juror decision-making. This study looked at specific variables that may contribute to a potential jurors socially constructed reality.

Methods and Data

This study utilized a quantitative approach within a cross-sectional research design. A survey instrument utilizing fictitious crime scenarios was developed to collect data (Appendix

A). The focus of the crime scenarios was to provide the respondent with a crime scenario that involved only circumstantial and eyewitness evidence. There was purposely no mention of forensic evidence being collected or analyzed. IRB approval was obtained and the survey was piloted. After the pilot and committee review, small changes were made and the survey was distributed. 1652 surveys were completed by undergraduate students during data collection and entered into SPSS. Once data cleaning and case selection was completed, 1572 cases were used in the analysis. Descriptive and regression analysis was used to analyze the variables.

The dependent variables for this study are willingness to find the suspect guilty and expectation of forensic evidence. The independent variables for this study include viewership of forensic crime television shows, the number of justice related courses the respondent has completed, the scenario itself (violent versus non-violent), race, academic major, and class rank. Control variables include age, gender, and criminal history. The final sample for analysis only included those that reported to be jury eligible. Jury eligible students are those students that are United States citizens, at least eighteen years of age, speak English, and have not been convicted of a felonious crime.

The overall demographics of the respondents show that most respondents were white (84%) versus non-white (16%), and had a mean age of 20.3 with a range of 18 to 61. Responses show that the large majority had never served on a jury (98%), are not justice majors (86%), and had not previously been charged with a crime (94%). The survey covered all class ranks by showing that 28% were freshmen, 25% were sophomores, 26% were juniors, and 21% were seniors. It also shows that most respondents had never completed a justice related class (59%). Only 8.7% had completed 5 or more justice classes.

Additional descriptives show that the majority of respondents are somewhat willing to find the suspect in the scenarios guilty (58%), probably would expect forensic evidence to be presented at trial (39%), and report watching a minimal amount (1 to 3 hours) of forensic crime related television per week (39%). The average viewership reported is 2.8 hours per week. All frequencies and descriptive outputs for each variable are reported in Appendices C and D respectively. Further analysis revealed that the number of justice related courses, the type of scenario, and gender were statistically significant.

Major Findings

Utilizing the analysis discussed in Chapter Four, it does not appear that viewership of forensic crime television influences a potential juror's (student's) decision to find a suspect guilty or not guilty. However, after controlling for viewership, it appears that the number of justice-based classes completed by the potential juror (student) does influence their willingness to find the suspect guilty. As the number of completed courses increases, the willingness of the potential juror to find the suspect guilty decreases. Increased justice-based education appears to make potential jurors more critical of circumstantial and eyewitness evidence based scenarios when there is no mention of forensic evidence.

The analysis also shows that gender and the type of scenario (violent versus non-violent) may influence willingness to find the suspect guilty as well. Females are more willing to find the suspect in these scenarios guilty. Males are less likely to find the suspect guilty. Those exposed to the violent crime scenario were less willing to find the suspect guilty with only eyewitness and circumstantial evidence presented. It was also found that potential jurors (students) are more likely to expect forensic evidence at trial involving a violent crime scenario rather than a non-

violent crime scenario. There appears to be no correlation between the expectation of forensic evidence being presented and willingness to find the suspect guilty.

Discussion

Hypothesis 1: Higher levels of viewership of forensic crime television shows decreases a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

This study shows that viewership of forensic crime based television **does not** affect a potential juror's willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented. This supports previous findings from Kim, Barak, and Shelton (2009). They found that exposure to CSI-type dramas had no significant effect on jurors' decisions to convict a suspect.

This study does show that gender, education, and type of scenario (violent crime versus non-violent crime) does affect a potential juror's (student's) willingness to find a suspect guilty in the absence of forensic evidence. This study shows that females are more willing to find a suspect guilty than males. Kim et al. (2009) had the opposite finding. They found that males were more likely to convict on eyewitness evidence than females. This study finds conflicting evidence to gender differences in juror willingness to find a suspect guilty. At this time, it appears the effect gender has upon jury willingness to find a suspect guilty is plausible, but inconclusive.

Social constructionism suggests that individuals develop their own socially constructed reality through first hand experience and exposure to information not directly experienced. There is no new evidence to suggest that television is still not the most influential medium in the United States. This study suggests that for most people, exposure to forensic crime related

television does not influence their willingness to find a suspect guilty or not guilty. However, the amount of anecdotal evidence found in the literature suggests that there are some individuals that are going to be influenced by what they see on television. Television is a powerful source of symbolic reality and may play a large role in an individual's socially constructed reality.

Hypothesis 2: After controlling for exposure, potential jurors (students) who have completed more justice-based courses have increased willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented.

This study shows that an increase in justice-based education (number of completed justice-based courses) decreases the willingness of potential jurors to find a suspect guilty when only circumstantial and eyewitness evidence is presented. This is in direct contradiction to the original hypothesis. The hypothesis was drawn from the simple assumption that those with more justice-based education would utilize the combination of eyewitness and circumstantial evidence to find the suspect guilty. The finding of those with more education being less willing to find a suspect guilty is consistent with the findings of Kim et al. in 2009. They found that jurors with lower levels of education were more willing to convict a suspect in circumstantial cases versus jurors with higher levels of education. They did not specifically look at justice-based education as this study has done.

Hypothesis 2 was also developed to address one of the areas needing further exploration pointed out by Shelton, Kim, and Barak (2006). They stated their findings might not be clear due to other variables, such as knowledge of the criminal justice system. Knowledge of the criminal justice system was collected by asking respondents how many justice-based courses they had completed. The assumption is made that those who have completed more justice-based

courses have a better understanding of the justice system than those who have not completed as many justice-based courses.

It appears higher levels of education, and even more specific, justice-based education, makes potential jurors' more critical of circumstantial and eyewitness evidence when forensic evidence is not presented. As is taught in criminal justice programs and is accepted fact, eyewitness identification is at times not reliable (Wells & Olson, 2003). The criminal justice system still heavily relies upon eyewitness identification. Recent cases involving exoneration from DNA evidence have collaborated these concerns (Wells & Olson, 2003). Therefore, it is reasonable to believe that those potential jurors with more education are likely to be more critical of cases involving only eyewitness information without collaborating forensic evidence.

This relates directly to the power of symbolic reality within the social constructionist framework. Education and media exposure about the pitfalls of eyewitness evidence may contribute to the socially constructed reality a potential juror brings with them to the jury box. In this case, the juror becomes more critical with added knowledge, although not experienced knowledge. Although this study does not specifically isolate exposure to information and learning about eyewitness evidence, reasonable assumptions can be made that those with higher levels of justice-based education have more likely been exposed to this information than those without. This therefore gives credence to the idea that exposure to information, through media or formal education, may change the behavior of a potential juror.

Hypothesis 3: There is a higher expectation for forensic evidence after reading the violent crime scenario than after reading the non-violent crime scenario.

Findings from this study support the hypothesis that there is a higher expectation for forensic evidence to be presented at trial for the violent crime scenario versus the non-violent

crime scenario. This finding is also consistent with Shelton, Kim, and Barak's (2006) findings. They found that as the seriousness of the crime increased, so did the expectation for scientific evidence being presented. However, they did conclude that this increase in expectation was only marginal. In this study, it was found that there was a 10% increase in expectation of evidence for the violent crime scenario over the non-violent crime scenario. See Table 4.11.

In 2006, Shelton et al. also reported that 46.3% of the respondents to their survey expected to see scientific evidence presented in every criminal case. This study shows that 77% of all of the respondents had some level of expectation of forensic evidence being presented at trial. See Table 4.11. This is fascinating as it has been less than a decade of time between the studies and there appears to be a significant increase. Of course, methodology and data collection may account for some of this. In addition, the demographics for each of these studies are different, especially when it comes to age. The mean age for this study is 20 years of age and the mean age for Shelton et al. study is 45 years of age. Although not conclusive, the difference in these two studies suggest that the younger generation of potential jurors may appear to have a higher expectation of forensic evidence being presented at trial.

