

Exploring the Existence of a “Documentary Effect”:
Examination of True Crime Documentaries on Judgments of
Evidence Manipulation and Perceptions of Police

by

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ABSTRACT

Cultivation theory states that consuming television cultivates a social reality in the real world which aligns with the reality present in television. When the television show *CSI* was released, researchers studied a form of cultivation stemming from the show titled the "CSI Effect." One of the components of the CSI Effect is the tendency of those who watch *CSI* to be more likely to overestimate the presence of forensic evidence present in a trial and place more trust in such evidence. In recent years, several true crime documentaries that examined controversial cases have been released. In a similar vein of research conducted on *CSI*, the current study examines true crime documentaries and their possible impacts on viewers' judgments and beliefs about the criminal justice system. In the current study, participants were provided with a mock case and asked about their perceptions of the case along with their viewership habits. While overall true crime documentary viewership did not influence judgments of evidence manipulation or perceptions of police, findings point to viewership of the targeted documentaries being associated with feelings of mistrust towards the criminal justice system overall, while the lesser-viewed documentaries correlated with judgments of strength and responsibility of the defendant in the case. One possible explanation is that individual characteristics may serve as the driving factor in how individuals choose what to watch when the popularity of the show is not as well-known.

Keywords: CSI effect, true crime, documentaries, police perceptions, bias

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Introduction

Since the introduction of media, its influences have left marks on the public in a number of ways, so much so that social scientists have shown concern for the effects of media on its recipients (Arendt, 2010). While the availability of media can allow for consumers to receive information quickly, research has demonstrated that consumers may have a difficult time separating the social reality present in the media from the real world (Morgan & Shanahan, 2010). In fact, the lasting effects from crime-related media appear to carry over into perceptions of crime statistics and criminal proceedings (Nabi & Sullivan, 2001; Gerbner & Gross, 1976; Kim, Barak, & Shelton, 2009).

Cultivation theory holds that individuals who watch more television tend to have a perception of their social reality that is shaped by the reality or the messages presented in television (Gerbner & Gross, 1976). An example of the cultivation theory finding its way into the courtroom appears in what is titled the “CSI Effect.” The CSI Effect primarily addressed fictional forensic crime shows and the misconceptions its viewers adopt about the forensic process, specifically regarding forensic evidence and its availability and quality. While much research has been devoted to the study of the CSI Effect and similar fictional crime TV shows, a new wave of crime-related media has been on the rise. With streaming services such as Netflix and Hulu rapidly producing new content including several popular true crime documentaries, consumers of media may find themselves introduced to and intrigued by this new genre. With certain documentaries demonstrating popularity across the United States, research must begin

examining how this new wave of media is affecting the public's view on the criminal justice system.

The current study examines the effects of true crime documentaries on viewers and how they judge a criminal case. After providing participants with a fictional case, which was either weaker or stronger against the defendant, participants were questioned about their judgments of the case, the defendant, and the investigators. Since the disreputable actions or character of police officers are often brought up as common themes in many of the recent true crime documentaries, along with the fallible nature of evidence, participants were questioned about their perceptions of the police in general along with perceptions of evidence manipulation. Finally, participants were asked to provide their viewership habits of certain true crime documentaries to examine if the cultivation theory extends to this new genre and how viewership affects participants' case judgments.

Cultivation Theory

Cultivation theory is a popular but controversial concept in mass communication studies which has also been implemented in psychological research. While this theory has been applied to other forms of media, such as newspapers, television remains the primary medium for such cultivation (Arendt, 2010; Gerbner, Gross, Morgan, & Signorielli, 1986). Due to the rapid expansion of media, the number of individuals who have lived life or grown up without a television present in their homes is quickly shrinking and the influence of television is quickly becoming unescapable (Gerbner et al., 1986). Even when an individual is not overly exposed to television and its cultivation effects, interactions with many individuals who do have such cultivated views are unavoidable

(Gerbner et al., 1986). Because the possibility of growing up without a television is shrinking, cultivation may become hard to avoid. Since exposure to television starts occurring before attitude and belief formation about certain aspects of the world even begin, it is a reasonable assumption that television exposure shapes beliefs and attitudes instead of vice versa (Nabi & Sullivan, 2001).

Among cultivation research, there exist two different forms of the cultivation effect which viewers can have. The first is known as “first-order cultivation effects,” pertaining to the relationship between exposure of television and quantitative probability, or the estimates a viewer makes that something will happen (Nabi & Sullivan, 2001). An example of this might be the overestimation of “stranger rape.” While rape by an acquaintance is typically more common (“Most Victims Know Their Attacker,” 2008), an individual exposed to a news station or criminal show where stranger rape is more often reported or portrayed might begin to believe such occurrences are the norm.

The “second-order cultivation effects” focus on the relationship between exposure to television and attitudes and beliefs about the world in general (Shrum, 1995, as cited by Nabi & Sullivan, 2001); an example of this is the “mean world syndrome.” The mean world syndrome describes the tendency of heavy consumers of crime-related media to feel distrustful of others and feel they must fend for themselves; such a syndrome is not present in lighter viewers (Lowry, Nio, & Leitner, 2003). Heavy viewers of television also tend to give “television answers” to questions on experimental surveys, reflective of distortions in the viewers’ reality that more closely align with the reality occurring from the media. An example of this is observed in the tendency of heavier viewers to overestimate the amount of violence and victimization that occurs in the real world, as

violent crime is often disproportionately portrayed in the media (Gerbner et al., 1986; Lowry et al., 2003; Romer, Jamieson, & Aday, 2003).

In one of Gerbner's early explorations of the cultivation effect as it relates to crime and violence in television, Gerbner explores the supposed purpose of television – “to spread and stabilize social patterns” (Gerbner & Gross, 1976). According to Gerbner & Gross, television does not serve a purpose of creating issues which did not already exist or threaten the cultural climate of the society in which it serves, but instead television functions as a method to establish cultural patterns which may exist regardless of its presence and cultivate resistance to change (1976). In an empirical exploration titled “The Violence Profile,” the amount of violence of television is quantified, which substantiates the overrepresentation of violence and crime on television (Gerbner & Gross, 1976). An explanation for such overrepresentation is that while the real world tends to have loose ends, unhappy endings, and an unpredictable and ever-changing “plot line,” television does not; but how does the appeal for criminal events to be presented in a neat and tidy bow affect viewers outside the screen?

Critics of the cultivation theory criticize Gerbner's theory in that it was too narrowly focused on television shows, calling into question the robustness of such a theory being able to persist through other avenues of media (Potter, 2014). While empirical support might be lacking in the initial decision to focus on television, this medium significantly differs from other forms of media in that it is highly accessible to all (Gerbner & Gross, 1976). Unlike other mediums, television does not require literacy, is free in comparison to other media forms, and does not require any sort of movement on the viewer's part. Another issue with cultivation research is the tendency to substitute

frequency for meaning; for example, the assumption that high frequency of violent acts in television must mean that the world of television is an overly violent one. However, analyses used in research have confirmed that violent acts occur at a disproportionately higher rate in television than in reality (Gerbner & Gross, 1976; Lowry et al., 2003), though much of the research on cultivation does focus predominantly on violence in television. Research conducted decades later by Morgan and Shanahan (2010) note the different directions that cultivation theory has since gone, expanding to multiple genres and multiple topics.

Cultivation Post-Gerbner

Though cultivation theory may have been introduced decades ago, research into the theory is still ongoing (Morgan & Shanahan, 2010). In fact, the cultivation theory has been explored in multiple countries, and multiple genres extending to reality-based television, such as talk shows. When The Oprah Winfrey Show and its viewers were examined, researchers found that daytime television shows may play a significant role in the formation of public opinions (Glynn, Huge, Reineke, Hardy, & Shanahan, 2007). Other studies examining the cultivation effects of a single show have found similar potential for cultivation, such as Quick's (2009) study on Grey's Anatomy, linking viewership of Grey's Anatomy and perceptions of doctors' courage. Cultivation may even translate to self-esteem, as frequency of exposure to popular make-over shows was found to negatively correlate with self-esteem (Kubic & Chory, 2007) and even desire to undergo cosmetic surgery (Nabi, 2009).

