

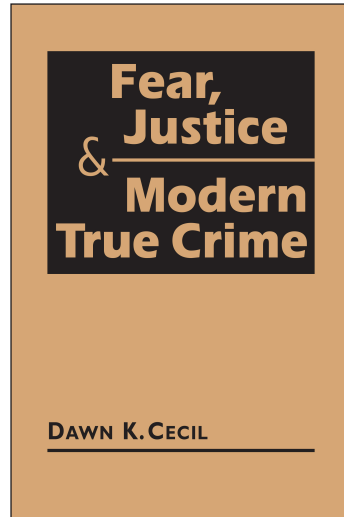
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Fear, Justice, and Modern True Crime

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1

True-Crime Obsessions

True-crime stories have existed in one form or another for centuries, eventually transforming in recent times into what is considered by many to be a form of “lowbrow” entertainment depicting the salacious details of wives murdering husbands, men slaying the women they love, and serial killers living next door. Countless people engage with this “guilty pleasure,” filling their lives with tales of violence. Why are they drawn to nightmare-inducing entertainment? Does it make them feel that they have a better understanding of crime and justice? Does it provide some sort of comfort in a violence-filled world? This is the seductive phenomenon known as “true crime,” a nonfiction genre conveying the details of actual crimes and the actions of the offender, victim, and justice system.

There was a time in my life when I was a devoted fan of true crime. In college, I switched my major from business to criminal justice and became fascinated by all things “criminal.” In the early 1990s, mass-produced books about crime were popular, and I belonged to a mail-order club. Each month I would eagerly await the delivery of the newest true-crime book and devour the story. Even though I read these books twenty-five years ago, I had an instantaneous visual recollection of the covers as I searched the Amazon website for them. One book’s title, *Jeffrey Dahmer: A Bizarre Journey into the Mind of America’s Most Tormented Serial Killer*, is framed by blood dripping down onto a picture of a seemingly normal-looking man, a killer who ate his victims, and whose story is told by Joel Norris (1992). A bright-red rocking cradle in stark contrast to the black-as-night background with the bold-white title,

Cradle to Grave: The Short Lives and Strange Deaths of Marybeth Tinning's Nine Children, also catches my eye, as I remembered reading this story of a murdering mother, written by Joyce Egginton (1989). Each cover presented an invitation to a dark journey that I was more than willing to take all those years ago.

Viewing these images, I am transported back in time, fondly remembering my college years. Another memory pops into my head—my two friends and I driving around Bloomington, Illinois, looking for 313 Carl Drive, where a woman and her three children were found murdered in their home in 1983. After reading *Reasonable Doubt: A True Story of Lust and Murder in the American Heartland* by Steve Vogel (1989), we were curious to see the scene of the crime. We drove around the unfamiliar streets of Bloomington—our college was in its sister city, Normal—then stopped at a pizza place to find the address on a map, and eventually pulled into a typical Midwestern subdivision. Could this neighborhood, filled with drab-colored split-story houses with yellowish light glowing through sheer curtains and cul-de-sac streets promising quietness and safety, really be home to a quadruple murder? The scene of the crime blended in, looking surprisingly normal. What else did we expect? It was just a house, after all, yet we were captivated. We were dark tourists driving through a central Illinois town, satisfied to have had a fleeting glimpse of a murder house. I now find myself wondering, what did we think we would get out of the experience, and why were we so fascinated by this local murder? I also wonder how many other people have taken a drive like ours.

As I progressed through an academic career that focused on crime and justice, I no longer needed to indulge in true-crime stories; however, my interest was reignited in 2014 when *This American Life* (Glass 1995) aired the first episode of an affiliated podcast called *Serial* (Koenig and Snyder 2014). I popped in my earbuds to listen while taking a walk and turned up the volume to drown out the sound of passing cars. I was immediately drawn in by the narrative style of Sarah Koenig and by the mystery unfolding. She told the story of Hae Min Lee, who in 1999 was found murdered in Baltimore, a crime for which her ex-boyfriend, Adnan Syed, was convicted. I was attending the University of Maryland at the time of her murder and had spent three weeks riding along with the Baltimore City Police, collecting data to earn some extra money. Perhaps it was this connection to time and place that initially piqued my interest, but that is not what kept me listening. Koenig immediately established that what she was presenting was not a tradi-

tional murder tale; rather, she wanted to know whether Syed had received a fair trial and whether he had committed the crime for which he was serving life in prison. I eagerly awaited the release of each episode to see how the story would end, but unlike the definitive endings of the books I had read long ago, this ending was far from certain. It left me invested in the eventual outcome of the case and with a yearning to find more stories like it, but for reasons different from my past interest. Unlike the young student who read serial-killer and other murder stories out of fascination and a desire to understand why people kill others, I was looking at these narratives through a different lens—one that was analytical and justice seeking. After years of teaching classes on how the media represent crime and justice, I automatically began to assess the underlying messages of any new and interesting form of crime storytelling, as I might want to introduce it to my students. But my interest extended beyond planning what to teach the next semester. Instead, I began to consider what these types of stories could mean, not only for people's understanding of the criminal justice system, but for justice itself.