This finding also supports Mann's (2006) belief that witnesses may have a lesser role in today's trials. Television has taught potential jurors about DNA but not when to use it in criminal trials (Mann, 2006). Most, 77%, of the respondents in this study expected forensic evidence to be presented. In both the violent and non-violent crime scenario, there was arguably no realistic opportunity for forensic evidence to be used to identify the perpetrator. In real life, fingerprints or DNA would not be an option. However, it is apparent that many people today expect this type of evidence. Fortunately, as this study suggests, there is no significant correlation to willingness and expectation. This also supports Holmgren and Fordham's (2011)

finding that juries do want to know why forensic evidence was not presented at trial, but will still carefully weigh all of the other evidence, including eyewitness evidence.

Other Findings

This study also shows that the type of crime (crime scenario) affects an individual's willingness to find a suspect guilty. This study suggests that potential juror's are less willing to find a suspect guilty of a violent crime than of a non-violent crime in the absence of forensic evidence. There are a couple plausible thought processes that may explain this from the scenarios used. The first is that there may be the assumption that there would be an increased penalty associated with the violent crime versus a non-violent crime. Therefore, individuals may require a higher burden of proof to find guilt. The second is that the violent crime scenario may offer additional opportunity to provide forensic evidence linking the suspect to the crime. However, as this scenario was purposely crafted, in reality, there is little to no opportunity for forensic evidence to be used to link the suspect to the crime in the violent crime scenario. Only the eyewitness evidence and circumstantial evidence discussed could be reasonably used for this. This gives more plausibility to the first thought process of that if there is a possibility of increased punishment, there may be a higher burden of proof necessary. It must be reiterated, this was not the focus of the study and this was not specifically addressed in the research. It would be an interesting area to explore in future research.

Public Policy Implications

Criminal justice and the administration of justice is a focus of public policy. It is a responsibility of government. The justice system has a responsibility to ensure justice for those accused of a crime and for the victims of crime. Government has a responsibility to protect its citizens. Justice and public safety is a public policy concern.

This study took a practitioner-based approach to the question of how forensic crime television viewership may affect those making justice-based decisions. It specifically looked at potential jurors. Jurors are justice decision-makers. Since the criminal justice system places a high level of responsibility on jurors, it is important to understand what variables may influence their decision-making.

Intelligent questioning of jurors during the voir dire process can be a critical component of the jury process. The information gained through this study may assist with more intelligent questioning of potential jurors during the voir dire process. As Cole and Dioso-Villa (2007) point out, some of the measures to counteract the existing beliefs about the CSI Effect include questioning jurors about television viewing during the voir dire process, explaining why forensic evidence is absent or not needed during opening and closing statements, and calling experts to testify why forensic evidence was not found. Cole and Dioso-Villa (2007) found some defense attorneys readily admitted to exploiting the CSI Effect.

Trial attorneys should not focus on the number of hours of forensic crime related television jurors' watch. Television or media coverage of the specific case they are about to try is a different concern not specifically addressed in this study. Trial attorneys will also benefit from understanding the young generation of jurors that is starting to show up in the jury box. They have a higher expectation of forensic evidence being used or discussed at trial. However, it does appear that they are able to put this aside and focus on a totality of the circumstances. It is beneficial for judges, attorneys, and law enforcement officers to understand that expectation of forensic evidence is not correlated to their willingness to find a suspect guilty.

As a policy concern, the recommendation is not to change current policy or enact new policy as it relates to the CSI Effect. As is quite often seen in the public policy arena, policy

makers want to take action before completely understanding the scope of a problem or even understanding if a problem truly exists. Although this study does not definitely disprove the existence of a CSI Effect, it does support other findings that the amount of forensic crime television a potential juror watches does not likely influence their willingness to find a suspect guilty. No new policies to combat the so-called CSI Effect need to be implemented.

One additional area of public policy focus in this study is that of education policy. This study looked at how increased justice education may influence a juror's willingness to find a suspect guilty. This study found that an increase in justice-based education decreased a potential juror's willingness to find a suspect guilty when only circumstantial and eyewitness evidence is available. It appears that those who have been exposed to more justice-based courses are more critical of circumstantial and eyewitness evidence when forensic evidence is not presented. It is important for policy makers and practitioners to understand how education affects justice outcomes. This is finding that educators may want to discuss further in the academic arena.

Recommendations for Juror Selection

The findings from this study may help trial attorneys better prepare for the voir dire process by understanding the jury pool a little better. This study found that those potential jurors with higher levels of education, specifically justice-based education, were less likely to find the suspect in the scenarios guilty. Therefore, defense attorneys may want to select those jurors with higher levels of education, especially justice-based education, for primarily circumstantial cases. It appears that potential jurors with higher levels of education are more critical of circumstantial and eyewitness evidence.

The opposite would be true for prosecutors of circumstantial evidence cases. This study found that those potential jurors with less education were more likely to find the suspect in these

scenarios guilty. It appears they may put more value in circumstantial and eyewitness evidence. Prosecutors may want to focus on selecting jurors with less formal justice education. However, this may be a difficult concept to defend.

In regards to jury selection, this study did find a difference in gender. This study found that potential female jurors were more willing to find the suspect guilty from the scenarios. Male respondents were less likely to find the suspect guilty. However, this finding is in contrast to previous findings (Kim et al., 2009). The finding of gender differences in this study may have been influenced by the gender of the victim in the scenarios. The victim was female. This may have affected female respondents. This is an area that could be explored further and was not specifically addressed in this study. With these findings in mind, no recommendations for jury selection based upon gender can be reasonably made from this study.

This study did not find evidence that selecting jurors based upon forensic crime related television viewership has a significant effect on decision making. Viewership of forensic crime television does not appear to significantly affect a potential jurors willingness to find a suspect guilty. Trial attorneys may want to focus on other areas of concern. Overall, the information gained in this study may aid trial attorneys in the intelligent questioning of jurors.

Conclusions

Television is one of the most influential mediums in the United States. It is influential because it projects realistic images into the homes of viewers (Mann, 2006). Many of the images are fictitious. A problem occurs when people believe that these realistic, but fictitious, images are reality. This study suggests that this should not be a great concern for the American jury system. Consistent with previous findings from Kim, Barak, and Shelton (2009), exposure to

forensic crime television does not appear to be a significant predictor of a juror's willingness to find a suspect guilty.

It does not appear that viewership of forensic crime based television has an effect on a potential juror's (student's) willingness to find a suspect guilty when only circumstantial and eyewitness evidence is presented. However, it does appear that expectations for forensic evidence being presented at trial vary for violent versus non-violent types of crimes. Although viewership of forensic crime television does not affect a juror's willingness to find a suspect guilty, this study finds that gender, justice-based education, and type of crime may affect a juror's willingness to find a suspect guilty. Females were more willing to find the suspect guilty than males were. Those who completed a greater number of justice-based courses were less willing to find the suspect guilty. Also, those given the violent crime scenario were less willing to find the suspect guilty than those who were given the non-violent crime scenario. Again, these findings involved crime scenarios that involved no forensic evidence, only eyewitness and circumstantial evidence.

In the American system, jurors are asked to find a suspect guilty or not guilty. There is no in-between, or scale for guilt. Jurors are requested to give a binary response, guilty or not guilty. As found in this study, most respondents expected forensic evidence to be presented at trial, however; it appears this expectation did not affect their willingness to find the suspect guilty. Again, there appears to be no significant correlation between willingness and expectation. With this in mind, the researcher suggests that future CSI Effect studies focus more on juror outcomes (willingness) versus a juror's expectation of forensic evidence. This study finds that expectation does not predict willingness, and therefore is the wrong question to focus on when exploring the practical impact of crime related television upon juror decision-making.

