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# The OJ Simpson Trial: Forensic Evidence and Narrative Construction

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## ABSTRACT

*The O.J. Simpson case, one of the most iconic trials in American history, brought to light the complexities surrounding forensic evidence and its role in the judicial system. In this essay, I explore how forensic evidence, often perceived as an objective standard in legal proceedings, can be manipulated and interpreted through narrative construction. Using the O.J. Simpson case as a focal point, I examine the interplay between jurors and forensic evidence, highlighting the impact of public perception, media sensationalism, and human fallibility. The essay delves into the challenges jurors face when trying to comprehend and critically evaluate forensic testimonies, underscoring the limitations of forensic evidence as both a sword and a shield in the pursuit of justice. Through a psychological lens, it investigates the influence of implicit biases and expectations on juror decision-making, revealing the nuanced and multifaceted nature of how forensic evidence shapes perceptions of guilt and innocence.*

**Keywords:** *Forensic evidence, O.J. Simpson case, narrative construction, media sensationalism, psychological analysis.*

“If it doesn’t fit, you must acquit” declared OJ Simpson’s heralded defence attorney Johnny Cochran during his closing statement. This perfectly encapsulates the defence teams’ strategy, while underscoring the pivotal role of forensic evidence presentation and narrative construction in determining perceptions of guilt and innocence during the course of criminal trials. Forensic evidence is often considered the gold standard, somewhat of a beacon of certainty in a sea of uncertainty. However, the OJ Simpson case looks deeper into this veil of scientific objectivity, shining light on the complexities of the legal procedure, media sensationalism and human fallibility. In this essay, I aim to explore how the seemingly indisputable nature of forensic evidence can be both a sword and a shield in the pursuit of justice. I will specifically be looking into the impact of forensic evidence on jurors and understand the role of narrative construction in manipulating such evidence, through the famous case of OJ Simpson.

The OJ Simpson case is one of the most famous trials in American history. It involved former

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football player OJ Simpson, who was accused of murdering his ex-wife Nicole Brown and Ronald Goldman in 1994. At the very outset, the Los Angeles Police Department recovered OJ's blood on a rear gate at the murder scene, Nicole Brown's blood found on OJ's socks, blood found on his car at his residence, a leather glove found at the crime scene and a matching one found at his residence, amongst a host of other DNA and testimonial evidence against Simpson. Despite overwhelming evidence, prosecution failed to secure a conviction.

With the evolution of science over time, forensic evidence has gained significance in convictions and sentencing across the legal realm. "The evidence which is obtained through some scientific observations or experiments is known as forensic evidence." (Kumari, 2020, p.77) Such evidence needs to fulfil tests of accuracy, reliability and relevancy in order to be admissible in court. Forensic evidence, DNA evidence in particular has been considered to be the Gold standard of evidence in courts, by jurors (Ling, Kaplan and Berryessa, 2021, p142). A psychological approach would add an element of doubt even to this standard, analysing the influence of public perceptions, implicit understandings and expectations.

The interplay between juries and scientific evidence is a tricky one. Are lay jurors able to actively comprehend such data presented to them? Are they able to critically examine testimonies given by expert witnesses? Is it true that the jurors care more of the way information was presented rather than the actual data itself? The trial of OJ Simpson, if studied through the right lens, allows us to postulate certain answers to these questions.

A study conducted by Shichun Ling, Jacob Kaplan and Colleen M. Berryessa published on the *Science & Justice Journal* (Ling, Kaplan and Berryessa, 2021, p142) concluded that forensic evidence is one of the strongest evidence used in courtrooms. The study, through a logistic regression model, found a "significant relationship between verdict and the presentation of forensic evidence, with the results suggesting that the odds of a guilty verdict doubled if forensic evidence was presented" in murder cases. The level of confidence of such guilty verdicts also increases. Thus, we can definitively state that DNA evidence is overall viewed as a powerful form of evidence. While this is often true in more straightforward cases, the acquittal of defendants demonstrates an intricate interplay between various other factors, beyond mere providing of evidence.

