

The Impact on the O.J. Simpson Verdict

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## **Introduction**

As a nation, we are greatly influenced by what we see in the media. We rely on the media to give us our news, to provide entertainment and to educate us. However, in order to form an objective, broadcasted media has been strategically modified to persuade the nations opinions on public situations. Forms of media manipulation stem from sources such as news coverages and tabloid magazines. These outlets are used for entertainment purposes and may twist events or stories to sway an audience's opinion and to attract more followers to their media platform. Race and gender are also factors that can be used to influence and shape one's opinions. Race and gender can allow an audience to relate to a situation or cloud their judgement due to the presence of discrimination. A prime example of a national story that was influenced by the media, as well as racial and gender discrimination, in order to control the public's opinion and knowledge would be the live, broadcasted trial “People of the State of California v. Orenthal James Simpson”.

The media had an impact on how society viewed the outcome of the case, the lawyers, the victims and the defendant. Before the trial had begun, NBC deemed that the 75-mile, white Bronco police chase was more important for viewers to watch than the 1994 NBA Finals, which it interrupted. An estimate of 95 million people within the U.S. tuned in to watch the low-speed chase. CNN and Court TV covered all 134 days of the trial, which sparked the idea for Fox news to be created in 1996 and TruTV. The high coverage of the case began the 24-hour news cycle, the beginning of reality TV, and gender politics. Due to high media pressure and public visibility, 47 states were persuaded to admit cameras into their courtrooms. However, news media lawyers, jurists and other experts, felt that the media coverage during the Simpson case turned the search for injustice, into a spectator sport. The high amount of media coverage also may have intimidated or discouraged witnesses from stepping forward or telling the truth.

Ultimately, during the famous court case, the verdict was influenced by the involvement of the national media, racism due to the involvement of a perceived racist cop with a black suspect and white victims and gender discrimination between the lawyers and the jurists. These factors played an important role within the case, as there were both positive and negative impacts of allowing the public insight on the case, seeing it exploited and categorized those involved in unethical ways.

### **Background**

On June 12, 1994, Nicole Brown Simpson and Ron Goldman were found stabbed to death outside of Nicole Brown's Condominium in Brentwood, California. Before the murder, at 6 pm that night, Nicole Brown and OJ Simpson had attended their daughters dance recital separately and later, Brown dined with her family at Mezzaluna Restaurant. Ron Goldman worked as a waiter at the Mezzaluna, and after his shift had ended, Goldman offered to drop off Browns mothers' glasses that she had left behind at the restaurant. Goldman and Brown were friends prior to this horrific night and had met for coffee, exercised together, and went out dancing, but were not romantically involved with each other. Between 6:30 pm and 10:15 pm, no one is clear of what took place to escalate to Brown and Goldman being murdered on her walkway steps, a few feet inside the gate. The gruesome bodies were found by a neighbor who was walking his dog around Midnight on June 13th. He came across a White Akita with blood on his paws and no leash. The dog had been barking nonstop and ran over to Browns condominium, where the neighbor glanced inside the gate and saw a body lying on its side covered in blood. Around 4:30/5 am, the police were called to the scene to investigate the bodies. There were cuts all over Nicole's neck that reached her spinal cord. Goldman had two wounds to the chest, one to the abdomen, one to his neck and one slash on his face. A black leather glove was also found

next to the bodies that was later found to contain O.J.'s, Ms. Browns and Goldman's blood. After discovering the bodies, the police went two miles down the road to OJ Simpson's estate, to inform him that his ex-wife had been murdered. The main reason why the officers claimed to have gone to the Simpson residence that night, was due to the fact that Brown and Simpson's kids were asleep inside Ms. Brown's condominium and were left now without a guardian. When they reached O.J. Simpson's residence, the officers discovered a speck of blood on the handle of O.J.'s white Ford Bronco that was poorly parked outside of his estate. Blood was also seen inside the Bronco, which belonged to the two victims and O.J. Simpson. No One was answering the gate access bell at the Simpson residence, so the three police officers hopped the fence to knock on the door, hoping someone would answer. They decided to also check the guest house where Simpson's houseguest, Brian Kaelin lived. He was under the influence of a substance at the time, but he recalls hearing a loud banging noise on the outside of the guest house near the air conditioning vent. One cop went inside O.J.'s house where his oldest daughter was staying and so he could get in contact with O.J., who had just landed in Chicago. During this time, one of the other cops, Mark Fuhrman, was investigating the air conditioning vent, where he found a matching black, leather glove just like the one they found at the crime scene. This allowed them to infer that O.J. may be a suspect in the murder of the two victims, therefore, they obtained a warrant to search the rest of his property.