While Gerbner's focus may have been narrowed to the medium of television, other researchers' studies on cultivation have not. A cross-lagged panel design was

utilized to study the implicit and explicit attitudes of readers of the Austrian newspaper known as the Kronen Zeitung, or Krone (Arendt, 2010). The Krone was known for its negative views of the European Union (EU) and to disproportionately represent foreigners as criminal, as confirmed through a content analysis (Arendt, 2010). Over a two-month period, participants were exposed to the Krone to test if they would adopt similar views with such negative associations appearing in an IAT or an Implicit Attitudes Test. When comparing the tests from Time 1 and Time 2, exposure to the Krone did appear to have borderline significant influence on explicit attitudes of participants' estimation of foreigners as suspects of crime, with higher estimations being reported after two months of Krone exposure. Level of exposure to the Krone was related to negative implicit attitudes about the EU as well, such that the more exposure, the more negative implicit attitudes participants had of the EU. Results of this empirical study demonstrated the possibility that exposure to media has the possibility to alter both explicit and implicit attitudes in a short amount of time and the potential for cultivation to be induced in an experimental setting (2010).

Though correlation is often the chosen method of studying cultivation effects, little research is devoted to explaining the mechanisms behind why cultivation persists. One of the most popular models of explaining cultivation is through heuristics (Morgan & Shanahan, 2010), though the type of heuristics may be unspecified. Heuristic processing of the messages being portrayed in television about perceptions of society may lead to its heavier viewers recalling the messages, with studies confirming this model (Busselle, 2001; Shrum 2004). Shrum's studies (2004) expand on cognitive processes in cultivation, indicating that first-order effects, regarding the connection

between exposure and estimates may be explained by probability judgments deriving from heuristics, while beliefs and attitudes or second-order effects may be formed at the moment or “online.” The principal difference between these two processes is when the cultivation itself occurs: For online judgments, cultivation occurs at the moment of viewing, while for probability judgments, cultivation occurs during the memory retrieval process (Morgan & Shanahan, 2010).

Further research into the cognitive processes that underlie cultivation provide support that online effects are conditional, in that they only occur in individuals who are higher in their Need To Evaluate (NTE) otherwise known as a tendency in individuals to employ evaluative thought (Coenen & Van den Bulck, 2016). In viewership of crime dramas, there was a positive correlation for individuals classified as higher in NTE with belief in a scary world, pointing to the possibility that magnitude of cultivation effects on a viewer could be influenced by individual characteristics (Coenen & Van den Bulck, 2016). However, this relationship does not appear to hold for nonfictional crime content, which includes news and documentaries. When a separate study evaluated a similar individual characteristic known as Need For Cognition (NC) as a potential moderator, support for a relationship was shown between NC and viewership of forensic crime documentaries on how jurors interpret certain evidence, such that those with higher NC showed more evaluation of evidence (Mancini, 2011). Though explanations for psychological mechanisms behind cultivation may be lacking, investigating personal characteristics may provide fruitful results in how certain individuals are affected by cultivation.

Though the climate of media today is much different than when cultivation theory was originally formulated, various studies into the 21st century have unearthed the cultivation theory's ability to withstand the test of time. If television is to be a reflection of the real world's cultural norms (Gerbner & Gross, 1976), then the emergence of fictional forensic TV shows may demonstrate the public's interest in forensics and criminal justice. Though the original cultivation theory emphasizes the importance of keeping cultivation research broad (Gerbner & Gross, 1976), in a rapidly-expanding landscape of media, the task of examining television as a whole may be impossible (Morgan & Shanahan, 2010). However, the public's interest in even a single genre does not go without consequences for its viewers and the world outside the screen.

CSI Effect

With the emergence of fictional forensic TV shows, a new example of cultivation appeared known as the CSI Effect. Although there is no agreed upon definition for the CSI Effect, in general, the CSI Effect can be described as “an alleged or supposed influence that watching television shows like *CSI: Crime Scene Investigation* have on juror-decision making during the workings of a criminal trial” (Kim, Barak, & Shelton, 2009). There are also several common components which tend to emerge throughout research conducted on the CSI Effect. In their exploration of the CSI Effect, Cole and Dioso-Villa (2007) broke down the effect into six components: the “Strong Prosecutor’s Effect,” that jurors are wrongly acquitting defendants due to lack of evidence; the “Weak Prosecutor’s Effect,” or measures the prosecutor has adopted to move jurors away from relying on expectations; the “Defendant’s Effect,” in that the public’s trust for forensic evidence results in rising convictions; the “Producer’s Effect,” the educational component

the show has on jurors; the “Professor’s Version,” the growing interest in forensics among students; and lastly, the “Police Chief’s Version,” in that criminals are also being educated and avoiding detection. Multiple investigations into the CSI Effect have examined the validity of such components with mixed results for how the CSI Effect surfaces in the courtroom.

One of the earliest investigation into the CSI Effect showed the potential issues that viewership of crime dramas has on real criminal proceedings. After surveying a sample of students and their crime show viewing habits in relation to a mock trial, an interesting phenomenon was observed. For those whose diet consisted heavily of crime shows such as *CSI* and *Cold Case*, respondents were more skeptical of the forensic evidence presented at the mock trial when there was few (Schweitzer & Saks, 2007). Along with this skepticism came confidence as well: those who were heavy viewers of crime shows were also more self-assured in the verdicts they gave during the mock trial than those who were not (Schweitzer & Saks, 2007). Skepticism may not necessarily be a negative aspect, especially in trial proceedings, but potential dangers may be present in the expectation of forensic evidence in cases when there exists very little.

Another study utilizing students as participants explored the relationship between the exposure to crime shows and a potential juror’s willingness to find a suspect guilty when the only evidence presented was circumstantial or eyewitness testimony (Kopacki, 2014). An experiment on undergraduate students observing a mock trial found no significant connections between viewing crime shows and the potential juror’s decision to find a suspect guilty or not (Kopacki, 2014). Instead, the most important factors noted were individual characteristics of the participants such education (i.e. those with more

criminal justice classes had differing verdicts than those who did not). The results of this study had important implications for the influence of the CSI Effect because it seemed to imply that even though the effect altered the ideas of how the criminal justice system may work, ultimately, it may not play a role in the sentencing process. While this study's limitations include a participant pool of students, other studies have applied their research to more diverse participants.

While viewership may affect the certain elements of the criminal justice system for students, how do they affect professionals? Recognizing that potential jurors are being influenced by television, attempts to combat the CSI Effect have been integrated into jury instructions and the way lawyers conduct the *voir dire* process (Stinson, Patry, & Smith, 2007). Legal professors report the CSI Effect being so problematic that approximately one-third of prosecutors report having lost a case due to the CSI Effect and that three-fourths believe jurors who are fans of the show exert their influence onto other jurors (Stinson et al, 2007). Ninety-four percent of legal and law enforcement professionals believe in the effect that crime dramas have on expectations of their profession, and most participants reported changing their behavior to adapt to the CSI Effect. A follow-up study conducted on active police officers reported that virtually all respondents believed such shows altered jury decision making (Stinson et al., 2007), while a survey administered years later on law students and judges also yielded similar results (Stojer, 2011).

Do jurors have a reason to believe that the methods in CSI are correct? Despite the trust juries may place in the forensic science behind crime shows, Lawson (2015) noted that the National Academy of Sciences (NAS) did not deem any form of forensic

science scientifically valid with the exception of nuclear DNA (2015). When subjects were presented with different forms of evidence such as non-substantive, expert-focused, or evidence-focused cross-examination, they tended to give too much weight to invalid disciplines (Lawson, 2015). In fact, a forensic consultant for the show estimated that roughly 40 of the forensic procedures in CSI are fabricated (Ewanation, Yamamoto, Monnink, & Maeder, 2017), and the vast majority of forensic professionals believe these shows to be inaccurate (Stinson et al., 2007). This finding coupled with the invalidated status of most forms of forensic science contradicts many potential jurors' mindsets after watching CSI because it shows that forensic evidence may not be as credible as they believed.