This study reduces the gap in the knowledge of how forensic crime television exposure affects jury decision-making. It improves upon limitations of sample size and variable measurement of previous studies. This study included 1572 jury eligible participants. It also measured viewership of forensic crime television at the ratio level. Previous studies used ambiguous scales. It specifically looks at the youngest generation of jurors. Knowledge gained from this study may aid justice practitioners in the administration of justice.

Recommendations

As with most studies, there are limitations. The greatest limitation with this study is that of generalizability. The geographic location of the participants, age range, and other demographic characteristics limit the generalizability of the findings. Additionally, the types of participants used, students versus community members, may affect generalizability. Selection bias is also a factor, as a convenience sample was used. Some students within the population never had an opportunity to participate. However, the large sample size helps to overcome some of these limitations.

This study used a cross-sectional versus a longitudinal design, which is also a limitation. This cross-sectional design did not allow the researcher to capture changes of willingness or expectation over time. This study only captured the information at one point in time. It did not track students throughout an academic career. Cost, time, and feasibility were considered.

A few recommendations can be made to overcome some of these limitations in future research. This study could reasonably be replicated and include a more diverse community population. The population for this study was rather homogeneous. There was little variance in age, race, geographic location, or status (all were college students). It would be recommended to

replicate this study with community members in a less isolated urban environment and compare results.

In regards to future CSI Effect research, the primary recommendation of the researcher is to change the question. Previous literature focused on the expectation of forensic evidence being presented at trial. While it may be interesting, this study suggests that expectation is not related to a juror's willingness to find a suspect guilty. Therefore, expectation of forensic evidence is not consequential in the decision-making process. Research should focus on understanding what affects a juror's willingness to find a suspect guilty. Although this study finds that viewership of forensic crime television does not affect their willingness, it does find that the type of crime, the juror's gender, and their education affects their willingness. These and other factors should be further explored.

References

- Alexander, A. & Hanson, J. (2013). *Taking Sides: Clashing Views in Mass Media and Society*. New York, NY: McGraw-Hill.
- Andreasen, A.R. (2002), Marketing social marketing in the social change marketplace. *Journal of Public Policy and Marketing*, 21(1), 3-13.
- Beauregard, E. & Bouchard, M. (2010). Cleaning up your act: Forensic awareness as a detection avoidance strategy. *Journal of Criminal Justice*, 38, 1160-1166.
- Berger, P. & Luckmann, T. (1991). *The social construction of reality*. London: Penguin Books.
- Bergslien, E. (2006). Teaching to avoid the “CSI effect”. *Journal of Chemical Education*, 83, 690-691.
- Bickerstaff, K. & Walker, G. (2003). The place(s) of matter: matter out of place – public understandings of air pollution. *Progress in Human Geography*, 27(1), 45-67.
- Bing, R. L. (2010). *Race, Crime, and the Media*. New York, NY: McGraw-Hill.
- Bornstein, B. H. (1999). The ecological validity of jury simulations: Is the jury still out? *Law and Human Behavior*, 23, 75–91.
- Brewer, P. (2010). Media use and public perceptions of DNA evidence. *Science Communication*, 32(1), 93-117.
- Brickell, W. (2008). Is it the CSI effect or do we just distrust juries? *Criminal Justice*, 23(10), 11-17.
- Catalani, R. (2006). A CSI writer on the CSI effect. *Yale Law Journal Pocket Part*, 115, 76-78.
- Cavender, G. & Deutsch, S. K. (2007). CSI and moral authority: The police and science. *Crime, Media, Culture*, 3(1), 67-81.
- Cole, S. A., & Dioso-Villa, R. (2007). CSI and its effects: Media, juries, and the burden of proof. *New England Law Review*, 41, 435-469.
- Cole, S. A., & Dioso-Villa, R. (2009). Investigating the "CSI effect" effect: Media and litigation crisis in criminal justice. *Stanford Law Review*, 61, 1335-1374.

- Cooley, C. M. (2006). The CSI-effects: Its impact and potential concerns. *New England Law Review*, 41, 471-502.
- Davidson, D. J. & Frickel, D. S. (2004). Understanding Environmental Governance: A Critical Review. *Organization and Environment*, 17(4), 471-490.
- DeTardo-Bora, K. A. (2009). Criminal justice 'hollywood style': How women in criminal justice professions are depicted in prime-time crime dramas. *Women Criminal Justice*, 19(2), 153-168.
- Deutsch, S. K., & Cavender, G. (2008). Csi and forensic realism. *The Journal of Criminal Justice and Popular Culture*, 15(1), 34-53.
- Dowler, K. (2002). Media influence on citizen attitudes toward police effectiveness. *Policing and Society*, 12(3), 227-238.
- Dowler, K. (2007). Introduction to the special issue: Media criminology in the television world. *Journal of Criminal Justice and Popular Culture*, 14(3), 237-242.
- Duncan v. Louisiana, 391 U.S. 145 (1968).
- Edgerton, G. R. (2007). *The Columbia History of American Television*. New York, NY: Columbia University Press.
- Elliot, W. R., & Rosenberg, W. L. (1987). Media exposure and beliefs about science and technology. *Communication Research*, 14(2), 164-188.
- Farrell, A. & Givelber, D. (2010). Liberation Reconsidered: Understanding why judges and juries disagree about guilt. *Journal of Criminal Law and Criminology*, 100(4), 1549-1586.
- Federal Bureau of Investigation. (2012). Crime in the United States, 2011. Retrieved from <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011>.
- Feigenson, N. & Park, J. (2006). Emotions and Attributions of Legal Responsibility and Blame: A Research Review. *Law and Human Behavior*, 30, 143-161.
- Friedland, L. A. & McLeod, J. M. (1999). Community integration and mass media: A reconsideration. In D. Demers & K. Viswanath (Eds.), *Mass media, social control, and social change: A macrosocial perspective* (pp. 197-226). Ames: Iowa State University Press.
- Ghoshray, S. (2006). CSI and its effects: Circumstantial evidence, reasonable doubt, and jury manipulation. *New England Law Review*, 41, 533-562.

- Hannigan, J. A. (1995). *Environmental sociology: A constructionist perspective*. New York: Routledge.
- Harrington, E. (2007). Nation, identity and the fascination with forensic science in Sherlock Holmes and CSI. *International Journal of Cultural Studies*, 10(3), 365-382.
- Harnick, C. (2012, June 14). Most-Watched TV Show In The World Is 'CSI: Crime Scene Investigation'. *Huffington Post*. Retrieved from http://www.huffingtonpost.com/2012/06/14/most-watched-tv-show-in-the-world-csi_n_1597968.html.
- Harriss, C. (2011). The Evidence Doesn't Lie: Genre Literacy and the CSI Effect. *Journal of Popular Film and Television*, 39(1), 2-11.
- Haslanger, S. (1995). Ontology and Social Construction. *Philosophical Topics*, 23(2), 95-125.
- Heller, F. (2001). On the integration of the social sciences. *Human Relations*, 54(1), 49-56.
- Holmgren, J. A. & Fordham, J. (2011). CSI effect and the Canadian and the Australian jury. *Journal of Forensic Sciences*, 56(S1) 63-71.
- Hughes, T. & Magers, M. (2007). The perceived impact of crime scene investigation shows on the administration of justice. *The Journal of Criminal Justice and Popular Culture*, 14(3), 259-276.
- Jasanoff, S. (1996). Is Science Socially Constructed – And Can It Still Inform Public Policy? *Science and Engineering Ethics*, 2, 263-276.
- Jenkins, H. (2006). *Fans, bloggers, and Gamers*. New York, NY: NYU Press.
- Jones, R., and Bangert, A. (2006). The "CSI" effect: Changing the face of science. *Science Scope*, 30(3), 38-42.
- Kim, Y. S., Barak, G., & Shelton, D. E. (2009). Examining the "CSI-effect" in the cases of circumstantial evidence and eyewitness testimony: Multivariate and path analyses. *Journal of Criminal Justice*, 37(5), 452-460.
- Kovera, M. B. (2002). The effects of general pretrial publicity on juror decisions: An examination of moderators and mediating mechanisms. *Law and Human Behavior*, 26(1), 43-72.
- Kruse, C. (2010). Producing absolute truth: CSI science as wishful thinking. *American Anthropologist*, 112(1), 79-91.
- Lawson, T. F. (2009). Before the verdict and beyond the verdict: The CSI infection within modern criminal jury trials. *Loyola University Chicago Law Journal*, 41, 119-173.