Overwhelming evidence may not add up to a definite guilty verdict. Despite compelling forensic evidence presented by the prosecution, the defence managed to sway the jury in favour of an acquittal. All they needed to do, was play the jury. The seed was already planted by the sheer lack of professionalism and efficiency during evidence collection. As DNA expert Dr. Bradley

Popovich said, the “defence looked for a weak link, and it was the Los Angeles Police Department” (Kolata, 1995). Evidence was mishandled, photos were taken without being properly labelled and logged. Evidence was compromised in several instances due to cross-contamination and allowing for damage as well. Simpson’s car, which had been booked into evidence and kept in the LAPD impound lot due to presence of bloody fingerprints, was entered by unauthorised personnel.

The lack of documentation and further mishandling of DNA evidence probed the defence into a line of questioning that chipped away at the jury’s trust in the prosecution’s case. The defence did not disprove the evidence itself. Instead, they hit the prosecution through the jury, planting seeds of doubt, introducing to them an aspect of reasonable doubt. The defence team, popularly referred to as the “Dream team” displayed an effective understanding of courtroom dynamics by playing to the jury’s emotions. Dr. Henry Lee, a forensic expert from the defendant’s side, played a key role in challenging the prosecution’s interpretation of bloodstain evidence, casting doubt on the LAPD’s handling of the investigation. Through his soft-spoken nature, substantial expertise, and courtroom demeanour, Lee, simply stated, “something’s wrong.”(Linder, no date) With these few words, Lee perfectly carried out the Dream Team’s tactic of introducing doubt at every step.

Another argument about forensic evidence in the case was related to the blood found at various instances. The defence team stated that EDTA samples were found in the blood collected from the crime scene. EDTA is an anticoagulant used in labs, but is also found in trace amounts in humans and in chemicals such as paint. The lack of documentation and doubt already cast to the prosecution’s evidence allowed the defence to present the EDTA presence as possible proof of planted evidence.

One of the detectives on the case, Detective Fuhrman was accused of being racist and alleged to be part of the planting of evidence, wrongfully incriminating Simpson. This further crumbled the foundation of the prosecution’s case.

Juries are not infallible. They can easily be swayed by emotion, media narratives and expert witness statements even if these are not entirely accurate. The OJ Simpson trial was a case heavily impacted by Simpson’s celebrity status. Mass media was rampant with views from a wide spectrum of individuals. Though jurors are advised against listening to or viewing anything that may impact their decision making, with a case this publicised, little could be done to isolate their thoughts. There was mountains of evidence which showed that OJ had a violent past and how he abused his ex-wife Nicole yet no one was willing to believe that the beloved

OJ Simpson could commit such a serious crime. The trial generated 1 billion dollars in revenue across media platforms and merchandising sales (Grenon, 2020). The defence team even preferred that the case was being aired on national television. They were easily able to manipulate the jury and viewers across the world and bring in the aspect of race into the case. The defence team crafted a compelling story of a beloved celebrity who was wronged by a racist police and judicial system. This emotional appeal resonated much more strongly with most jurors than the cold, hard facts presented by the prosecution.

The jury's decision likely stemmed from an angle of emotional bias. Simpson's charisma and celebrity status played a role in shaping a positive image in the jurors' minds. They might have entered the case already holding a positive view of him, thereby making them readily receptive to the defence's narrative and less critical of the incriminating evidence. Newsweek described the jury as hostile, "made to order for Simpson's acquittal"(Newsweek, 1995). The jury can be described using belief perseverance, a tendency to cling to preconceived notions, trumping even strong evidence(Immelman, 1995).

Narrative construction refers to a method employed to construct a sense of reality through storytelling (Sherwin, 2009). In courts, this method can be employed in order to attain favourable verdicts. Credibility in the courtroom refers to the "extent to which evidence is accepted as truthful"(Lynch, 1998, p.838). This therefore, makes it influenced by personal judgement rather than being unambiguously objective. The Dream team seemed to be perfectly aware of this methodology. They were able to use existing popular discourse on Simpson, and relevant factors in reality to effectively persuade the jury to deliver a not guilty verdict. They took full advantage of the "interpretive flexibility of facts," (Jasanoff, 1998, p.713) manipulating the factual narrative of the prosecution with their emotional construction of the case. Trial practice, therefore, is a form of "live theatre and the lawyer is the director" (Kane, 2008, p.56). This displays the effectiveness of the usage of emotional coherence approach over a logical one, separating the story from the rote recitation of facts, thereby manipulating the jurors into aligning their understanding of the evidence with their pre-existing beliefs about Simpson.