Fiction vs. Nonfiction

Exploration of the CSI Effect also produced divergent results for subgenres of crime television. One study in particular noted that a large body of research seems to indicate a higher potential for cultivation to occur in the nonfiction genre (Grabe & Drew, 2007). Participants were provided with a survey regarding media use and frequency in news, newspapers, and crime dramas, followed by asking participants to estimate certain crime statistics and the likelihood of being a victim themselves in the next year. While no cultivation effect appears for overestimation in crime/victimization in connection to TV crime dramas, significant cultivation effects are found in connection to nonfiction, specifically in beliefs about the effectiveness of the criminal justice system as a whole. As researchers point out, it may be time for cultivation research to shift from fictional crime television to the potential of cultivation in nonfiction crime television (Grabe & Drew, 2007).

Attempts have been made to examine cultivation effects akin to the CSI Effect in different crime subgenres (Mancini, 2013). After creating a distinction between fictional or documentary-style crime shows, viewers were also separated out into lighter fiction viewers (more or equal amounts of documentary viewership), or heavier fiction viewers. Participants consisting of actual jurors were then shown an actual criminal murder trial on video, then provided with a verdict questionnaire followed by a forensic television viewership questionnaire. The results indicated that participants understood documentary-style shows to be more realistic than fictional crime dramas on a significant level. Results indicated that the more participants watched fictional crime shows, the more reflective of reality participants believed them to be, and the more acquittals they provided. However, frequency of crime documentary-styled programs did not affect realism; they appeared to be perceived as realistic across the board and provided more convictions than fiction viewers. The differing results between lighter and heavier fictional viewers may be due to the differences in conveyed messages regarding forensic science and the investigative process, though no differences are specified (Mancini, 2013).

In 2017, research conducted by Ewanation et al. furthered exploration into perceived realism, and how this influences the actual verdict. Researchers believed that perceived realism of crime dramas would affect conviction rates and reception of particular forms of evidence (e.g. eyewitness testimony, fingerprint, and DNA) and also affect the strength of the evidence (Ewanation et al., 2017). Participants were provided with a mock transcript of an ambiguous murder and suspect, then provided with the trial transcript. A scale regarding attitudes toward different forms of evidence was administered, along with the perceived realism scale regarding television. Results of the

study indicated that jurors providing scores higher in perceived realism in crime dramas were more likely to convict the defendant. Such findings highlight the importance of individual characteristics, as some participants appear to be more influenced by the realism of crime dramas than others. If documentary-styled programs are perceived as more realistic than fictional crime dramas (Mancini, 2013), and perceived realism correlates with conviction rates, then identifying the influence of more realistic programs and their effects on viewers is crucial as this could potentially lead to repercussions for the criminal justice system.

Such findings had been confirmed in an earlier study as well. Kim et al. examined the CSI Effect as it pertains to certain types of viewers, and whether or not these effects persist even when controlling for demographics of the participants (2009). Actual jurors summoned to jury duty were provided with mock cases and circumstantial and eyewitness testimony, followed by a survey regarding their willingness to convict and their law-related viewership habits. A multivariate analysis failed to find a direct effect of CSI exposure on conviction. However, when CSI was replaced with related, general TV shows including crime documentaries and forensic documentaries, exposure significantly raised expectations about scientific evidence and had a significant, direct effect on jurors' willingness to convict. The more exposure to such programs as a whole, the more willing jurors were to convict defendants without any scientific evidence even after controlling for participants' demographic characteristics (Kim et al., 2009).

The CSI Effect emerged out of the newfound popularity of crime shows, most notably CSI, drastically changing the face of forensic science. At first, fictional forensic shows appeared to positively impact the public as students' interest in forensic science

saw an increase which led to the creation of educational programs (Bergslien, 2006). Not long after, researchers tested how the effect may distort the nature of forensic science and how these distortions influenced perceptions of a criminal case for college students, the criminals, the jurors, and maybe even professionals in law enforcement (Stinson et al., 2007; Hayes & Levett, 2013) In later research common patterns appeared to emerge: those who were heavy consumers of crime shows tended to overestimate the abundance of physical evidence and view the forensic process in a light of conclusiveness and infallibility (Schweitzer & Saks, 2007). Later studies began to shift toward examining the contrasting results between crime dramas and nonfictional content with striking results (Kim et al., 2009; Ewanation et al., 2017; Mancini, 2013).

Within the last several years, several documentary series and shows calling for the reexamination of highly publicized trials and criminal cases, such as Making of a Murderer (Ricciardi & Demos, 2015), O.J. Simpson: Made in America (Edelman, 2016), and the Amanda Knox documentary (Blackhurst, 2016), have been rising in popularity. These crime documentary series differ from past documentaries regarding criminal justice, as they look to the supposed criminal's narrative. Instead of glorifying forensic procedures or emphasizing the integrity of the law enforcement involved, many of these crime documentaries instead focus on the injustices which may or may not have occurred in the investigative procedures. In many instances, the fallibility of physical evidence has either led to false imprisonment, or in the case of O.J. Simpson, a controversial release from custody. Research needs to extend cultivation theory and the mechanisms behind the CSI Effect to the messages being cultivated by such documentaries, as a possible

reflection of how the public's view on law enforcement and the criminal justice system as a whole may be changing.

True Crime Documentaries

In the fourth quarter of 2017, Netflix reported the number of global subscribers: 117 million users (Sherman, 2018). Hulu, a streaming software available only in the U.S., reported having 17 million users (Rodriguez, 2018). Such widely utilized streaming services provided a new way to access hundreds of titles in a way Gerbner may never have imagined when formulating the cultivation theory. Users can now access any media content they desire, at any time of the day, from any device they choose. Such streaming services changed the face of media and entertainment consumption – but could they also change the process of cultivation?

Cultivation theory was originally founded in a time of less diverse, more monolithic form of media delivery, but continues to persist as television channels expand. Though the delivery of media may have changed, the importance of cultivation is not necessarily how we receive the content but what that content entails (Morgan, Shanahan, & Signorielli, 2015). Television and entertainment have developed remarkably, but the content in television is still homogenous in that it focuses on issues of race, gender, victimization, injustices, and violence (Morgan et al., 2015). If past studies are any indication of the power of cultivation and its applicability, then new forms of media and technology are just different vessels for such cultivation effects to occur (Morgan et al., 2015). Instead of focusing on forms of media, future research should instead examine the underlying messages about society being transmitted in new media and whether or not

there is any reason to believe such messages differ than in previous research (Morgan et al., 2015).

Past studies on the CSI Effect show the genre of nonfiction to have just as much potential for cultivation, if not more (Grabe & Drew, 2007; Mancini, 2013). Despite this, the nonfiction genre remains largely uninvestigated. Documentaries may be particularly worth investigating, as such a genre is as easily accessible as any other genre in the world of streaming. Studies examining the impact of documentaries in non-legal topics reveal the potential for documentaries to leave a lasting impact in the viewers' beliefs (Penn, Chamberlin, & Mueser, 2003; Horeck, 2014). In an attempt to reduce the stigmatization around schizophrenia, one study examined the impact of a schizophrenia documentary on beliefs about the mental illness. This experimental study revealed that compared to those who had not, individuals who viewed a documentary about schizophrenia attributed significantly less blame and responsibility to individuals with schizophrenia (Penn et al., 2003).