Before the bodies were found, on June 12th at 10:45 pm, O.J. had a limousine scheduled to come to his house to pick him up for his trip to Chicago. The limousine driver, Mr. Park, stated in his testimony that he arrived early around 10:23 pm. The lead prosecutor on the case, Marcia Clark, questioned Mr. Park on if he had seen a white Bronco parked outside the house when he arrived, and he said no. Mr. Park had rang the buzzer to the house multiple times

between 10:25 pm and 10:55 pm waiting for someone to answer. The lights were off at the house during that time, but at 10:55 pm, Mr. Park states that he had seen a six-foot, 200-pound African American male enter the house and the lights turn on. After that, Mr. Park rang the intercom and O.J. answered, stating that he had overslept and that he needs to shower and then he will come out. O.J. lands in Chicago and checks into his hotel around 4:30 am on June 13th. The cops at the scene get in contact with O.J. by phone at his hotel to inform him that his ex-wife has been murdered. After they broke the news to O.J., the officers found it weird that he did not ask how she had been murdered. O.J. was then on the next flight out of Chicago and arrived back home around noon on June 13th where he was handcuffed for a brief moment and taken into questioning for 3 ½ hours at the police headquarters.

### **Overview of Evidence**

There are six distinct pieces of evidence that link O.J. Simpson to this case. The first are blood drops containing O.J.'s genetic makeup, which were found on the gate and near bloody footprints at the scene of the crime. When Simpson was being questioned at the police station, the officers noticed a cut on O.J.'s finger that was bandaged up. The second was the matching extra-large, Brooks Brother Aris leather gloves which were found at the crime scene and at O.J.'s estate outside of his guest house. The gloves were covered in blood and law enforcement proved that the gloves contained genetic markers of O.J., Ms. Brown and Goldman's blood. The third piece of evidence would be the hairs and fibers found at the crime scene. The prosecution team stated that hairs found on Goldman's shirt were found to be microscopically identical to O.J. hair follicles. However, this evidence did backfire on the prosecution team during the trial due to the police officers draping a blanket from inside Ms. Brown's house over her dead body. This evidence proves reasonable doubt because his hair follicles could be within her house seeing O.J.

has been inside before. The fourth set of evidence would be the bloody shoe prints. Bloody shoe prints were found at the crime scene which lead to the back entrance of the scene. The shoe prints were matched to a unique Italian made shoe, which was a size 12 Bruno Magli. Simpson claimed during questioning that he did not own a pair of these shoes, however, there is photographic evidence of O.J. wearing Bruno Magli shoes and he happens to be a size 12. The fifth piece of evidence are a pair of bloody socks that were found in O.J.'s bedroom which contained O.J.'s genetic marker and Ms. Brown's genetic markers. Lastly, there were blood stains found in O.J.'s white 1993 Ford Bronco that appeared to contain genetic patterns of the two victims and O.J. Three blood stains were taken from the center console and were mixture of both victims and the defendant's DNA, along with another stain on the console that was made up of O.J.'s and Goldman's blood. Ms. Brown's genetic pattern was also found on the driver-side carpet of the Bronco. The last two stains in the vehicle contained O.J.'s DNA only (Noble, K. B., 1995). O.J. claims to have never met Goldman, which therefore brings up speculation on how Goldman's blood could be found in O.J.'s car.