- Leshowitz, B. & Okun, M. (2011). Effects on an evidence-based text on skepticism, methodological reasoning, values and juror decision-making. *Educational Psychology*, 31(3), 319-337.
- Lieberman, J. D., Krauss, D. A., & Wiener, R. L. (2011). Preface to “When Does Sample Matter in Juror Decision-Making Research? Differences Between College Student and Representative Sample Jurors”. *Behavioral Sciences and the Law*, 29, 325-327.
- Machado, H. & Santos, F. (2011). Popular press and forensic genetics in Portugal: Expectations and disappointments regarding two cases of missing children. *Public Understanding of Science*, 20(3), 303-318.
- Mallon, R. (Winter 2008). Naturalistic Approaches to Social Construction. *The Stanford Encyclopedia of Philosophy*. Edward N. Zalta (ed.), Retrieved from: <http://plato.stanford.edu/archives/win2008/entries/social-construction-naturalistic/>.
- Mann, M. D. (2006). The ‘CSI-effect’: Better jurors through television and science? *Buffalo Public Interest Law Journal*, 24, 157-183.
- Manovich, L. & Durlak, J. (2002). The language of new media. *Canadian Journal of Communication*, 27(1), 101-104.
- McCabe, J. G., Krauss, D. A., & Lieberman, J. D. (2010). Reality Check: A Comparison of College Students and a Community Sample of Mock Jurors in a Simulated Sexual Violent Predator Civil Commitment. *Behavioral Sciences and the Law*, 28, 730-750.
- Meadows, R. J. & Kuehnel, J. (2005). *Evil Minds: Understanding and Responding to Violent Predators*. Upper Saddle River, NJ: Pearson Prentice Hall.
- Mertens, J. (2006). Smoking gun: When real-life CSI and Hollywood collide. *Law Enforcement Technology*, 33(3), 52-61.
- Miller, M. K., Maskaly, J., Green, M., & Peoples, C. D. (2011). The effects of deliberations and religious identity on mock jurors’ verdicts. *Group Process & Intergroup Relations*, 14(4), 517-532.
- Mopas, M. (2007). Examining the CSI Effect through an ANT lens. *Crime, Media, Culture*, 3(1), 110-117.
- Muraskin, R. & Domash, S. F. (2007). *Crime and the Media: Headlines versus Reality*. Upper Saddle River, NJ: Pearson Prentice Hall.
- Podlas, K. (2002). Should we blame judge jury? the messages TV courtrooms send viewers. *Judicature*, 86(1), 38-43.

- Podlas, K. (2006). CSI effect: Exposing the media myth. *Fordham Intellectual Property, Media And Entertainment Law Journal*, 16, 429-465.
- Raguragavan, G. & Hanley, N. (2009). Reality television (Supernanny): a social marketing “place” strategy. *Journal of Consumer Marketing*, 26(5), 311-319.
- Reiner, R., Livingstone, S., Allen, J. (2003) From Law and Order to Lynch Mobs: Crime News Since the Second World War” In P. Mason, (ed) *Criminal Visions: Media Representations of Crime and Justice*, 13-32. Portland: Willan Publishing.
- Robbers, M. (2008). Blinded by science: The social construction of reality in forensic television shows and its effect on criminal jury trials. *Criminal Justice Policy Review*, 19(1), 84-102.
- Schweitzer, N. J., & Saks, M. J. (2007). The ‘CSI-effect’: Popular fiction about forensic science affects the public's expectations about real forensic science. *Jurimetrics*, 47, 357-364.
- Shelton, D., Kim, Y. S., & Barak, G. (2006). Study of juror expectations and demands concerning scientific evidence: Does the "CSI effect" exist? *Vanderbilt Journal of Entertainment and Technical Law*, 9(2), 331-368.
- Shelton, D. (2008). 'CSI effect': Does it really exist? *NIJ Journal*, 259, 1-7.
- Smallwood, S. (2002). As Seen on TV: CSI and The X-Files Help Build Forensics Programs. *Chronicle of Higher Education*, 48(45), 1-4.
- Stevens, D. (2008). Forensic science, wrongful convictions, and American prosecutor discretion. *Howard Journal of Criminal Justice*, 47(1), 31-51.
- Surette, R. (2011). *Media, Crime, and Criminal Justice: Images, Realities, and Policies (4th)*. Belmont, CA: Wadsworth.
- Surette, R. & Otto, C. (2002). A test of a crime and justice infotainment measure. *Journal of Criminal Justice*, 30, 443-453.
- Schwandt, T. A. (2003). Three epistemological stances for qualitative inquiry: Interpretativism, hermeneutics and social constructionism. In N. K Denzin & Y. S. Lincoln (Eds.), *The landscape of qualitative research: Theories and issues* (pp. 292-331). Thousand Oaks, CA: Sage.
- Thomas, A. P. (2006). The CSI-effect: Fact or fiction. *Yale Law Journal Pocket Part*, 115, 70-72.
- Tyler, T. (2006). Viewing CSI and the threshold of guilt: Managing truth and justice in reality and fiction. *The Yale Law Journal*, 115(5), 1050-1085.

- Weaver, D. H. & Vilhoit, G. C. (1991). *The American Journalist: A Portrait of U.S. News People and the Their Work*. United States of America: Indiana University Press.
- Wells, G. L. & Olson, E. A. (2003). Eyewitness Testimony. *Annual Review of Psychology*, 54, 277-295.
- Wilson, F. & Tagg, S. (2010). Social constructionism and personal constructivism, getting the business owner's view on the role of sex and gender. *International Journal of Gender and Entrepreneurship*, 2(1), 68-82.
- Wu, Y. (2010). College students' evaluation of police performance: A comparison of Chinese and Americans. *Journal of Criminal Justice*, 38(4), 773-780.

Appendix A: Survey

Please read the entire scenario, including the statements at the bottom. Then complete the 13 questions on the back.

During the afternoon of Friday, January 4th, Ms. Smith was home alone in her house. Her stand alone, two-story house is in a relatively quiet, suburban neighborhood. Around 1 p.m. she walked outside to go to her car. As she walked towards her car, an unknown male ran up to her and struck her in the head with a brick. She yelled for help. The man dropped the brick and ran away. Ms. Smith immediately called the police and told them somebody had just assaulted her and that she was hurt. She described the unknown person as a white male, wearing jeans and a grey sweatshirt.

Approximately ten minutes later, Officer Taylor, who was responding to the call for service, spotted a person walking out of Ms. Smith's neighborhood matching the same description. They were approximately a half-mile from her house. Officer Taylor stopped and detained the man who was identified as Richard Flowers. Mr. Flowers was wearing jeans, boots, and a grey hooded sweatshirt. He was 32 years old. When Officer Taylor asked Mr. Flowers what he was doing in the neighborhood, Flowers stated, "I'm just walking around. I live in the next neighborhood over." Mr. Flowers' identification showed that he did live in the area.

Not being positive that he may have caught the attacker, Officer Taylor, with the assistance of another officer, brought Ms. Smith to where Mr. Flowers was being detained at the entrance to her neighborhood. Once she arrived, Officer Taylor asked if she recognized Mr. Flowers. Ms. Smith immediately said, "Yes, that is the guy that hit me." With this identification, Mr. Flowers was arrested for assault.

As you answer the following questions, please keep these things in mind:

- 1) Assault is the crime of unlawfully touching another, which may result in harm.
- 2) Guilt in the American criminal justice system is defined as "proof beyond a reasonable doubt" not "proof beyond all doubt".
- 3) Pretend you are a juror and have just been presented this case by the prosecutor. Assume the victim and Officer Taylor testified exactly to what was stated above.