I have recently begun to see my former true-crime obsessed self in some of my students. In my class on theories of criminal behavior, they eagerly ask me if I watched the newest true-crime series to stream on Netflix. They seem to know more about Ted Bundy than the causes of crime we have covered in class, largely from watching *Conversations with a Killer: The Ted Bundy Tapes* (Berlinger 2019a) and other recent true-crime coverage of this infamous serial killer. These true representations of crime are becoming a part of their understanding of criminal behavior. Fascination with true-crime stories is not a new phenomenon; however, today's media culture is one of instantaneous, around-the-clock access to a plethora of narratives. These students can also log on to social media outlets such as Reddit, Websleuths.com, and other venues to chat about the details of their favorite true-crime stories, and can even become a part of an investigation. For some, modern true crime is not a passive genre; it is interactive.

In the twenty-first century, true crime has evolved from a storytelling genre into an industry. There are books, movies, television series, podcasts, blogs, and perhaps most indicative, CrimeCon. According to its website, this event “brings the genre we love to life through immersive experiences, incredible guests, and nerdy deep-dives into tactics and cases. Add the world's best true-crime podcasters and sprinkle in some surprise mystery and intrigue—and you've got CrimeCon weekend” (CrimeCon 2017).¹ It is true crime's version of Comic-Con. In

2018, the Gaylord Opryland Hotel in Nashville, Tennessee, was home to the second annual gathering of the true-crime obsessed. People piled into rooms to listen to true-crime stories about murders and missing persons. They attended events meant to help them understand investigations and prosecutions. One session was advertised as a demonstration of interrogation techniques but morphed into an eyewitness experience. Hundreds of people who crammed into the ballroom witnessed a staged crime. Then some came forward to tell their version of events to the rest of the audience, and in the end, the video of the “crime” offered a powerful demonstration of the unreliability of eyewitness testimony. When not attending these panels, participants stood in line for selfies and autographs from Paul Holes, an investigator who worked on the recently solved Golden State Killer (GSK) case; Dianne Lake, a former member of the Manson family; and, perhaps most popular, Keith Morrison, the silver fox correspondent of *Dateline*. These fans quickly uploaded and tagged themselves on social media after capturing the moment on their phones. Some attendees came wearing dresses decorated with black-and-white photos of serial killers, or blood-splattered leggings, or T-shirts reading, “BUNDY GACY BERKOWITZ DAHMER.” Others quickly swiped their credit cards to purchase a “BASICALLY A DETECTIVE” T-shirt and matching stemless wine glass or corresponding “MY PARTNER IN CRIMECON→” tees. CrimeCon is the quintessential example of the modern obsession with true crime and shows clearly that the genre is no longer limited to the pages of a book.

What does this fascination with true crime say about society? Beyond entertainment, what role does it play in people’s lives? How does it shape perceptions of crime and justice and people’s fears? True-crime narratives can educate about crime and justice while simultaneously distorting perceptions. But it is evolving into something more. People are no longer content to simply consume these stories—now they interact with them, create their own narratives via easily accessible technology, and even become involved in investigating cold cases and possible miscarriages of justice. A different set of implications comes with this type of interactivity of which we may not yet be completely aware. What follows is a quest to understand how the true-crime genre is evolving, its underlying messages, and the impact of a multidimensional genre that focuses on violence, victimization, and miscarriages of justice. It demonstrates how technological and media advancements, cultural shifts, and people’s thirst for crime stories have combined to create an interactive genre centered on fear and justice that is impacting its fans as well as the justice system.

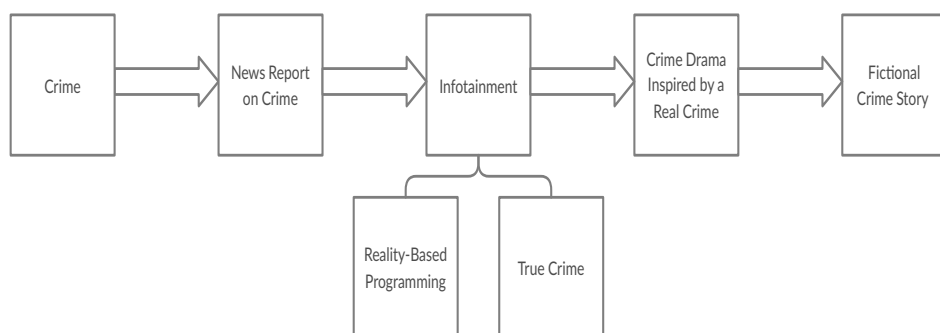
What Is True Crime?