With the accessibility of documentaries, coupled with the fiction-like formatting (e.g. dramatic music, use of cliffhangers, shocking revelations), crime documentaries are thriving (Horeck, 2014). The emotion and injustices portrayed in the true crime documentary may lead to public outcry, as the messages in such documentaries often relate to larger societal issues. In the case of *Dear Zachary: A Letter to a Son About His Father*, the failure of the Canadian bail reform system to keep an infant son safe, and the judge who let a killer go free, sparked spectators' outrage at the Canadian legal system (Kuenne, 2008). Attributed to the success and public outcry stemming from *Dear*

Zachary, Canada eventually passed a law regarding bail reform (Horeck, 2014), a powerful testament to the true crime documentary genre's potential.

Since the release of *Dear Zachary* in 2008, true crime documentaries have expanded, all with a common theme: the failure of the criminal justice system. Several documentaries with this theme are at the forefront in both popularity and controversy, though the victim and criminal may vary. In a recently released docuseries titled *The Keepers*, the death of Sister Catherine Cesnik is reexamined and retold from the point of view of her previous students. The docuseries shines a light on sexual assault at the hands of Catholic priests and the authorities who covered for the church (White, 2017; D'Addario, 2017). Though the connection was never confirmed, a few weeks before the docuseries was released on Netflix, Maryland (where the case occurred) extended their statute of limitations on childhood sexual abuse to the age of 38 (Kelly, 2017). Along with *Dear Zachary*, *The Keepers'* emotional impact and message highlighting the failure of authorities to keep the victims safe have resonated with the public and in turn, with the legal system as well.

Other documentaries tell the story from different perspective: the alleged criminal. Most Americans are aware of the O.J. Simpson case, otherwise known as the "trial of the century" (Scott, 2016). But what makes this Oscar-winning docuseries unique is that the series provides a narrative of the social climate which may have contributed to the not guilty verdict Simpson received. The docuseries also focuses on issues of race and legal authority, "so persuasively [treating] law enforcement racism as a systematic problem" (Scott, 2016). Though the case may have been decades ago, in the aftermath of Michael

Brown and Trayvon Martin, it's no surprise such messages of racial injustice may have resonated with viewers.

In a documentary about a case rivaling the O.J. Simpson in terms of media coverage (Moyer, 2015), *Amanda Knox* details how Amanda Knox is twice convicted and twice acquitted of murdering her roommate in Italy (Blackhurst, 2016). The documentary explores how the sensationalized and untrue media headlines, the Italian authorities, and the concept of a sexually motivated crime all interact. This dangerous concoction culminates in the imprisonment of Amanda Knox, a 20-year-old American college student. Told from both the prosecutorial side and the subject of the documentary herself, this documentary details the botched forensic investigation into the murder of Meredith Kercher, for which Knox was blamed. The film also provides Knox an opportunity to describe the harsh investigative procedures she endured at the hands of Italian authorities, such as being assaulted and coerced into providing false accounts of what happened that night (Blackhurst, 2016).

The issue of false confessions is one that dominates the criminal justice system. So much so, that the Innocence Project has identified that false confessions are present in over 25% of wrongful convictions cases leading to exoneration ("False Confessions or Admissions," n.d.). A docuseries titled *The Confession Tapes* presents examines six cases in which confessions were coerced. Though each case may have different circumstances, "the themes are distressingly similar: multi-hour interrogations without lawyers present...overconfident detectives and prosecutors who decide...their suspects are the only suspects" (Novick, 2017). Similar to previous documentaries and docuseries, *The*

Confession Tapes casts doubt on the ethics behind the justice system, this time by highlighting the topic of coercion.

But the most controversial, and arguably most popular true crime documentary released into the world of streaming may be *Making a Murderer*, named “Netflix’s Most Significant Show” (Tassi, 2016). The stories of Steven Avery, a recently exonerated loner in Manitowoc County, Wisconsin, and his then 16-year-old nephew Brenden Dassey, a high school teen with a borderline-deficient IQ (Brown, 2016) are told through testimony from family, members of the legal team, and harrowing video footage of interrogations. The ten-part series details the treatment Avery and Dassey endured at the hands of interrogators similar to the interrogations from *The Confession Tapes*, and the forensic evidence which does not seem to add up, akin to inconclusive evidence from *Amanda Knox*. The docuseries also dives into the possibility of planted evidence like *O.J.*, and the motivations behind members of law enforcement to have Avery convicted. Though an outraged public called for Avery and Dassey’s pardoning, both individuals remain in prison (Brown, 2016).

The Present Study

Though each docuseries and documentaries in true crime explore a different case under different circumstances, the message is clear: there are problems with the legal system, specifically with forensic evidence and the questionable ethics and motives of legal authority. Such a genre rarely comes without biased accounts of the events; however, as we have seen from previous cultivation research (Gerbner et al., 1986; Lowry et al., 2003; Romer et al., 2003; Arendt, 2010), the information doesn’t have to necessarily be factual for messages to be cultivated by its viewers. Themes of mistrust

contrast with those of fictional crime drama, in which law enforcement is often glorified and forensic evidence is seen as uncontested. Are the themes of this new and upcoming subgenre of true crime documentaries a sign of a larger cultural shift? Are such documentaries and docuseries powerful enough to distort perceptions and estimations of police misconduct, akin to *CSI* and the infallibility of forensic evidence?

The current study seeks to expand research on the cultivation theory as it pertains to some of the most influential titles from an increasingly popular genre of true crime documentaries. Drawing from previous literature on cultivation, viewership of true crime documentaries with reoccurring themes of crucial forensic evidence manipulation may lead to first-order effects of cultivation (i.e. overestimation of the frequency of evidence manipulation by law enforcement). If cultivation effects are just as strong for true crime documentaries about the misconduct of investigators and police as *CSI* is for the belief in infallibility of evidence, then one hypothesis is that viewers of such content may be more likely to perceive signs of evidence-planting after being provided a case comparable to the cases from the documentaries. Using a fictitious but ambiguous murder case reminiscent of the one in *Making a Murderer* (but with key differences to avoid priming), the current study also seeks to examine an additional hypothesis that second-order effects about beliefs, resulting from true crime viewership, will result in a positive correlation existing between viewership of true crime documentaries and mistrust against legal authority and the criminal justice system as a whole.

Method

Participants

Two hundred and nine participants were recruited through Amazon Mechanical Turk (MTurk) and were compensated \$0.80 for their time to complete the approximately 5-minute survey. Participants were all eligible jury members, having no felonies and at least 18 years old. Eight participants were excluded due to not completing the study in its entirety. Thus, 201 participants make up the final sample.

Demographic information for the remaining participants included 142 Caucasian participants (70.6%), 20 Hispanic/Latino participants (10%), 18 Black/African American participants (9.5%), 16 Asian/Pacific Islander participants (8%), two Middle Eastern participants (1%), and two participants who did not reveal their ethnicity. The majority of participants were male, with 126 males (63%) and 73 females (36%) and two which did not disclose their gender (1%). Participants' ages ranged from 19 to 73 years old ($M = 35.35$, $SD = 10.98$). The most frequent level of education was a bachelor's degree, (40.8%), and the most frequent political views identified in participants were "moderate" (25.4%). In order to examine any potential biases, participants were asked if they had any connection to law enforcement, to which the majority of participants identified that they did not (87.6%).

Design

This study utilized a survey design, with a between-subjects trial transcript consisting of two conditions (Stronger case vs. Weaker case). The two scenarios of the case were identical in every way, with the exception of an additional eyewitness in the weaker case. Identified as a private investigator, the witness reveals a severe conflict of

interest involving the investigating officer such that he would personally benefit from the arrest of the defendant, thus weakening the case against the defendant as the plausibility of evidence planting increases. The stronger case against the defendant was meant to be perceived as even-sided, serving as more of the “typical” criminal case. The weaker case serves as a less ambiguous case, to conjure up doubt in participants who may be on the fence about their perceptions of the investigating officer and may be more inclined to go with their “gut feeling.” Depending on whether the participant had viewed the targeted documentaries or not, viewership may have influenced this gut feeling.

