The defining characteristics of the Simpson trial process—excessive delay, excessive cost, and perceptions that the judicial process fails to deliver justice—were pre-existing fixtures of public attitudes toward American courts.

thinking about crime control policy, cause premature rejection of promising policies and programs, and make certain policy options (e.g., decriminalization of some offenses) taboo subjects.

What of influence in the opposite direction? Are political and community leaders effective in influencing the public about crime and justice? Finckenauer argued that crime and criminal justice became a national political issue in the 1964 Goldwater presidential election campaign’s focus on “law and order” issues. He contended that the crime issue had been monopolized by political conservatives and that this definition of the problem and its solution gave rise to the “more cops, more prisons, more punishment” approaches that have characterized recent decades.

The growth of electronic media outlets in the past two decades has increased the channels available to political leaders to define the problem, prescribe the solution, and rally support behind positions. The Willie Horton scare campaign that was the hallmark of the Bush-Dukakis election contest in 1988 demonstrated the capacity of political leaders to take an image and its accompanying impact directly to the people and to use fear of crime as a political weapon. And the congressional debate over the 1994 Crime Bill amply illustrated the capacity of politicians to reduce complex, nettlesome policy decisions to histrionic debates about midnight basketball leagues and shrill arguments about prevention versus punishment. In sum, it appears that on crime and justice issues, political leaders readily use the communication outlets available to them to advance positions and policies, but rarely and ineffectually use those resources to educate the public about the costs and effectiveness of policy options.

The Role of the Media

The recently completed O.J. Simpson trial provided a chilling lesson in the effect of media coverage on Americans’ views of crime and criminal justice. In a phenomenon that combined soap opera, prime-time drama, and unprecedented media coverage and analysis, Americans were simultaneously assaulted with information from the trial and asked to evaluate all aspects of the proceedings. They were asked to offer opinions on guilt or innocence, the character and reliability of trial participants, the professionalism and effectiveness of justice system employees, and the consequences of the trial of criminal justice, jurisprudence, race relations, and presidential politics in America. The intensity of the “media phenomenon” was so outsized that one must be very careful in evaluating its effect.

One early finding that provides a warning to all concerned with criminal justice was that Americans who most assiduously watched the Simpson drama unfold reported declining respect and confidence for law enforcement, the courts, and other aspects of the justice process...the defining characteristics of the Simpson trial process—excessive delay, excessive cost, and perceptions that the judicial process fails to deliver justice—were pre-existing fixtures of public attitudes toward American courts. For many, the Simpson trial simply confirmed what they believed to be true about America’s courts. Blaming lowered public assessments of the justice system on the
uncommon media coverage of the trial is tantamount to blaming the sports pages for the decline in American interest in baseball.

Political scientist V.O. Key, Jr. observed that the effect of media is conditioned on the strength with which views are held. In the short run, he contended, effects of media coverage are greater on topics or issues for which citizens have undeveloped internalized norms or standards. Given that public opinion on many crime issues is deeply and firmly held ... the short-term effect of media attention is likely to be lessened. The media's greatest effect may be in bringing an issue to the attention of the public and in helping to place the issue on the public agenda. In a similar vein, Surrette's studies of the effect of the media on crime and criminal justice issues led him to conclude that the media affect citizens' 'factual perceptions of the world' rather than their evaluations of social conditions..."