Defining true crime seems to be a simple task. Those who have written about the genre have used varying, albeit overlapping, definitions. There is a general agreement that to be classified as true crime, the narrative must capture the details of an actual criminal event. In *True Crime: Observations on Violence and Modernity*, Mark Seltzer (2007) puts it quite simply, “True crime is crime fact that looks like crime fiction” (2). In *Toward a Theory of True Crime Narratives: A Textual Analysis*, Ian Case Punnett (2018) writes that true crime “consists of nonfiction narratives of criminal events that actually happen” (22). For Jean Murley (2008), in *The Rise of True Crime: 20th-Century Murder and American Popular Culture*, murder narratives are synonymous with true crime, but her definition is adaptable to other types of criminal behavior. She states, “Very simply, a murder narrative is a story—the story of real events shaped by the teller and imbued with his or her values and beliefs about such events” (6).

According to Punnett (2018, 3), “By definition, ‘true crime’ is an occasionally controversial multi-platform genre that is most often associated with murder narratives and shares some common ancestral heritage with journalism, but always has been driven by different impulses.” Inarguably, one of the primary driving forces behind true crime is entertainment. The facts of a real criminal event are packaged to accomplish this task (Biressi 2001). Although the exact techniques of presentation vary, reenactments, plot twists, and cliff-hangers enhance the entertainment value of the facts. Ultimately, the fictionalization or embellishment of certain aspects of the story is what distinguishes true crime from journalistic endeavors (Punnett 2018). By “connecting facts from the real world with a fictional-style narrative format, true crime stories naturally blur the line between news and entertainment” (Boling 2019). This melding of facts and entertainment is commonly referred to as “infotainment” (Cavender and Fishman 1998; Surette 2015). True-crime narratives convey the facts of a crime, which may be enhanced for the sake of entertainment by dramatization, reenactments, or other creative ways of reconstructing events to present them to the audience; therefore, it is a form of infotainment. There must, however, be a careful balance between fulfilling the twin desires to inform and to entertain. Once the creator takes too many liberties with the facts and the narrative moves closer to a fictional account based on a real event, it ceases to be true crime (Punnett 2018); but only creators really know how far from the truth they have taken the story. If they say it is factual, most of the audience will believe them.

Today's diverse media landscape consists of a variety of crime-related stories that fall along a continuum between fact and fiction (see Figure 1.1). Many of these representations have a connection to reality, but that does not automatically place them within the genre of true crime. First, there are those that draw inspiration from reality by offering a fictionalized version of actual events. A prime example is the *Law and Order* franchise, which aired its first show in the 1990s and quickly found its niche by promising stories "ripped from the headlines." Savvy viewers can easily deduce which headline-making event inspired the episode. The disclaimer in the show's credits serves to remind them that what they just saw was fictional and that the real events serve only as a creative springboard. Thus, while many stories presented on the various *Law and Order* programs are influenced by reality, they do not fit within the genre of true crime. They are crime dramas. Second, one must consider the placement of reality-based crime programs, such as *Cops*. This program and its copycats follow police officers on the job, presenting viewers with televised versions of ride-alongs with the police. People witness them responding to calls and making arrests. Daniel LaChance and Paul Kaplan (2019a, 2) label this type of programming "crimesploitation," which "depicts individuals encountering the criminal justice system," which the authors describe as not only exploitative but also reactionary (LaChance and Kaplan 2019b). It is a representation of reality, albeit a heavily edited one (Doyle 2003), which means some might think of it as true crime. Both reality-based crime programs and true crime can be classified as infotainment. According to Gray Cavender and Mark Fishman (1998, 12), "reality programming blends information and entertainment. It is about actual events and real people, but often it portrays them using reenactments that mix actors with real participants."

Figure 1.1 Continuum of Media Representations of Crime



True-crime storytelling also incorporates some of these tactics, but traditionally the criminal event is the star within this genre, and the system is the supporting actor. Reality-based crime programs put the system front and center, presenting little information about the offenders and even less about the victims; therefore, for the examination of the genre in this book, programs of this sort will not be counted as true-crime storytelling.