Due to the inconsistent nature of streaming, the participants were not categorized based on amount of viewership per show. Instead, measures of documentary viewership were based on whether participants had seen a documentary/docuseries or not.

Participants were also questioned about the last time they had seen the documentary, with dates ranging from “2+ years ago” to “in the past 6 months” to examine if recency may serve as a possible covariate of viewership. The independent variables are strength of the case (weak vs stronger) and the nonmanipulated independent variable of documentary viewership depending on if they had seen one of the targeted documentaries or not.

Dependent variables include perceptions of the case provided; specifically, dependent variables were strength of the case against the defendant, defendant responsibility for the murder, and likelihood of evidence manipulation; as well as perception of legal authority, operationalized as likelihood of evidence planting by police in general, perceptions of the police, and trust in the criminal justice system.

Materials and Measures

Participants were provided with a description of a case, followed by a trial transcript approximately half a page long. The case describes a murder of a female victim whose body was found near a creek outside a small town in Texas. An anonymous tip was said to have been provided to the police department, and afterward, police began searching the home of a suspect, where the wallet of the victim was found under the bookshelf. Specifics of the case involved a murder, in which the victim was found in a small creek a few miles from a Texas town. After an anonymous tip was given, the police searched the home of the defendant and found a wallet under a bookshelf. During the trial, the investigating police officer testified to finding the wallet, but also testified that the suspect had not been on their radar for any violent offenses previously. Following the investigating police officer, two neighbors of the suspect testified that the suspect had been suspicious of people attempting to take his land and that the victim had been looking in the area for land to buy.

Following the testimonies on the side of the prosecution, the defense also presented witnesses. One of the suspect's coworkers testified that the suspect had not demonstrated any unusual behaviors in the days following the murder. The suspect then testified, claiming that an out-of-state company had been the party interested in his land and that he was not even acquainted with the victim. In one scenario (coded as the strong case), the trial transcript ends with the suspect speculating that the investigating officer must have planted the evidence. However, in the other scenario (coded as the weak case), there is additional testimony on behalf of the defense, in which a private investigator hired by the defense testifies that the investigative officer of the case's father is one of the

developers looking into the suspect's land. The private investigator concludes that with the suspect in prison, the suspect's land would be free to sell. This final testimony's purpose is to provide additional support for the possibility of evidence planting on behalf of the police, as well as to weaken the case against the defendant by adding a conflict of interest to make the possibility of evidence planting more plausible.

Common controversial themes in the documentaries included in the study appear to be responsibility of the defendant, how weak or strong the case was against the defendant, and the possibility that evidence was manipulated in order to strengthen the likelihood that juries will vote guilty. Due to these themes, participants were provided with several similar questions regarding the case presented in the trial scenario. Questions included "To what extent do you believe [the defendant] is responsible for the death of the victim," on a 6-point Likert scale with lower values indicating less responsibility, "How strong is the case against the defendant," on a 5-point Likert scale with lower values indicating weaker strength of the case, and "In your opinion, what are the odds that [the evidence] was planted," consisting of a blank textbox, giving participants the opportunity to fill in their estimates ranging from 0 to 100% of cases.

Following case-specific questions, participants then completed an excerpt of the Perceptions of Police Scale, a 12-item measure used to assess community and individual perceptions of biases towards police officers (Nadal & Davidoff, 2015). For the purpose of this study, two questions from the scale were implemented due to their relevance to themes in the target documentaries and to the hypotheses. The questions pertained to participants' perceptions of two statements, that the police were unbiased and were

trustworthy, and were collected on a 5-point Likert scale, with lower values indicating more disagreement and higher values indicating more agreement.

Finally, participants were asked to provide their viewership habits for the targeted documentaries, specifically, if they had seen *Making a Murderer*, *Amanda Knox*, *Dear Zachary*, *The Keepers*, *O.J.: Made in America*, and *The Confession Tapes* and when they had last seen each one (choices ranged from 6 months to over two years ago). Following this, participants were asked to indicate if viewership for these documentaries resulted in a self-perceived loss of trust for specific elements of the criminal justice system. If they had not seen any of the identified documentaries, participants were told to skip this section. The identified elements included confessions, validity of forensic evidence, the police, the reliability of eyewitness testimony, county/state prosecutors, defense attorneys, judges, and the criminal justice system as a whole. Values were collected on a 5-point Likert scale ranging from “My trust has significantly lessened” to “My trust has significantly increased.”

Procedure

Prior to the release of the survey, IRB approval was requested and granted. Participants were recruited via MTurk and randomly assigned to conditions (either strong case or weak case). First participants were provided with informed consent, notifying participants of their anonymity for their responses. Participants were also informed of the exact amount of their compensation, and the estimated time of completion of the survey. Finally, participants were provided with contact information should they have any questions amount the study. Following the informed consent, participants were provided with the trial transcript, then questions regarding the trial. Participants were then asked

questions about their perceptions of the police. Afterward, participants were provided with questions asking them about their exposure and viewership habits to the specific documentaries/docuseries, then asked to provide demographic information. Finally, participants were provided with a completion code and thanked for their participation.

Results

Viewership. A series of analyses were conducted on the sample of 201 participants. First, a series of frequency tables were produced in order to examine how many participants reported seeing each documentary. For *Making a Murderer*, 37.3% of all participants reported seeing the documentary, with the majority of participants viewing it between 1-2 years ago. A little over 35% of participants reported seeing *O.J.: Made in America*, with a majority reporting having seen it in the past 6 months. For *Amanda Knox*, 20.4% participants reported seeing the documentary, with a majority having seen it between 1-2 years ago, or in the past year. Eighteen percent of participants had reported seeing *The Keepers*, with a majority having seen it in the past year or the past 6 months. For *Dear Zachary*, 17.4% had reported viewing it, with most reporting having seen it between 1-2 years ago. Finally, 15.9% of participants reported having seen *The Confession Tapes*, with the majority of participants having seen it in the past 6 months.

As the goal of the study was to examine whether viewership of such documentaries overall affected case judgments, a variable was created which combined all reported viewers of the documentaries. Variables were coded such that values of “0” indicated a non-viewer, and a value of “1” indicated a viewer of any documentary. Fifty-six percent of participants had indicated that they had seen at least one of the

documentaries/docuseries on the survey, with 43.9% of participants categorized as a “non-viewer,” meaning they had not seen any of the listed documentaries/docuseries. The variable was termed “simple viewership.” Another variable to assess the effects of how many identified documentaries a participant reported to have seen on case and police judgments was created, titled “overall viewership.” A similar number of participants had received the weaker case against the defendant ($N = 99$) and the stronger case ($N = 102$), and a correlation matrix was created to ensure there were no significant effects of participants who viewed a certain documentary receiving an uneven amount of either scenario (ps ranged from .390 to .946).

Case Judgments. Before analyzing the effects of viewership, a series of univariate analyses were performed independent of documentary viewership to ensure a successful manipulation in perceived strength of each case against the defendant. First, there was a significant effect of which scenario participants received on responsibility of the defendant, $F(1, 199) = 6.29, p = .013, \eta_p^2 = 0.031$, such that participants who received the weaker case against the defendant (with greater possibility of evidence manipulation) reported lower values of responsibility ($M = 3.11, SD = 1.15$) than those who received the stronger case ($M = 3.52, SD = 1.16$). As suspected, scenario also had a significant effect on strength of the case against the defendant, $F(1, 199) = 5.86, p = .016, \eta_p^2 = 0.029$, with participants who received the stronger case producing higher values in how strong the case is against the defendant, ($M = 2.64, SD = 1.04$) than those who received the weaker case ($M = 2.30, SD = 0.01$). Scenario significantly affected participants’ estimations that the evidence was planted in the case, $F(1, 195) = 7.67, p < .01, \eta_p^2 = 0.038$, with participants who received the weaker case reporting significantly higher estimates of

evidence planting ($M = 46.05$, $SD = 24.78$) than those who received the stronger case ($M = 35.94$, $SD = 26.42$).

