Using Video to Judge Criminal Intent: Effects of Slow Motion and Jury Instructions

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Several high-profile deaths recently focused societal attention on the use of video footage as evidence. This experiment investigated how slow motion and jury instructions affect the judgment of criminal intent from video. 106 adult participants were randomly divided into two groups and shown mock security footage of a shooting during a robbery. Then the groups watched again in slow motion after hearing either a standard statement (control) or an explicit warning about the psychological effects of slow motion on perception (experimental). The participants were asked questions about criminal intent after each viewing. My data reveal that even explicit jury instructions do not significantly affect judgments of criminal intent after slow motion. The percentage of participants labeling the shooting unintentional, the average intention ratings, and the average criminal conviction scores were not statistically different between the groups, nor did they change their assessments in significantly different ways. Most jurors had their prior judgments confirmed by slow motion rather than challenged, especially those with the strongest initial opinions. The data do show that perceptions of criminal intent from video vary widely, both within and between demographic groups, and remain extremely diverse even after viewing in slow motion. Some demographic traits were strongly associated with judging the shooting unintentional, which underscores the need for additional research to examine the relationship of demographics to interpreting video evidence. The results of this experiment suggest that even an explicit warning about slow motion may not change juror behavior, and the availability of video alone does not solve the problem of differing opinions of criminal intent among viewers.

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