True crime itself varies based on how much it emphasizes information and entertainment. Kees Brants and Peter Neijens's (1998) infotainment scale is useful for uncovering where true-crime narratives fall along the continuum of infotainment. This scale is based on three factors—topic, style, and format. In 2002, Ray Surette and Charles Otto employed this scale to examine crime infotainment shows. According to Surette and Otto (2002), the topic refers to the type of story, with issue-based stories indicating informative programming and tales of people committing crime moving closer to entertainment. Regarding style in the programs they examined, the mood is connected to the person conducting the interviews. Professionals as opposed to personalities indicate more informative programming. The third element, format, refers to how the material is presented. Surette and Otto concluded that entertaining programs use music, graphics, and other techniques, whereas informational programming is businesslike. Borrowing from these concepts, one can think of true crime as falling into three subcategories. The more-informative narratives are hosted by professionals who focus on the facts without much thought for entertaining their audiences. At the other end of the spectrum are true-crime narratives that present dramatized versions of a real crime event. The facts of the case are recreated in their entirety using actors and a script. Most true crime, however, falls in between, providing a blending of information and entertainment. The facts of the cases are presented using various techniques, including reenactments, cliff-hangers, and music to keep the audience engaged and entertained.

One must acknowledge that the genre is currently undergoing a transformation, which means that the traditional definitions of true crime will need to be expanded to encompass the newest types of narratives and experiences. Whereas true crime has traditionally been seen as a literary category focusing on tales of murder, it is “not a single, monolithic genre” (Biressi 2001, 2). As will be demonstrated, murder remains the core of modern true-crime storytelling, but not all stories follow a previously established structure of presenting solved cases. Furthermore, one can now find true-crime stories on a variety of criminal offenses, including sexual assault and white-collar crimes.

The form in which these narratives are appearing is also evolving. Twentieth-century true-crime narratives were either textual (e.g., books) or visual (e.g., television series and documentary films). Recent technological advancements have resulted in alternative venues for this type of storytelling, including podcasting and streaming docuseries. Social media and events such as CrimeCon and the True Crime Podcast Festival have made it interactive. The content of modern true crime reflects its history, but the experience is quite different.

The Potential Influence of True Crime

True crime—by name—suggests authenticity and truth. The images and content incorporated in these narratives are likely to be taken at face value, the impact of which is undeniable. Today, however, there are far more true-crime stories than in the past, and technology allows people to access them around the clock. Add in the fact that people can interact with these stories on a multitude of platforms, and the potential impact of this new wave of true crime cannot be underestimated. Although these stories are created, in part, as a form of entertainment, real-life implications exist. These narratives can influence perceptions of crime, incite fear, and even change the course of justice.

Social constructionist theories propose that people's perceptions of social issues are influenced by both personal experiences and second-hand sources, including the people or institutions with which they interact. Sources outside personal experiences make up symbolic reality (Surette 2015). In postmodern society, the media have become a particularly influential source of information (Giddens 1990), especially for crime-related topics (Wright 1985). Most people never knew someone who was murdered, nor have they had direct experience with the criminal justice system; therefore, media images are one of the sources that can influence the way they think about crime and justice. Both fictional and nonfictional representations can influence these perceptions, but the reality of true crime holds more weight than fictional representations (Kooistra, Mahoney, and Westervelt 1998). Ultimately, what they learn about crime and justice from true crime will have a strong impact on their social construction of the crime problem and how the justice system works. Herein lies the problem—consumers of true crime are being exposed to a distorted picture of criminal behavior and justice.

As with other depictions of crime in the media, violence, especially murder, is overrepresented in the true-crime genre. For purposes of

entertainment, it is not even the run-of-the-mill types of homicides that are featured—intrigue, secrets, betrayal, and brutality are the hallmarks of entertaining murder stories. In the end, because the focus is on this type of violence, people's perceptions of the crime problem are distorted, making them think it is more prevalent than it is. Misconceptions are not limited to the types of crime, but extend to who is likely to commit crime and who is being victimized. For example, there is a cultural fixation with dead and deadly women, not to mention a media obsession with conveying stories of missing white females. These stories are popular within the genre of true crime. Therefore, the types of crimes highlighted may induce a heightened sense of fear. According to Lisa Kort-Butler and Kelley Sittner Hartshorn (2011), watching nonfictional crime programs increases fear of victimization in a way that fictional representations do not.

True crime can also affect people's perceptions of the criminal justice system. Some argue that traditional true crime, which focuses on solved cases, can reassure the audience that the criminal justice system is doing its job (Murley 2008; Buozis 2017). But it has also been found that watching true crime decreases confidence in the criminal justice system's ability to solve the crime problem (Kort-Butler and Sittner Hartshorn 2011). Megan Boorsma (2017) believes that true crime may have a negative effect on how people view the criminal justice system, but thus far, research is limited. Via stories of exonerations and other miscarriages of justice, some of the newest forms of true crime may leave viewers questioning the ability of the system to achieve justice. Dissecting modern true crime can uncover the types of misconceptions perpetuated in this popular media form and provide a better understanding of how it may be influencing its consumers.