Simple Viewership. Simple viewership (viewers of at least 1 documentary vs nonviewers) was examined through a series of univariate analyses of variance for effects on case judgments and perceptions of police, covarying for age, gender, and ethnicity (See Table 1). No significance was found, with p s ranging from .12 to .98. Age of the participant did appear to be significant for estimates of police planting the evidence in the case, $F(1, 193) = 4.73$, $p = .031$, $\eta_p^2 = .025$, and belief that participants were trustworthy, $F(1, 194) = 6.34$, $p = .013$, $\eta_p^2 = .033$, which will be discussed in a later section.

When examining an interaction between simple viewership and scenario on responsibility of the defendant, no significance was found, $F(1, 195) = 2.37$, $p = .126$, $\eta_p^2 = .012$. No significant interaction was found with simple viewership and scenario on strength of the case, $F(1, 195) = 0.61$, $p = .438$, $\eta_p^2 = .003$. No significant interaction effects of simple viewership on scenario appeared for estimations of evidence planting for the specific case, $F(1, 193) = 0.71$, $p = .400$, $\eta_p^2 = .004$. No significant interactions existed with scenario and simple viewership on estimations of police planting in general, $F(1, 195) = 0.13$, $p = .720$, $\eta_p^2 = .001$. No significant interaction was found with scenario and simple viewership on belief that the police were unbiased, $F(1, 194) = 1.41$, $p = .236$, $\eta_p^2 = .007$. Lastly, no significance existed for the interaction of scenario and simple viewership on the belief that police were trustworthy, $F(1, 194) = 0.80$, $p = .373$, $\eta_p^2 = .004$.

Overall Viewership. Next, overall viewership (i.e. the number of documentaries participants reported having seen) was examined through a series of univariate analyses

of variance for effects on case judgments, but no significant effects were found, covarying for age, gender, and ethnicity, with p values ranging from .18 to .48 (see Table 2).

Interactions of scenario and overall viewership on case judgments and perceptions of police were examined, covarying for age, gender, and ethnicity. No significant effects were found for responsibility of the defendant, $F(1, 198) = 0.98, p = .444, \eta_p^2 = .031$, or strength of the case, $F(1, 198) = 0.67, p = .672, \eta_p^2 = .022$. No significant interaction was found with overall viewership and scenario on estimates of police planting evidence in the case, $F(1, 196) = 1.26, p = .278, \eta_p^2 = .041$, or estimates of police planting in general, $F(1, 198) = 0.44, p = .852, \eta_p^2 = .014$. Lastly, no interaction was found with scenario and overall viewership on beliefs that police are unbiased, $F(1, 180) = 1.18, p = .320, \eta_p^2 = .038$ or beliefs that police are trustworthy, $F(1, 197) = 0.36, p = .903, \eta_p^2 = .012$.

Individual Documentaries. A series of regressions were then performed to test if viewership for individual documentaries/docuseries might yield significant effects on case judgments and perceptions of the police over and above other documentaries. No individual documentary or docuseries appeared to be significant predictors of estimations of police planting evidence in the specific case, police planting evidence in general cases, or distrust in the police (see Table 2). However, individual documentaries did appear to affect strength of the case against the defendant, $R^2 = .07, F(6, 200) = 2.37, p = .032$. Viewers of *Amanda Knox* rated the case as weaker against the defendant, ($\beta = -0.19, p = .044$), while viewers of *Dear Zachary* ($\beta = 0.25, p = .012$), and *The Confession Tapes* ($\beta = 0.22, p = .019$) rated the case as stronger against the defendant. Responsibility of the defendant also appeared to be significantly predicted by individual documentaries, R^2

= .07, $F(6, 200) = 2.40, p = .029$, with viewers of *Dear Zachary* reporting more responsibility of the defendant for the murder, ($\beta = 0.28, p = .006$), and viewers of *The Keepers* reporting less responsibility of the defendant ($\beta = -0.23, p = .02$) (see Table 3).

Variables were created to distinguish between whether or not participants were viewers of that specific documentary. Each variable was then examined as univariate analyses of variance, with its interaction with scenario on perceptions of the case and perceptions of the police, all controlling for age, gender, and ethnicity. No significance was found for the interaction of scenario with *Making a Murderer*, with ps ranging from .538 to .969. No significant interactions were found for *Amanda Knox* as well, with ps ranging from .454 to .940.

When testing this interaction with *Dear Zachary*, a significant interaction was found with odds of planting the evidence for the specific case, $F(1, 196) = 9.48, p = .002, \eta_p^2 = .048$, with participants who had seen *Dear Zachary* reporting greater estimates of evidence planting in the weak case ($M = 50.00, SD = 24.13$) than nonviewers ($M = 33.43, SD = 26.15$) and smaller estimates in the weak case ($M = 36.00, SD = 23.44$) than nonviewers ($M = 48.60, SD = 24.26$). However, there were no simple effects of *Dear Zachary* on estimates of police planting evidence, $F(1, 196) = 9.48, p = .950, \eta_p^2 = .000$, and no other significant interactions with *Dear Zachary*, with ps ranging from .068 to .526. There was, however, a simple effect of *Dear Zachary* on responsibility of the defendant, $F(1, 198) = 7.92, p = .005, \eta_p^2 = .040$, with viewers reporting highest estimations of responsibility of the defendant for both the stronger ($M = 3.65, SD = 1.22$) and weaker case ($M = 3.88, SD = 1.03$) than nonviewers ($M = 3.48, SD = 1.15$) and ($M = 2.95, SD = 1.13$) respectively. A significant effect of *Dear Zachary* viewership was also

reported on strength of the case, $F(1, 198) = 4.30, p = .040, \eta_p^2 = .022$, with viewers reporting higher estimates of strength of the case for both the stronger ($M = 2.94, SD = .97$) and weaker case ($M = 2.63, SD = .81$) than nonviewers ($M = 2.58, SD = 1.06$) and ($M = 2.21, SD = .90$) respectively.

Next, *The Keepers* were examined for its interaction with scenario on perceptions of the case and police, with no significance, ps ranging from .145 to .767. The only exception was the belief in the statement that the police were unbiased, with viewers of *The Keepers* reporting higher values ($M = .29, SD = 1.16$) in the belief of the statement, $F(1, 197) = 3.16, p = .048, \eta_p^2 = .020$, than nonviewers ($M = 2.52, SD = 1.22$) a finding contrary to predictions. *O.J.: Made in America* was also examined for significance with scenario on perceptions of the case and police, with no significance found (ps ranging from .219 to .907) with the exception of a significant interaction for responsibility of the defendant, $F(1, 198) = 6.42, p = .028, \eta_p^2 = .025$. Viewers of *O.J.* reported lower estimations of defendant responsibility ($M = 3.31, SD = 1.17$) in the stronger case than nonviewers ($M = 3.62, SD = 1.14$) and higher estimations of responsibility in the weaker ($M = 3.41, SD = 1.05$) than nonviewers ($M = 2.84, SD = 1.19$). However, no simple effects were found with *O.J.*, $F(1, 198) = .14, p = .714, \eta_p^2 = .001$.

Finally, *The Confession Tapes* were examined for its interaction with scenario on perceptions of the case and police. A significant, simple effect was found for viewers of *The Confession Tapes* on responsibility of the defendant, $F(1, 198) = 4.43, p = .037, \eta_p^2 = .023$, with viewers reporting higher estimates of defendant responsibility ($M = 3.63, SD = 1.13$) than nonviewers ($M = 3.25, SD = 1.17$). However, no significant interaction was found, $p = .478$. There was also a significant simple effect of *The Confession Tapes* on

estimates of strength of the case, $F(1, 198) = 5.41, p = .021, \eta_p^2 = .028$, with viewers reporting higher estimations of strength of the case against the defendant, ($M = 2.80, SD = .89$) than nonviewers ($M = 2.40, SD = .99$). No significant interaction was found, $p = .268$. There was a significant, simple effect for viewership, $F(1, 197) = 9.32, p = .003, \eta_p^2 = .047$ on belief of police unbiased. Viewers reported greater belief in the statement that police are unbiased ($M = 3.13, SD = 1.14$) than nonviewers ($M = 2.49, SD = 1.21$). No significant interaction with scenario was found, $p = .287$. No significance was found for the belief that police planting the evidence in the case, that police were trustworthy, or estimates of police planting evidence in general, with ps ranging from .141 to .990.