Please fill in only one answer per question.

1) After reading this scenario, how willing are you to find the suspect guilty?

Not at all willing Not too willing Somewhat willing Very willing

2) After reading this scenario, would you expect forensic evidence to be presented?
Forensic evidence is any scientific or physical evidence that is presented at trial to help determine the true facts of the case.

Definitely would not Probably would not Probably would Definitely would

3) On average, how many hours of forensic crime related television do you watch in a week? (Examples of forensic crime related television shows include: *CSI*, *NCIS*, *First 48*, *Forensic Files*, *Law and Order*, etc.) _____ hours

4) Have you ever served as a juror? Yes No

5) Are you eligible to serve on a jury? (To be jury eligible, you must be a U.S. citizen, be 18 years of age or older, never have been convicted of a felony, and able to understand English.)

Yes No

6) How old are you? _____ years of age

7) What is your gender? Male Female

8) Please indicate which category best identifies your race or ethnicity?

White Black Hispanic Asian American Indian Bi/Multi Racial Other

9) Have you ever been charged with a criminal offense? (Only include misdemeanor and felony offenses. Do not include minor traffic infractions.)

Yes No

10) What is your class rank?

Freshman Sophomore Junior Senior

11) Are you a public justice or criminal justice major?

Yes No

12) How many public justice, criminal justice, or law related courses have you completed?

0 1 2 3 4 5 or more

13) When considering political affiliation, how would you classify yourself?

Conservative Lean Conservative Moderate Lean Liberal Liberal

Version V-1

**Please read the entire scenario, including the statements at the bottom.
Then complete the 13 questions on the back.**

During the afternoon of Friday, January 4th, Ms. Smith was home alone in her house. Her stand alone, two-story house is in a relatively quiet, suburban neighborhood. Around 1 p.m. she heard a knock at her front door. She decided not to answer the door as she was not expecting company and assumed it was a solicitor. A couple minutes later, she heard a knock at her back door followed by a large bang, as if somebody had kicked in the back door. She ran downstairs and saw an unknown male in her kitchen with her purse in his hand. She yelled for him to leave the house and that she was calling the police. The man dropped the purse and ran away out the same back door. Ms. Smith immediately called the police and told them somebody had just broken into her house. She described the unknown person as a white male, wearing jeans, and a grey sweatshirt.

Approximately ten minutes later, Officer Taylor, who was responding to the call for service, spotted a person walking out of Ms. Smith's neighborhood matching the same description. They were approximately a half-mile from her house. Officer Taylor stopped and detained the man who was identified as Richard Flowers. Mr. Flowers was wearing jeans, boots, and a grey hooded sweatshirt. He was 32 years old. When Officer Taylor asked Mr. Flowers what he was doing in the neighborhood, Flowers stated, "I'm just walking around. I live in the next neighborhood over." Mr. Flowers' identification showed that he did live in the area.

Not being positive that he may have caught the burglar, Officer Taylor, with the assistance of another officer, brought Ms. Smith to where Mr. Flowers was being detained at the entrance to her neighborhood. Once she arrived, Officer Taylor asked if she recognized Mr. Flowers. Ms. Smith immediately said, "Yes, that is the guy that broke into my house." With this identification, Mr. Flowers was arrested for burglary.

As you answer the following questions, please keep these things in mind:

- 1) Burglary is the crime of breaking and entering another person's house with the intent to steal something.
- 2) Guilt in the American criminal justice system is defined as "proof beyond a reasonable doubt" not "proof beyond all doubt".
- 3) Pretend you are a juror and have just been presented this case by the prosecutor. Assume the victim and Officer Taylor testified exactly to what was stated above.

Please fill in only one answer per question.

1) After reading this scenario, how willing are you to find the suspect guilty?

Not at all willing Not too willing Somewhat willing Very willing

2) After reading this scenario, would you expect forensic evidence to be presented?
Forensic evidence is any scientific or physical evidence that is presented at trial to help determine the true facts of the case.

Definitely would not Probably would not Probably would Definitely would

3) On average, how many hours of forensic crime related television do you watch in a week? (Examples of forensic crime related television shows include: CSI, NCIS, First 48, Forensic Files, Law and Order, etc.) _____ hours

4) Have you ever served as a juror? Yes No

5) Are you eligible to serve on a jury? (To be jury eligible, you must be a U.S. citizen, be 18 years of age or older, never have been convicted of a felony, and able to understand English.)

Yes No

6) How old are you? _____ years of age

7) What is your gender? Male Female

8) Please indicate which category best identifies your race or ethnicity?

White Black Hispanic Asian American Indian Bi/Multi Racial Other

9) Have you ever been charged with a criminal offense? (Only include misdemeanor and felony offenses. Do not include minor traffic infractions.)

Yes No

10) What is your class rank?

Freshman Sophomore Junior Senior

11) Are you a public justice or criminal justice major?

Yes No

12) How many public justice, criminal justice, or law related courses have you completed?

0 1 2 3 4 5 or more

13) When considering political affiliation, how would you classify yourself?

Conservative Lean Conservative Moderate Lean Liberal Liberal

Version NV-0

Appendix B: Informed Consent

Informed Consent: Researcher Copy (Please turn this back in.)

The study in which you are about to participate in investigates students' perceptions of criminal cases. The purpose of the research is to examine student perceptions. The experiment is being conducted by Professor Christopher Kopacki.

The study involves an assembly of results from a questionnaire that you, as the participant, will be asked to fill out and return to the experimenter. There are no risks or hazards involved.

The questionnaire should take no longer than 10 minutes to complete. Each person's data in this study will be kept entirely confidential. Your name will not be reported, nor asked for in the questionnaire. The only demographic information that will be reported in the study will be your gender and your ethnicity. Any other data reported will result from the answers you submit in the questionnaire. All results will be reported in the aggregate.

You will not directly benefit from this experiment; however, this study will help others understand student perceptions - on campus.

Your participation is voluntary, and you are free to discontinue participation at any point of the research. You may also decline to answer any or all of the questions in the questionnaire for any reason.

If you have any questions, please contact Professor Christopher Kopacki. If you have any questions about your rights as a research participant, please contact Dr. Friedman, Chair of the Human Subjects Committee, at (315)-312-6381.

I have read the above statement about the purpose and nature of the study, and I freely consent to participate.

Participant's signature Date

This consent form will be kept by the researcher for at least three years beyond the end of the study and was approved by the IRB on 2/25/2013 at SUNY-Oswego.

Appendix C: SPSS Frequencies Outputs

Question 1: Willingness

	Frequency	Percent	Valid Percent	Cumulative Percent
Not at all willing	61	3.9	3.9	3.9
Not too willing	371	23.6	23.6	27.5
Somewhat willing	906	57.6	57.6	85.1
Very Willing	234	14.9	14.9	100
Total	1572	100	100	

Question 2: Expectation

	Frequency	Percent	Valid Percent	Cumulative Percent
Definitely would not	34	2.2	2.2	2.2
Probably would not	324	20.6	20.6	22.8
Probably would	610	38.8	38.8	61.6
Definitely would	604	38.4	38.4	100
Total	1572	100	100	

Question 3: Viewership (Categories)

Number of Hours	Frequency	Percent	Valid Percent	Cumulative Percent
0 (None)	552	35.1	35.1	35.1
1-3 (Minimal)	611	38.9	38.9	74
4-6 (Moderate)	252	16	16	90
7 or more (Heavy)	157	10	10	100
Total	1572	100	100	