Evidence that was not allowed in the case was witness Jill Shively's statement seeing she sold her story to the police. She told the prosecution team that she had spotted O.J. at 10:45 pm on June 12th, running a red light in white Bronco. She identified that it was O.J. because as he was running the red light, he almost collided with her and he screamed out the window for her to get out of his way. Later O.J.'s Brentwood estate was bought out from O.J. for \$4 million and was demolished by the new owners in 1998. During the demolition, a knife was found that could potentially be the murder weapon. The owner of the Ross Cutlery shop testified in court during the trial, years before the knife was found, saying that he witnessed O.J. purchase a retractable blade knife with a straight handle. The evidence became inadmissible in court seeing that the

owner of the Ross Cutlery shop then sold the story to the National Enquirer after being told to not speak publicly about the case (Ford, A.,1994).

### **Implications of Race and Gender**

The lead prosecutors working on the O.J. Simpson case were Marcia Clark, who was a white woman, and Christopher Darden, who was a black male. The prosecution team strategically planned the location of the trial and the members of the jury. The prosecution chose to file the Simpson case in downtown Los Angeles instead of in Santa Monica which is the district where the crime occurred. The reason behind this was to increase the number of African jurors on the case. Present on the jury were 10 women and 2 men which consisted of 9 blacks, 1 Hispanic, 2 whites. Marcia Clark, the lead prosecutor on this case, felt that having black women on the case would benefit the prosecution seeing they are more inclined to have experienced domestic violence in the past and would feel sympathy for Nicole Brown. However, black women disliked Nicole Brown because they felt that she was a gold digger. With the data provided by Cowan and Halfords, it shows that whites believed OJ to be guilty meanwhile, blacks perceived him to be not guilty. Not holding the trial in a highly white populated area such as Santa Monica, is a great mistake made by the prosecution team.

Within Cowan's and Fairchild's article titled "Introduction to the Issue", they found that within issues involving ethnicity, social scientists can contribute to the understanding. The trial focused on anti-black racism and violence against women which are two main, ongoing problems within society. During this case, the media focused ultimately on the reactions and the different beliefs between blacks and whites. The article included a Harris poll which proved that shortly before the verdict was released, 60% of Whites believed Simpson was guilty, while 12% percent of African Americans believed he was guilty. Mock trials were also conducted to see

what impacts jurors to vote. The mock trial showed that black mock jurors were more lenient towards a black defendant than they were to a white defendant. However, when they held this mock trial with white jurors, they did not differentiate between the race of the defendants.

Another mock trial was held where they focused on how one's beliefs on domestic violence can influence the decisions of the case. This mock trial showed that domestic violence had little or no effect on judging whether Simpson was guilty (Cowan, G., & Fairfield, H. H., 1997).

Another mistake the prosecution team made at the end of the trial was having O.J. try on the glove that was either found at the scene of the crime or at O.J.'s estate. When O.J. tried on the glove, it did not fit him. The prosecution team argued that the glove may have shrunk seeing it was leather and had been soaked in blood and that he had worn rubber gloves underneath the glove to not contaminate the evidence. Also, after O.J. had tried on the glove, the prosecution team was notified that O.J. had not been taking his arthritis medicine during the trial which could have caused swelling in his hands. Seeing that the glove didn't fit, the defense team used that to their advantage. The lead defense attorney, Johnnie Cochran, directed a comment to the jury to sway their minds and stated that "if it doesn't fit, you must acquit." This was one factor that contributed to the idea of reasonable doubt, therefore clouding the jury's mind. After the jury was presented with all the evidence and the trial was concluded, the jurors voted O.J. Simpson not guilty of the murder in violation of penal code "section 187 (A), a felony, upon Nicole Brown Simpson and Ron Goldman, only after 4 hours of deliberation. The conspiracy theory that the defense team presented to the public also created reasonable doubt within the jury's mind and also the public audience. Authors Chapdelaine and Griffin, provided results of a questionnaire that proved that one's attitude towards the trial was based on their "level of reasonable doubt, probability of commission, legal authoritarianism, and traditional authoritarianism." Factors that