Demographic Effects. A series of regressions were also performed to examine individual participant demographic information on case judgments and perceptions of the police. Though the overall model was not significant, age played a role as a significant predictor of estimation that the police planted the evidenced in the case, such that younger individuals were more likely to believe in evidence planting ($\beta = -0.15, p = 0.039$). No significant relationship was found in responsibility of the defendant and demographics, or strength of the case against the defendant and demographics. When examining demographic information on trust in police, $R^2 = .09, F(3, 196) = 6.12, p = .001$, age ($\beta = 0.19, p = .006$) and political views ($\beta = -0.23, p = .001$) appeared to be significant predictors. The older the participant, the more trust placed in police, while the more liberal the participant reported to be, the less trust placed in police. Ethnicity appeared to play a role in estimates of police planting evidence in general, $F(4, 194) = 3.18, p = .015, \eta_p^2 = 0.062$, with African American participants estimating the highest

values ($M = 6.89$, $SD = 2.64$) but did not affect judgments of responsibility ($p = .251$), strength of the case ($p = .808$), or evidence manipulation ($p = .243$).

Subjective Judgments. Finally, a series of one sample t-tests were performed to examine participants' self-reported changes in trust in agents and forms of evidence in the legal system as a direct result of these specific documentaries/docuseries. In comparison to "my views did not change," participants reported that they had lost trust in all these aspects. Lost in trust for judges was significant, $p = .013$, as well as prosecutors and defense attorneys, both at the $p = .002$ level. Lost in trust for police, reliability of eyewitness testimony, confessions from a criminal suspect, and the criminal justice system as a whole were all significant at the $p < .001$ level (see Table 4). The only exception is belief in the validity of forensic evidence, which was not related to viewership.

Discussion

The current study examined a relationship between consumption of true crime documentaries and negative perceptions of the police and belief in evidence-planting during a mock criminal case. The results of the current study did not support such hypotheses. How many documentaries a participant reported to have seen from the set list (i.e. "overall viewership") did not affect perceived strength of the case, nor did whether or not a participant was viewer (i. e. "simple viewership). As expected, which scenario participants received influenced their perceptions of the case, as those who received the weaker case reported less responsibility of the defendant, a less strong case against the defendant, and a higher belief in evidence manipulation in the case. However, which scenario a participant received did not affect other, more general elements of police.

Whether a viewer had or had not seen at least one of the documentaries mentioned as compared to those who had not seen any did not significantly impact beliefs about case strength or perceptions of police in general. This goes against one of the primary hypotheses that viewership of true crime documentaries will negatively affect beliefs in police and increase perceptions of evidence manipulation. Similar to previous research on sentencing (Kopacki, 2014), individual characteristics did appear to play a role in perceptions of the case and perceptions of police. Specifically, younger, more liberal participants reported less trust in the police in general, with younger participants providing higher estimates of evidence-planting in the case. Regarding ethnicity, African Americans were significantly more likely to provide higher estimates of evidence-planting in general, but ethnicity did not impact perceptions of the case.

Though this study was unable to support the first-order effects of cultivation, or the estimates of probability (in this case, differences in estimation for evidence-planting in viewers vs. non-viewers), the second-order effects of cultivation or change in beliefs and attitudes about the world were partially supported in the data. Specifically, second-order cultivation effects are demonstrated in the self-reported loss of trust by participants in many components of the criminal justice system with the exception of forensic evidence. This study may reflect a difference in attitude about the criminal justice system as it relates to media consumption, but the first-order effects in cultivation may be more difficult to examine. Neither Gerbner nor subsequent researchers differentiate between the time it takes first-order and second-order effects to appear, which may make the span of time between the release of a docuseries or documentary and the time it takes for cultivation effects to appear, crucial (or on the contrary, not important). Further research

will need to be conducted to confirm such a statement, but it is worth noting that much of the research on the CSI Effect with the most salient results was conducted several years after the initial release of the show in 2000 (e.g. Schweitzer & Saks, 2007; Cole & Dioso-Villa, 2007; Stinson et al., 2007). This contrasts with the documentaries and docuseries targeted in the current study, in which the earliest release date is 2015 (with the exception of *Dear Zachary*, which was released in 2008).

While it may only be a matter of time to allow for certain components of cultivation to occur, there is also a key difference in research conducted on *CSI* and the media from the current study which may also explain the lack of significance: the consistency with which they are presented. While *CSI* is presented in a consistent manner as a television show and airing concurrently with the studies conducted on its effects, the titles in the current study are shown through the medium of streaming. This allows the viewer to have complete and total control over his or her choices, but the lack of consistency in viewing may also lend itself to only short-term effects of cultivation which may not hold when presented with a mock trial. Alongside the topic of consistency, the results seemed to implicate no distinguishing differences in how effective a documentary movie vs. a docuseries with multiple episodes are on participants who saw them, as both methods of delivery generated significant findings.

Though examining individual documentaries' relationships with attitudes about the police did not yield significance, there were significant relationships found with less-viewed documentaries and specific components of the mock case. Specifically, viewership in *Dear Zachary* and *The Confession Tapes* demonstrated an increase in perception of how strong the case was against the defendant, while viewership in *Amanda*

Knox showed a decrease in how strong the case was against the defendant. This may be due to the differences in messages being portrayed and received by viewers; for example, *Dear Zachary* had strong overtones of failure of the legal system's part to keep the victims safe (Kuenne, 2008), while *The Confession Tapes* focused primarily on false confessions (Loudenberg & Whalen, 2017). However, in *Amanda Knox*, the focus was on the prosecutor's and the forensic team's failures in many aspects of the case, all contributing to the strength of that case and the eventual release of the title character (Blackhurst, 2016).

Significant effects of individual documentaries were also found for responsibility of the defendant for the murder of the victim, with *Dear Zachary* viewership correlating with positive belief in defendant responsibility, and viewership of *The Keepers* leading to negative belief in defendant responsibility. This may also be due to the participants' perceived takeaway message from the individual documentaries as well; however, interestingly enough, both *Dear Zachary* and *The Keepers* focus on failures of the law to keep a much-deserving criminal behind bars, though there are key differences in each case. With *Dear Zachary* and *The Keepers* being some of the least-viewed titles, perhaps this speaks more about personal characteristics of the individuals who choose to watch the respective documentaries and how they interpret the messages of what they are viewing.

Why do significant effects for less-viewed shows appear, but such effects do not show up for the more popular documentaries with higher reports of viewing? Such effects may be appearing due to the small sample size reported for the less popular shows; however, past media research suggests there may be an alternative explanation. Research

has demonstrated in the past that personality variables may be the driving factor in how we decide what we want to watch (Faber & Mayer, 2009; Tu, Dilley, & Kaufman, 2015) and how receptive we are to being cultivated (Mancini, 2011; Coenen & Van den Bulck, 2016). While individual preferences for entertainment has been largely understudied, one possible explanation may be that the less popular the show, the more personality and individual characteristics may drive the choice to watch the show. The motivations for choosing a lesser known title may contrast with the motivations for choosing a more popular show, as motivations for the latter may be based on a more societal need to feel included and “kept in the loop.” In the current study, there exists a considerable gap between the more popular documentaries and less popular. For example, roughly one-third of participants report seeing *O.J.* and *Making a Murderer*; however, that number drops to one-fifth of participants or less for viewership in the remaining documentaries. Along with this gap in viewership is the gap in significant findings, with less popular shows having the most predictive power. If personality has been shown to drive the choice in what an individual watches, and cultivation serves as a mechanism to confirm certain ideals and strengthen their heuristic values (Gerbner & Gross, 1976; Morgan & Shanahan, 2010), this may be indicative of the type of beliefs viewers hold and dictate how open and susceptible to cultivational processes they are when viewing certain shows. For true crime, it may be that individuals already distrustful of legal authority are drawn towards these documentaries in an attempt to confirm what they already believe.

