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ARTICLE

The *CSI* Effect

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This article discusses the "*CSI* effect," or the concept that television shows like *CSI: Crime Scene Investigation* have created an expectation among jurors that highly technical, science-based, forensic evidence is the only credible evidence and non-scientific evidence, such as witness testimony and documents, can be disregarded. The article explores how the "*CSI* effect" can influence all phases of a trial and offers steps that criminal law practitioners can take to mitigate or take advantage of this concept. Specifically, the authors advise practitioners to learn the details of the trial judge's jury selection procedures and deadlines and submit voir dire questions that allow them to better understand jury expectations in each case, master any scientific or technical evidence in a case before a trial and understand how it was collected, set expectations in opening statements to account for jurors' views or play to their expectations, take advantage of independent evidence and documents to corroborate non-scientific evidence and mitigate the "*CSI* effect" in direct examinations, compromise the credibility of witnesses in cross-examinations by emphasizing a lack of scientific or technological evidence, and proposing juror instructions on the appropriate use of circumstantial evidence. The authors conclude that criminal law practitioners should always be aware of how popular culture and technological advances can influence juror expectations in a case.

The *CSI* Effect.

CONTACTS

For more information, contact your Katten attorney or any of the following attorneys.



Scott A. Resnik
+1.212.940.8543
scott.resnik@katten.com

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