Question 3: Viewership

Number of Hours	Frequency	Percent	Valid Percent	Cumulative Percent
0	552	35.1	35.1	35.1
0.25	1	0.1	0.1	35.2
0.26	1	0.1	0.1	35.2
0.5	38	2.4	2.4	37.7
1	198	12.6	12.6	50.3
1.5	39	2.5	2.5	52.7
2	216	13.7	13.7	66.5
2.5	14	0.9	0.9	67.4
3	104	6.6	6.6	74
3.5	7	0.4	0.4	74.4
4	116	7.4	7.4	81.8
4.5	7	0.4	0.4	82.3
5	79	5	5	87.3
5.5	1	0.1	0.1	87.3
6	42	2.7	2.7	90
6.5	1	0.1	0.1	90.1
7	17	1.1	1.1	91.2
7.5	3	0.2	0.2	91.3
8	23	1.5	1.5	92.8
9	9	0.6	0.6	93.4
10	47	3	3	96.4
11	1	0.1	0.1	96.4
12	11	0.7	0.7	97.1
12.5	1	0.1	0.1	97.2
14	3	0.2	0.2	97.4
15	12	0.8	0.8	98.2
16	1	0.1	0.1	98.2
17	1	0.1	0.1	98.3
18	3	0.2	0.2	98.5
20	11	0.7	0.7	99.2
24	4	0.3	0.3	99.4
25	2	0.1	0.1	99.6
28	1	0.1	0.1	99.6
30	1	0.1	0.1	99.7
48	2	0.1	0.1	99.8
100	2	0.1	0.1	99.9
120	1	0.1	0.1	100
Total	1572	100	100	

Question 4: Served as Juror Previously

	Frequency	Percent	Valid Percent	Cumulative Percent
No - 0	1533	97.5	98.1	98.1
Yes - 1	29	1.8	1.9	100
Total	1562	99.4	100	
System Missing	10	0.6		
Total	1572	100		

Question 5: Juror Eligible? (Before Removing Cases)

	Frequency	Percent	Valid Percent	Cumulative Percent
No - 0	65	3.9	3.9	3.9
Yes - 1	1583	95.8	96.1	100
Total	1648	99.8	100	
System Missing	4	0.2		
Total	1652	100		

Question 6: Age

Age	Frequency	Percent	Valid Percent	Cumulative Percent
18	279	17.7	17.8	17.8
19	393	25	25	42.8
20	365	23.2	23.2	66.1
21	275	17.5	17.5	83.6
22	141	9	9	92.5
23	58	3.7	3.7	96.2
24	13	0.8	0.8	97.1
25	6	0.4	0.4	97.5
26	5	0.3	0.3	97.8
27	5	0.3	0.3	98.1
28	4	0.3	0.3	98.3
29	2	0.1	0.1	98.5
30	1	0.1	0.1	98.5
31	2	0.1	0.1	98.7
32	2	0.1	0.1	98.8
35	1	0.1	0.1	98.9
36	3	0.2	0.2	99
38	1	0.1	0.1	99.1
39	3	0.2	0.2	99.3
40	1	0.1	0.1	99.4
43	1	0.1	0.1	99.4
46	1	0.1	0.1	99.5
48	1	0.1	0.1	99.6
49	3	0.2	0.2	99.7
51	1	0.1	0.1	99.8
52	1	0.1	0.1	99.9
54	1	0.1	0.1	99.9
61	1	0.1	0.1	100
Total	1570	99.9	100	
System Missing	2	0.1		
Total	1572	100		

Question 7: Gender

	Frequency	Percent	Valid Percent	Cumulative Percent
Female	804	51.1	51.2	51.2
Male	767	48.8	48.8	100
Total	1571	99.9	100	
System Missing	1	0.1		
Total	1572	100		

Question 8: Race

	Frequency	Percent	Valid Percent	Cumulative Percent
White	1320	84	84.1	84.1
Black	60	3.8	3.8	88
Hispanic	99	6.3	6.3	94.3
Asian	22	1.4	1.4	95.7
American Indian	5	0.3	0.3	96
Bi/Multi Racial	52	3.3	3.3	99.3
Other	11	0.7	0.7	100
Total	1569	99.8	100	
System Missing	3	0.2		
Total	1572	100		

Question 9: Previously Charged with a Crime?

	Frequency	Percent	Valid Percent	Cumulative Percent
No	1471	93.6	94	94
Yes	94	6	6	100
Total	1565	99.6	100	
System Missing	7	0.4		
Total	1572	100		

Question 10: ClassRank

	Frequency	Percent	Valid Percent	Cumulative Percent
Freshman	442	28.1	28.2	28.2
Sophomore	391	24.9	24.9	53.1
Junior	406	25.8	25.9	78.9
Senior	331	21.1	21.1	100
Total	1570	99.9	100	
System Missing	2	0.1		
Total	1572	100		

Question 11: Justice Major?

	Frequency	Percent	Valid Percent	Cumulative Percent
No	1342	85.4	85.8	85.8
Yes	223	14.2	14.2	100
Total	1565	99.6	100	
System Missing	7	0.4		
Total	1572	100		

Question 12: Number of Justice Classes Completed

Number of Classes	Frequency	Percent	Valid Percent	Cumulative Percent
0	927	59	59	59
1	313	19.9	19.9	78.9
2	111	7.1	7.1	86
3	54	3.4	3.4	89.4
4	30	1.9	1.9	91.3
5 or more	136	8.7	8.7	100
Total	1571	99.9	100	
System Missing	1	0.1		
Total	1572	100		

Question 14: Scenario

	Frequency	Percent	Valid Percent	Cumulative Percent
Non-Violent	787	50.1	50.1	50.1
Violent	785	49.9	49.9	100
Total	1572	100	100	

Appendix D: SPSS Descriptives Output

Descriptive Statistics

Question	Variable	N	Minimum	Maximum	Mean	Std. Deviation
1	Willingness	1572	1	4	2.84	0.716
2	Expectation	1572	1	4	3.13	0.812
3	Viewership	1572	0	120	2.8085	6.10961
4	Juror	1562	0	1	0.02	0.135
5	JurorEligible	1572	1	1	1	0
6	Age	1570	18	61	20.31	3.261
7	Gender	1571	0	1	0.49	0.5
8	Race	1569	1	7	1.43	1.169
9	Charged	1565	0	1	0.06	0.238
10	ClassRank	1570	1	4	2.4	1.107
11	JusticeMajor	1565	0	1	0.14	0.35
12	CJ_Classes	1571	0	5	0.95	1.534
	Scenario	1572	0	1	0.5	0.5
	Valid N (listwise)	1540				

Appendix E: SPSS Logistic Regression Output (Preliminary Model)

Case Processing Summary

Unweighted Cases ^a		N	Percent
Selected Cases	Included in Analysis	1540	98
	Missing Cases	32	2
	Total	1572	100
Unselected Cases		0	0
Total		1572	100

a. If weight is in effect, see classification table for the total number of cases.

Dependent Variable Encoding

Original Value	Internal Value
Not Willing	0
Willing	1

Block 0: Beginning Block

Classification Table^{a,b}

	Observed		Predicted		Percentage Correct
			Willing Binary Not Willing	Willing	
Step 0	Willing Binary	Not Willing	0	421	0
		Willing	0	1119	100
Overall Percentage					72.7

a. Constant is included in the model.

b. The cut value is .500

Variables in the Equation

		B	S.E.	Wald	df	Sig.	Exp(B)
Step 0	Constant	0.978	0.057	292.332	1	0	2.658

Variables not in the Equation

		Score	df	Sig.	
Step 0	Variables	Viewership	2.71	1	0.1
		Juror	5.233	1	0.022
		Age	6.823	1	0.009
		Gender	8.337	1	0.004
		RaceBinary	1.687	1	0.194
		Charged	1.399	1	0.237
		ClassRank	6.177	1	0.013
		JusticeMajor	4.211	1	0.04
		CJ_Classes	10.555	1	0.001
	Scenario	12.604	1	0	
Overall Statistics		43.099	10	0	

Block 1: Method = Enter

Omnibus Tests of Model Coefficients

		Chi-square	df	Sig.
Step 1	Step	42.345	10	0
	Block	42.345	10	0
	Model	42.345	10	0

Model Summary

Step	-2 Log likelihood	Cox & Snell R Square	Nagelkerke R Square
1	1764.348 ^a	0.027	0.039

a. Estimation terminated at iteration number 4 because parameter estimates changed by less than .001.