The connection between personality and individual characteristics on media preferences may be an important one for the court. While the original goal of examining how viewership positively correlated with perceptions of evidence-planting and mistrust

in the criminal justice system was only partially supported, the results from this study do indicate an important relationship of viewership and perceptions of mistrust for legal authority. Asking potential jurors if they have recently viewed certain documentary titles holding strong messages about the criminal justice system and its shortcomings may potentially reveal a link for lawyers to identify if a juror is more inclined to be distrusting of certain agents present in the criminal justice system, such as the lawyers themselves. As was demonstrated in the current study, viewership of certain titles may also have important implications for how certain jurors view the responsibility of the defendant, and the strength of a real criminal case.

Limitations and Future Directions

This study carries with it a number of limitations. One such limitation is the issue of ecological validity in utilizing a mock trial transcript, as opposed to other methods such as a live trial or a video. However, previous research conducted on the modality of mock trials concluded that external validity is not significantly lessened when utilizing the form of a transcript in place of other methods (Pezdek, Avila-Mora, & Sperry, 2010). However, this study is further limited by the sparse nature of the transcript provided in this study, which is far from reality. However, due to the need for ambiguity in this particular case, a short transcript was needed for participants to persuade participants to rely on media sources, such as true crime documentaries. Issues in reliability might have also arisen from the self-reporting nature of the survey, though this was unavoidable for the purposes of this study. Collecting a small sample of participants and utilizing an even smaller pool of participants who indicated they had seen a certain documentary to

analyze the DVs also likely pose significant problems. Despite this, past research on cultivation cautions against disregarding small sample sizes (Morgan & Shanahan, 1997).

Another issue with validity is the very limited and selective titles chosen for the study and the manner in which the shows are presented. Though past studies on the CSI Effect often narrowed their research to a handful of shows with significant findings (Schweitzer & Saks, 2007; Kim et al., 2009), the true crime documentaries used for the purposes of this study are delivered in a less consistent form of viewership than a show airing weekly on television. Though this form may or may not affect the cultivation process (Morgan et al., 2015), the limited selection of titles leaves considerable room for exploration of other documentaries. The titles mentioned are also only available on Netflix or Hulu, which may alienate members of the public who do not have access to such services. However, due to the majority of participants from this study (56.1%) reporting to have seen at least one of the shows mentioned, and the increasing popularity of such streaming services, this may not pose significant issues for future studies.

One methodological limitation with the current study may also be the perceived message or the content of the documentary; many of the documentaries have been implicated to be biased, inaccurate, and one-sided (Victor, 2016; Shotwell, 2016; Pendergrast, 2017) which some participants may have picked up on. While past research on cultivation has shown that the correctness or accuracy of the content does not inhibit the cultivation process (e.g. Nabi & Sullivan, 2001; Arendt, 2010), bias perceived in the documentaries may have deterred or distracted participants from picking up on the overall theme. This, in turn, may make the documentary less effective or less influential to participants. While future research will need to address perceived influence and

accuracy of such titles, the significant results for decrease in perceived trust in many aspects of the criminal justice system as a direct result of viewership do seem to implicate the noteworthy influence the specified documentaries may have.

Cultivation theory implies that the messages we perceive and the reality we see in television cultivates how we perceive the world, implying that viewership to a certain degree is causal. While the psychological mechanisms have largely gone unstudied, the primary mechanism for cultivation is through heuristic processing, with studies in support of this (Morgan & Shanahan, 2010). As heuristics do play a role in other causal functions, such as reasoning (Remijn & Crombag, 2007), cultivation does imply causation in that consuming certain media causes a viewer to retrieve information from such media and apply it to reality. Although previous studies (Arendt, 2010) have attempted to induce cultivation effects after exposing individuals to certain beliefs, due to the nature of the study, the causal nature of true crime documentaries on cultivation cannot be tested. Due to the correlation nature of the results, caution should be taken when applying these results externally

As the expansion of the genre and streaming services grow, future studies should continue to explore the true crime documentary genre. Future research should also account for personality characteristics, as this may provide the possible connection between beliefs about a criminal case, and the titles potential jurors expose themselves to. Research should also continue to examine attitudes of law enforcement and legal authority within the framework of cultivation, as this could be demonstrating a societal-level signification in how we as citizens perceive the effectiveness of our justice system. Keeping in line with Gerbner's theory, the continual release and popularity of anti-

authority media may be indicative of a society which has come to mistrust the very system sworn to protect it.

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Table 1

Simple Viewership on Case Judgments and Police Perceptions

Dependent variables	Simple viewership	Scenario	Simple viewership x scenario
Case strength	0.13	6.59*	0.61
Defendant responsibility	0.00	6.35*	2.37
Evidence manipulation	0.51	9.65**	0.71
Overall evidence manipulation	0.02	0.05	0.13
Police unbiased	2.43	2.18	1.41
Police trustworthiness	1.17	0.90	0.80

Note: Simple viewership refers to non-viewers vs. viewers of at least one documentary. Simple viewership, scenario, and simple viewership x scenario are all obtained through a series of univariate analysis of variance with the F value reported, covarying for age, gender, and ethnicity.

* $p < .05$, ** $p < .01$

Table 2

Overall Viewership on Case Judgments and Police Perceptions

Dependent variables	Overall viewership	Scenario	Overall viewership x scenario
Case strength	0.88	1.17	0.67
Defendant responsibility	1.12	2.10	0.98
Evidence manipulation	0.92	2.27	1.26
Overall evidence manipulation	0.41	0.18	0.44
Police unbiased	1.51	1.14	1.18
Police trustworthiness	1.33	1.08	1.36

Note: Overall viewership refers to how many documentaries a viewer indicated to have seen. Overall viewership, scenario, and overall viewership x scenario are all obtained through univariate analyses of variance with the *F* value reported, covarying for age, gender, and ethnicity.

* $p < .05$, ** $p < .01$

Table 3

Individual Documentaries' Relationship on Case Judgments and Police Perceptions

Documentary	Defendant responsibility	Case strength	Odds of evidence planting	Trust in police	Belief in unbiased police	Frequency of evidence manipulation
<i>Making a Murder</i>	-.03	-.00	.07	.05	.08	-.06
<i>O.J.: Made in America</i>	-.03	-.01	.01	.06	.01	.07
<i>Amanda Knox</i>	-.05	-.19*	-.00	.03	-.00	.08
<i>The Keepers</i>	-.23*	-.18	.14	-.12	.01	-.01
<i>Dear Zachary</i>	.28**	.25*	-.09	-.08	-.07	.00
<i>The Confession Tapes</i>	.18	.22*	.02	.07	.18	-.06

Note. Results were obtained through a series of linear regressions. All reported values are the standardized coefficients.

* $p < .05$, ** $p < .01$

Table 4

Self-Reported Changes in Trust as Direct Result of Viewership

Change in trust	<i>M</i>	<i>p</i>
Judges	2.85	.013
The police	2.67	.000
Defense attorneys	2.80	.001
County/state prosecutors	2.79	.002
Validity of forensic evidence	3.08	.198
Reliability of eyewitness testimony	2.74	.000
Confessions from a criminal suspect	2.76	.000
The criminal justice system as a whole	2.65	.000

Note. All values obtained using a one-sample t-test against no change in trust. Trust scale utilized a 5-point Likert scale, with 1 indicating significant amount of trust loss, and 5 indicated a significant amount of trust gained. 3 indicated no change in trust.