could help decide or sway one's belief on the case could be one's race or ethnicity, gender and socioeconomic level (Chapdelaine, A., & Griffin, S. F., 1997). Robert Shapiro, another lead defense lawyer, leaked an article to *The New Yorker* stating that the police officers called to the scene, had planted evidence and O.J.'s DNA to frame O.J. However, the work of the two laboratories make it extremely unlikely that the source of the blood samples could be someone other than O.J. Simpson. The defense team planted the race card within this article, and it worked in their favor to sway the African American audience to believe that the police officers were racist towards blacks. One of the reasons they believed officer Mark Fuhrman was guilty of being a racist was because there are recordings of him using the word N\*\*\*\*r and describing how he beat African Americans close to death for no reason. In court, before this evidence was presented, Mark Fuhrman lied on the stand and stated that he had never used the word N\*\*\*\*r in his life. This formed reasonable doubt within the juror's mind seeing they felt they could not trust him, and information associated with him. Another police officer also brought evidence found on the case home in his car to Simi Valley. This disturbed the public because this is where the Rodney King beating had occurred. Within Fairchild's and Cowan's article, "The O.J. Simpson Trial: Challenges to Science and Society," they focused on the relating issues that occurred during the trial. One of the most prominent issues that occurred during the case and after the not guilty verdict was declared, was societies different views on racism, domestic violence and police brutality. African Americans are highly discriminated against and have a long history with police brutality and unfair treatment in the criminal justice system. Due to this, African Americans were more likely to feel sympathy for Simpson which allowed them to support the not guilty verdict (Fairchild, Halford, H., & Cowan, G., 1997). However, Robert Shapiro said that their intention was not to play the race card during the trial but that his co-

counsel, Johnnie Cochran, took it into his own hands. Shapiro stated to Barbara Walters in an interview with ABC News after the verdict was released and he stated “I was wrong. Not only did we play the race card, we dealt it from the bottom of the deck” (UPI Archives, 1995). The article Skolnick and Shaw published titled “The O.J. Simpson Criminal Trial Verdict: Racism or Status Shield?” focused on the racism that was shown throughout the case. Defense attorney Johnnie Cochran played the race card when giving his appeal to the primarily black jury. Status in society is also taken into account as a factor when trying to sway the jury. African Americans tend to have a lower status in society, meanwhile, Simpson held unusually high celebrity status at the time for being black. In this case, seeing that Simpson's status was higher than the average African American, the jury sided with race and disregarded his status (Skolnick, P., & Shaw, J. I., 1997).

### **Implications of the Media**

The media was widely involved throughout this case and it is clear that releasing information to the public can persuade one's opinion. Throughout Bryant and Brockway's essay, they examined how hindsight bias impacted the way viewers anticipated the results of the case. Hindsight bias is when one views an event as foreseeable after the event has happened. In this case, a variety of students must estimate the chance that they believed O.J. is convicted of first degree or second-degree murder, or if he should be acquitted. The student's results were measured two hours before the verdict, two days after the verdict and one week after the verdict. The first results that were recorded two hours before the verdict shows that 83% believed Simpson was guilty and 17% believed he was innocent. When they distributed the test again two days after the verdict, the student's answers changed and more believed that he did not commit this crime. By the third test, a week after the verdict was released, 61% of the 23 participants

raised their estimates of the chance of acquittal (Bryant, Fred, B., & Brockway, Howard, J., 1997). Hindsight bias comes into play here seeing that the students were more inclined to change their opinions to the given “answer” in this case. “This data suggest that the media coverage of the Simpson trial increased immediately after the verdict and then quickly tapered off within 48 hours. This finding supports the notion that probability estimates of acquittal did not shift until after media coverage waned” (Bryant, Fred, B., & Brockway, Howard, J, 1997). Another author, Sheila Jasanoff, examined how within the OJ Simpson case even though there is DNA evidence, it does not mean that the jury will be convinced seeing that after nine months, the jury acquitted Simpson. Jasanoff also explains that the judge's role has not received sufficient attention in a legal investigation. “The judge's uncontested remarks and rulings established at many crucial points whose vision would be authorized as expert, and in what circumstances lay vision could take precedence over expert sight.” This proved that in the author's mind, Judge Ito is the eye of power within this case because he has the authoritative capability to decide what the jury can know. Seeing how the jury was shown a biased perception of Judge Ito’s interpretation of the case, they were not able to gather all the facts, which could have affected the case for better or for worse (Jasanoff, S., 1998).