Classification Table^a

Observed		Predicted		Percentage Correct
		WillingBinary Not Willing	Willing	
Step 1	WillingBinary	9	412	2.1
	Not Willing	7	1112	99.4
Overall Percentage				72.8

a. The cut value is .500

Variables in the Equation

	B	S.E.	Wald	df	Sig.	Exp(B)
Viewership	-0.016	0.009	3.002	1	0.083	0.985
Juror	-0.539	0.407	1.752	1	0.186	0.583
Age	-0.02	0.019	1.138	1	0.286	0.98
Gender	-0.331	0.118	7.855	1	0.005	0.718
RaceBinary	0.225	0.155	2.101	1	0.147	1.252
Step 1 ^a Charged	0.41	0.265	2.39	1	0.122	1.507
ClassRank	-0.058	0.064	0.813	1	0.367	0.944
JusticeMajor	0.018	0.238	0.006	1	0.939	1.018
CJ_Classes	-0.079	0.058	1.853	1	0.173	0.924
Scenario	-0.391	0.117	11.181	1	0.001	0.677
Constant	1.83	0.387	22.339	1	0	6.236

a. Variable(s) entered on step 1: Viewership, Juror, Age, Gender, RaceBinary, Charged, ClassRank, JusticeMajor, CJ_Classes, Scenario.

Appendix F: SPSS Logistic Regression Output (Final Model)

Case Processing Summary

Unweighted Cases ^a		N	Percent
Selected Cases	Included in Analysis	1570	99.9
	Missing Cases	2	0.1
	Total	1572	100
Unselected Cases		0	0
Total		1572	100

a. If weight is in effect, see classification table for the total number of cases.

Dependent Variable

Encoding

Original Value	Internal Value
Not Willing	0
Willing	1

Block 0: Beginning Block

Classification Table^{a,b}

	Observed		Predicted		Percentage Correct
			Willing Binary	Willing	
Step 0	Willing Binary	Not Willing	0	430	0
		Willing	0	1140	100
Overall Percentage					72.6

a. Constant is included in the model.

b. The cut value is .500

Variables in the Equation

		B	S.E.	Wald	df	Sig.	Exp(B)
Step 0	Constant	0.975	0.057	296.812	1	0	2.651

Variables not in the Equation

		Score	df	Sig.	
Step 0	Variables	Viewership	2.309	1	0.129
		CJ_Classes	10.297	1	0.001
		Gender	8.802	1	0.003
		Scenario	10.979	1	0.001
Overall Statistics		30.584	4	0	

Block 1: Method = Enter

Omnibus Tests of Model Coefficients				
		Chi-square	df	Sig.
Step 1	Step	30.255	4	0
	Block	30.255	4	0
	Model	30.255	4	0

Model Summary				
Step	-2 Log likelihood	Cox & Snell R Square	Nagelkerke R Square	
1	1813.192 ^a	0.019	0.028	

a. Estimation terminated at iteration number 4 because parameter estimates changed by less than .001.

Hosmer and Lemeshow Test				
Step	Chi-square	df	Sig.	
1	10.941	8	0.205	

Classification Table^a					
Observed		Predicted		Percentage Correct	
		WillingBinary Not Willing	Willing		
Step 1	WillingBinary	Not Willing	2	428	0.5
		Willing	1	1139	99.9
Overall Percentage					72.7

a. The cut value is .500

Variables in the Equation							
		B	S.E.	Wald	df	Sig.	Exp(B)
Step 1 ^a	Viewership	-0.014	0.009	2.551	1	0.11	0.986
	CJ_Classes	-0.101	0.036	8.082	1	0.004	0.904
	Gender	-0.321	0.115	7.749	1	0.005	0.725
	Scenario	-0.369	0.115	10.323	1	0.001	0.692
	Constant	1.473	0.113	170.267	1	0	4.362

a. Variable(s) entered on step 1: Viewership, CJ_Classes, Gender, Scenario.

Appendix G: Bivariate Analysis Outputs

Willingness * Viewership

Crosstabulation

		Viewership										
		Hours	0	0.25	0.26	0.5	1	1.5	2	2.5	3	3.5
Willingness	Not Willing		142	1	0	9	54	11	60	3	30	2
	Willing		410	0	1	29	144	28	156	11	74	5
Total			552	1	1	38	198	39	216	14	104	7
		Hours	4	4.5	5	5.5	6	6.5	7	7.5	8	9
Willingness	Not Willing		33	3	19	1	19	0	4	2	8	4
	Willing		83	4	60	0	23	1	13	1	15	5
Total			116	7	79	1	42	1	17	3	23	9
		Hours	10	11	12	12.5	14	15	16	17	18	20
Willingness	Not Willing		13	0	3	0	0	2	0	0	0	4
	Willing		34	1	8	1	3	10	1	1	3	7
Total			47	1	11	1	3	12	1	1	3	11
		Hours	24	25	28	30	48	100	120	Total		
Willingness	Not Willing		2	0	1	0	0	1	1	432		
	Willing		2	2	0	1	2	1	0	1140		
Total			4	2	1	1	2	2	1	1572		

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	33.533a	36	0.586
Likelihood Ratio	36.566	36	0.442
Linear-by-Linear Association	2.229	1	0.135
N of Valid Cases	1572		

a 44 cells (59.5%) have expected count less than 5. The minimum expected count is .27.

Willingness * Juror

Crosstabulation

		Previously a Juror		
		No	Yes	Total
Willingness	Not Willing	416	14	430
	Willing	1117	15	1132
Total		1533	29	1562

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	6.375a	1	0.012
Continuity Correction b	5.36	1	0.021
Likelihood Ratio	5.728	1	0.017
Linear-by-Linear Association	6.371	1	0.012

N of Valid Cases

1562

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 7.98.

b Computed only for a 2x2 table

Willingness * Age

Crosstabulation

		Age	18	19	20	21	22	23	24	25	26	27
Willingness	Not Willing	73	100	98	81	38	17	4	4	2	0	
	Willing	206	293	267	194	103	41	9	2	3	5	
Total		279	393	365	275	141	58	13	6	5	5	

		Age	28	29	30	31	32	35	36	38	39	40
Willingness	Not Willing	1	1	0	0	2	1	2	1	2	1	
	Willing	3	1	1	2	0	0	1	0	1	0	
Total		4	2	1	2	2	1	3	1	3	1	

		Age	43	46	48	49	51	52	54	61	Total
Willingness	Not Willing	1	0	1	0	0	1	1	0	432	
	Willing	0	1	0	3	1	0	0	1	1138	
Total		1	1	1	3	1	1	1	1	1570	

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	41.040a	27	0.041
Likelihood Ratio	42.901	27	0.027
Linear-by-Linear Association	7.249	1	0.007
N of Valid Cases	1570		

a 43 cells (76.8%) have expected count less than 5. The minimum expected count is .28.

Willingness * Gender

Crosstabulation

		Gender		
		Female	Male	Total
Willingness	Not Willing	194	237	431
	Willing	610	530	1140
Total		804	767	1571

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	9.038a	1	0.003
Continuity Correction b	8.701	1	0.003
Likelihood Ratio	9.044	1	0.003
Linear-by-Linear Association	9.032	1	0.003
N of Valid Cases	1571		

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 210.42.

b Computed only for a 2x2 table

Willingness * Race (Binary)

Crosstabulation

		RaceBinary		
		Non-White	White	Total
Willingness	Not Willing	75	357	432
	Willing	174	963	1137
Total		249	1320	1569

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	.993a	1	0.319
Continuity Correction b	0.845	1	0.358
Likelihood Ratio	0.978	1	0.323
Linear-by-Linear Association	0.992	1	0.319
N of Valid Cases	1569		

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 68.56.

b Computed only for a 2x2 table

Willingness * Charged

Crosstabulation

		Charged		
		No	Yes	Total
Willingness	Not Willing	408	20	428
	Willing	1063	74	1137
Total		1471	94	1565

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	1.856a	1	0.173
Continuity Correction b	1.545	1	0.214
Likelihood Ratio	1.948	1	0.163
Linear-by-Linear Association	1.854	1	0.173
N of Valid Cases	1565		

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 25.71.

b Computed only for a 2x2 table

Willingness * ClassRank

Crosstabulation

		ClassRank				Total
		Freshman	Sophomore	Junior	Senior	
Willingness	Not Willing	105	115	100	111	431
	Willing	337	276	306	220	1139
Total		442	391	406	331	1570

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	11.558a	3	0.009
Likelihood Ratio	11.429	3	0.01
Linear-by-Linear Association	5.321	1	0.021
N of Valid Cases	1570		

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 90.87.

