

Prosecutorial and Public Defender Perceptions: Anticipated Impact of Police Body-Worn Cameras on Jurors' Decision Making

FACT SHEET



PURPOSE

This research project evaluated the perception of prosecutors and public defenders on the impact of body-worn cameras (BWCs) on everyday courtroom procedures, particularly the value of BWC video evidence to jurors. This is a summary of a larger report, scheduled for release in the coming months.

LITERATURE REVIEW

Jury trials are infrequent among all legal cases, though the jury's role is an anticipated reference point that prosecutors and defense attorneys consider during negotiations. Key findings from previous research suggest:

- BWC evidence is used in cases in which police are typically the primary witnesses to the crime, presenting an enhanced level of credibility.
- The jury evaluates information or the absence of information and expects to see BWC video footage.
- The CSI Effect explains the widespread phenomenon of civilians' misperceptions of the practicality of the criminal justice system and results from an overwhelming amount of crime television shows.

METHODS

- Quantitative: An online survey was emailed to prosecutors and public defenders (PDs) in three jurisdictions: Monroe County, New York; San Diego County, California; and Travis County, Texas, with response rates of 53 percent (prosecutors) and 41 percent (PDs).
- Qualitative: Researchers conducted 40 interviews with prosecutors and PDs from their respective sites.



RESULTS

Quantitative Results

- Prosecutors and PDs agreed BWC video evidence resulted in more frequent plea bargains and that juries favor BWC video evidence over testimony.

Qualitative Results

- Prosecutor's perceived impact of BWCs on jurors' expectations:
 - An expectation of BWC footage during trial.
 - Jurors question law enforcement credibility in the absence of BWC video.
 - A CSI Effect among jurors where jurors unrealistically expect video to be always available and of good quality.
- Prosecutors' perceived impact on jurors' decision making:
 - BWC video has a significant impact and is important in jurors' decision making.
 - BWCs are a factor in determining credibility and are preferred over verbal testimony.
 - BWCs play an important role in certain cases, such as domestic violence and cases in which officers are the accused or primary witness.
- PD's perceived impact of BWCs on jurors' expectations:
 - A CSI Effect has led jurors to expect BWC footage in all cases.
 - Jurors' expectations of video can be used as a strategy for defense, according to Monroe County PDs.
- PD's perceived impact on jurors' decision making:
 - Video footage is preferred over testimony, according to San Diego County.
 - Jurors struggle to make decisions when footage is not available.
 - Jurors become suspicious when BWC footage is not available, according to Monroe County.