George Gerbner researched how the media and cameras had an impact on society and the OJ Simpson case. During the opening day of the trial, 95 million people within the U.S. tuned in and during the final verdict over 150 million Americans were watching. While waiting for the final verdict, “airlines delayed departures, legislatures delayed votes, presidents, prime ministers, and cabinet members suspended state business until it was announced” (Gerbner, G., 1995). During the trial, viewers were able to observe history being made on live tv, rather than traveling to the courtroom to see it. The Simpson trial generated over \$1 billion in media and

merchandising sales. Television coverage of criminal cases can also be a lucrative market for prosecutors and defense lawyers. Lead defense attorney, Johnny Cochran, favored cameras in the courtroom because he felt that Judge Ito would have been much tougher if the content wasn't being aired on live television. However, appearing on national television can make or break one's career, seeing everyone judges you for how you look and perform (Gerbner, G., 1995).

Not only did filming the case impact viewers ideas of the case, but print media also had an effect. O.J. Simpsons mugshot was portrayed differently when issued as the cover of Time magazine and Newsweek. Time magazine had a photo illustrator, Matt Mahurin, darken the face of Simpson and reduce the size of the prisoner ID numbers to portray him as sinister because guilty sells. Newsweek magazine however, issued the same mugshot photo with no alterations during the same week. The media did not only influence one's views on O.J himself, but also had an impact on how the public looked at the lawyers. For instance, lead defense lawyer, Marcia Clark was ridiculed by the public for the way she dressed and the styled of her hair. A nude photo of her from a previous beach vacation was also leaked to the media and published in a magazine for her colleagues and the public to see. Within Grochowski's work, he focuses on how tabloids and media affect the public's view on crime knowledge. This article suggests that unusual circumstances need to occur for the media to offer news information about a crime seeing it may conflict with law enforcement. For instance, information about the Rodney King incident was released due to an independent video being released. The Simpson case proves a debate between whether the media throughout the case is considered 'mainstream' or 'tabloid'. Mainstream media is mass media news coverage that influences a large amount of people and shapes how we view current events. Tabloids on the other hand are known as news stories that are views from one's opinion or perspective (Grochowski, T. 2002).

## **Gender Discrimination**

Not only did lead prosecutor, Marcia Clark, have to deal with the ridicule from the public, but she had to deal with fighting over the custody of her children with her ex-husband during the time of the case. Instead of receiving sympathy from fellow lawyers, she was insulted by defense lawyer, Johnnie Cochran, on her childcare. “Your honor, I am offended by Mr. Cochran’s remarks as a woman and as a mother. Mr. Cochran may not know what it’s like to work a 70-hour work week and also take care of a family, but I do, and many other people do too,” Clark said. “To belittle my childcare issues in your courtroom is unconscionable and totally out of line” (Casas Darlene, D., 2017). Not only was she discredited by her peers, but she also was discriminated against by Judge Ito. Judge Ito would refer to her by her first name, Marcia, but would address the male lawyers by Mr. followed with their last name only.

## **Conclusion**

Media, although a popular tool in our day in age, used to provide the world with information, can have a positive effect by informing those with facts, or a negative effect due to the spread of exaggerated and irrelevant news. The coverage of the media lured the world to stop in time and watch this case unravel. The presence of live recordings added pressure to those in the courtroom and made them do unspeakable things to get people on their side. The media allowed the prosecutors and the defendants to directly and indirectly sabotage each other. Particulars would be when the defense team was able to play the race card in their issue with The New Yorker, and the prosecution team took advantage of when the LAPD released the tapes of Nicole Brown’s 9/11 calls regarding her abuse from O.J. The public and the jury were able to see how stereotypes affected the case when deciding who would be most effective as a jury member. The live coverage of the in-court case formed a divide between the country due to present factors

such as race, gender, and economic class. Unlike normal closed courtrooms, the nation had the newest insight immediately which allowed opinions to be easily manipulated. The public's opinion changed of prosecutor, Marcia Clark, when the media exploited her based on her appearance rather than not her level of performance. The verdict of O.J. Simpson was also turned into a spectator sport for entertainment purposes with over 150 million viewers pausing their day to hear the outcome. Even though the verdict was released over 25 years ago, the nation is still impacted by the verdict of the case, seeing a new Netflix series was created to bring more awareness to the controversial issue and for the public to see how those involved were impacted.

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