"The theory of emotional coherence serves to explain how people's inferences about what to believe are integrated with the production of feelings about people, things, and situations"(Thagard, 2003, pp. 372-373). Emotional coherence, however, is rooted in both cognitive considerations along with emotional bias. Paul Thagard in his article analysing the tendencies of the jury in the Simpson trial, believes that emotional coherence best fits this case, and I agree. The dream team was able to switch everything around, laying emphasis on social

aspects and actually targeting jury's psyche rather than approaching such a difficult case through a straightforward scientific lens.

The defence masterfully exploited the physical evidence. During an almost cinematic courtroom moment, Simpson attempted to try on the gloves that were produced as evidence. The gloves, seemingly too small for Simpson's large hands, appeared not to fit comfortably. This visual demonstration, closing argument, "If it doesn't fit, you must acquit," effectively sowed seeds of doubt in the jury's minds. The glove being unable to fit, beyond the physical act, became a powerful symbol. It embodied the defence's broader argument that the prosecution's case, much like the ill-fitting glove, simply didn't hold together. This tactic, while not definitively disproving the evidence itself, successfully cast enough doubt on its interpretation and planted the idea that the evidence might have been tampered with or misinterpreted.

The OJ Simpson Trial puts to show that the seemingly objective realm of forensic evidence can be susceptible to interpretation and manipulation. While DNA analysis, blood pattern study and other such scientific evidence hold immense power in criminal investigations and cases, they cannot be considered to be fool proof tools in the court room. This essay explored how the interpretation of forensic evidence by juries can be swayed by complex nexus of implicit and inherent bias, lawyer tactics and the reality of human behaviour in juror perception.

Forensic evidence possesses several limitations that can be exploited to the advantage of either party in a trial. Lawyers can leverage these limits by focusing on the ambiguity of forensic evidence and by downplaying or manipulating context surrounding specific evidence. They can also take advantage of the significant gap in scientific literacy between jurors and forensic evidence presented. Thus, in legal systems involving juries, lawyers utilise several psychological tricks in order to gain favourable verdicts. They play the man, not simply the game. They play the role of storytellers by weaving a narrative that integrates forensic evidence within a larger context and thereby leverage pre-existing juror biases through emotional appeals. The Simpson case serves as a perfect example of how the end verdicts can be made to seemingly contradict the weight of evidence.

The Simpson trial highlights certain pitfalls of the jury system as well as shortcomings of usage of forensic evidence. The jury system was implemented to ensure democratic representation while placing a check on the legal system. In several instances, the powers given to jurors proves positive as they separate from the fact heavy, stoic legal realm and add the much needed human element to verdict deliverance and sentencing. However, despite their best intentions, jurors do not possess the specific knowledge required to deliberate on a host of cases that require nuance.

They do not possess the scientific literacy nor do they have the legal expertise to fully comprehend and grasp complex forensic evidence. They are susceptible to emotional appeals and pre-existing bias which can easily be exploited in court. In moderation, the scepticism the jury brings toward scientific evidence is warranted, allowing the prosecution to be more mindful in maintaining accuracy and integrity in evidence presentation. In the larger picture, it can lead to wrongful convictions or acquittals of innocent individuals.

Forensic evidence is constantly evolving with techniques considered reliable today, being rendered outdated the next. Standardized methods of evidence collection and methods of presenting such evidence in court must be set in stone so as to cut down on margin for error and misinterpretation. Lawyers need to stay informed of evolving practices and there should be a standard to judge their capacity to comprehend evidence especially in criminal trials. This high standard obviously cannot be maintained in the case of jurors. However, a step in this direction could be carried out by basic education in the realm of forensic science and its limitations so as to allow them to better allow for them to make informed decisions based on evidence instead of manipulation.

In conclusion, the OJ Simpson trial serves as a valuable case study. It highlights the need for a multifaceted approach to forensic evidence in the courtroom. It is imperative to note that forensic evidence still remains a powerful tool, however, it must be presented and interpreted with transparency and clear understanding of its limitations. Ultimately, the OJ Simpson trial serves as a cautionary tale, reinforcing the fact that the judicial realm requires a delicate balance. While forensic science plays a vital role, it cannot operate in a vacuum. A well-informed jury, guided by clear legal instructions and protected from manipulation, is essential for ensuring that forensic evidence serves its purpose: to uncover the truth and deliver a just outcome.

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