Willingness * JusticeMajor

Crosstabulation

		JusticeMajor		
		No	Yes	Total
Willingness	Not Willing	357	73	430
	Willing	985	150	1135
Total		1342	223	1565

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	3.610a	1	0.057
Continuity Correction b	3.309	1	0.069
Likelihood Ratio	3.504	1	0.061
Linear-by-Linear Association	3.608	1	0.058

N of Valid Cases

1565

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 61.27.

b Computed only for a 2x2 table

Willingness * Number of CJ_Classes

Crosstabulation

		# of CJ_Classes						Total
		0	1	2	3	4	5 or more	
Willingness	Not Willing	241	79	30	16	15	50	431
	Willing	686	234	81	38	15	86	1140
Total		927	313	111	54	30	136	1571

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	15.479a	5	0.009
Likelihood Ratio	14.315	5	0.014
Linear-by-Linear Association	10.114	1	0.001

N of Valid Cases

1571

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 8.23.

Willingness * Scenario

Crosstabulation

		Scenario		
		Non-Violent	Violent	Total
Willingness	Not Willing	187	245	432
	Willing	600	540	1140
Total		787	785	1572

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	10.942a	1	0.001
Continuity Correction b	10.572	1	0.001
Likelihood Ratio	10.967	1	0.001
Linear-by-Linear Association	10.935	1	0.001
N of Valid Cases	1572		

a 0 cells (0.0%) have expected count less than 5. The minimum expected count is 215.73.

b Computed only for a 2x2 table

Appendix H: SUNY IRB Approval



Human Subjects Expedited Review Form

DATE: 2/25/13

TO: Dr. Christopher Kopacki

FROM: Dr. David Bozak, Co-Chair, Human Subjects Committee

RE: Influence of Forensic Crime Base Television on Students

Your above titled research project has been received for expedited review and:

has been approved needs further revision (see reasons below)

Please follow these steps:

- (1) You keep this top page ("Expedited Review Form") for your records.
- (2) Prior to conducting the research, complete the attached "Acceptance of Review by Principle Investigator" and return it to:

Dr. David Bozak
Co-Chair, Human Subjects Committee
414 Mahar Hall
State University of New York at Oswego
Oswego, NY 13126
david.bozak@oswego.edu

Thank you,

A handwritten signature in black ink, appearing to read "David Bozak".

David Bozak

ACCEPTANCE OF REVIEW BY PRINCIPAL INVESTIGATOR

TO: David Bozak, Co-Chair, Oswego State University Human Subjects Committee,
c/o Psychology Department, 414 Mahar Hall

FROM: Principal Investigator (PI):

RE: Research involving human participants entitled

I read the attached review and agree to follow its recommendations.

Yes _____ No _____

I wish to make the following modifications for the review panel's further consideration:

I agree to notify the chair of the Human Subjects Committee of any additions or changes in the procedure not covered by the initial review or any other unanticipated problems, which potentially involve risks to participants or others.

P. I. Signature: _____

Print Name: _____

Date: _____

08.19.09

Appendix I: VCU IRB Approval



Office of Research Subjects Protection
BioTechnology Research Park
BioTech One, 800 E. Leigh Street, Suite 3000
P.O. Box 980568
Richmond, Virginia 23298-0568
(804) 828-0868
(804) 827-1448 (fax)

DATE: April 11, 2013

TO: William C. Boshier, Jr., Ed.D.
L. Douglas Wilder School of Government and Public Affairs
Box 840028

FROM: Lisa M. Abrams, PhD
Chairperson, VCU IRB Panel B
Box 980568

RE: VCU IRB #: HM15133
Title: Influence of Forensic Crime Based Television on Students

*J. L. Rice
for L. Abrams*

On April 10, 2013, the following research study *qualified for exemption* according to 45 CFR 46.101(b) Category 2. This determination includes the following items reviewed by this Panel:

RESEARCH APPLICATION/PROPOSAL: None

PROTOCOL (Research Plan): Influence of Forensic Crime Based Television on Students, received 3/22/13, version date 2/25/13

- VCU IRB Study Personnel Roster, received 3/22/13, version date 2/25/13
- Survey Measure, received 3/22/13, version 1, dated 2/25/13

CONSENT/ASSENT (attached):

- Informed Consent Information, received 3/22/13, version 1, dated 2/25/13, 1 page

ADDITIONAL DOCUMENTS: None

The Primary Reviewer assigned to your research study is Salvatore Lupica, JD. If you have any questions, please contact Mr. Lupica at salvatorelupica@comcast.net; or you may contact Jennifer Rice, IRB Coordinator, VCU Office of Research Subjects Protection, at irbpanelb@vcu.edu and 828-3992.

Attachment – Conditions of Approval (PLEASE NOTE RECENT CHANGES TO CONDITION #3)

Conditions of Approval:

In order to comply with federal regulations, industry standards, and the terms of this approval, the investigator must (as applicable):

1. Conduct the research as described in and required by the Protocol.
2. Provide non-English speaking patients with a translation of the approved Consent Form in the research participant's first language. The Panel must approve the translation.
3. The following changes to the protocol **must be** submitted to the IRB panel for review and approval before the changes are instituted. Changes that do not meet these criteria do not have to be submitted to the IRB. If there is a question about whether a change must be sent to the IRB please call the ORSP for clarification.

THESE CHANGES MUST BE SUBMITTED:

- a) Change in principal investigator
 - b) Any change that increases the risk to the participant
 - c) Addition of children, wards of the state, or prisoner participants
 - d) Changes in survey or interview questions (addition or deletion of questions or wording) that change the level of risk or adds questions related to sexual activity, abuse, past or present illicit drug use, illegal activities, questions reasonably expected to provoke psychological anxiety, or would make participants vulnerable, or subject them to financial, psychological or medical risk
 - e) Changes that change the category of exemption or add additional exemption categories
 - f) Changes that add procedures or activities not covered by the exempt category(ies) under which the study was originally determined to be exempt
 - g) Changes requiring additional participant identifiers that could impact the exempt category or determination
 - h) Change in inclusion dates for retrospective record reviews if the new date is after the original approval date for the exempt study. (ex: The approval date for the study is 9/24/10 and the original inclusion dates were 01/01/08-06/30/10. This could be changed to 01/01/06 to 09/24/10 but not to end on 09/25/10 or later.)
 - i) Addition of a new recruitment strategy
 - j) Increase in the planned compensation to participants
4. Monitor all problems (anticipated and unanticipated) associated with risk to research participants or others.
 5. Report Unanticipated Problems (UPs), following the VCU IRB requirements and timelines detailed in [VCU IRB WPP VIII-7](#).
 6. Promptly report and/or respond to all inquiries by the VCU IRB concerning the conduct of the approved research when so requested.
 7. The VCU IRBs operate under the regulatory authorities as described within:
 - a) U.S. Department of Health and Human Services Title 45 CFR 46, Subparts A, B, C, and D (for all research, regardless of source of funding) and related guidance documents.
 - b) U.S. Food and Drug Administration Chapter I of Title 21 CFR 50 and 56 (for FDA regulated research only) and related guidance documents.
 - c) Commonwealth of Virginia Code of Virginia 32.1 Chapter 5.1 Human Research (for all research).