Modern true crime can influence more than perceptions—it can potentially affect justice. Whereas most traditional true crime presents a definitive end to the story, newer versions search for alternative endings. *Serial* and other modern series have resulted in renewed interest in the featured cases and have had real-life legal implications (e.g., arrests and appeals), thereby bringing up questions about the role of this genre in the process of justice. In many of these instances, someone outside the criminal justice system has reinvestigated a case and influenced the course of justice. This aspect of true crime brings up questions regarding investigative tactics as well as the ethics of this type of citizen involvement.

Consequently, modern true crime has the potential to give voice to the underrepresented, present a more complete look at the crime problem, and

teach people about the justice system. Yet it can also continue to rely solely on preexisting stereotypes—that sensationalistic murders are commonplace, only white females go missing, and the bad guy is always caught. Here in *Fear, Justice, and Modern True Crime*, I examine modern representations of the genre to understand the role these stories play in modern society, how the genre shapes perceptions, and its potential impact on justice. To accomplish this task, I examine both visual and audio forms of true-crime storytelling, with a focus on those produced in the United States and released in 2014 or later. To capture the main representations in true crime, I focus on the types of crime stories found most commonly in the current expression of the genre (e.g., murder and missing persons), using stories about other types of offenses (e.g., white-collar crime and sexual assault) as examples of the diversity that is developing.

My analysis begins with Chapter 2, “The *Serial* Effect,” which provides a brief history of the genre, considers societal factors that shape the content and format of true crime, and concludes with an examination of Sarah Koenig’s investigation into Hae Min Lee’s murder and Adnan Syed’s conviction in the first season of *Serial*, as well as an assessment of its impact on justice and the development of true crime.

Chapter 3, “Modern True Crime,” begins with an identification of the types of narratives popularized during the most recent wave of true-crime storytelling—episodic programming, deep dives, and media-generated investigations. This classification is followed by an analysis of episodic murder and missing-person stories. A clear majority of the true-crime programming, both televised and on podcasts, presents cases in a concise, fact-driven format. These narratives also have the clearest connection to twentieth-century televised true-crime programming. The repetitive images of murder and missing persons contained within episodic programming provide a foundation for other true-crime representations.

After I establish baseline representations via episodic true-crime narratives, I move on to other formats in the following three chapters. This exploration begins in Chapter 4, “Serial Killers and Notorious Murderers.” Like the books popularized in the late twentieth century, these deep-dive narratives provide a detailed examination of a single case. Often focusing more on the offender and the crime than the victim, these narratives seek to provide an understanding of criminal behavior while simultaneously entertaining their audiences with the gruesome details of the crime. Modern true crime’s accessibility, as well as its place in history, has also allowed for different types of murder stories to emerge, which is demonstrated in this chapter. This discussion

is followed by two chapters analyzing different types of media-generated investigations. Chapter 5, “Missing Persons and Unsolved Murders,” and Chapter 6, “Wrongful-Conviction Narratives,” both examine the details of an actual crime, but with the purpose of solving cold cases, finding missing persons, or proving that a miscarriage of justice has taken place. In some instances, the actions of the investigators become an integral part of the narrative; it is within this aspect of true crime that some of the most interesting and potentially controversial developments of the genre have taken place during the twenty-first century. My examination of modern true crime culminates in Chapter 7, “Fear, Justice, and the Experience of Modern True Crime,” which brings together underlying messages and ethical considerations and, finally, considers the role true crime plays in modern society.

Before beginning this deep dive into modern true crime, it is important to note two things. First, the amount of new true-crime material that was released while I was researching this book was insurmountable. I made every attempt to keep up with the genre, but at times it was like trying to outrun a racehorse. The narratives included in this examination are a representation of the genre in its current state, but many more are available. Second, what started as a quest to understand fear and justice in modern true crime also became a personal journey. In some ways, the researcher became the subject. Some of my experiences are incorporated into the chapters, as these demonstrate the potential impact of this genre on individuals who overindulge on tales of murder, missing persons, and miscarriages of justice. I acknowledge that the experiences of one person are not representative of all individuals who engage with true crime, as there are many factors that influence how a text impacts its audience. These anecdotes are used for illustrative purposes and are independent of the analysis of true-crime narratives.

Notes

1. The first CrimeCon was held in 2017 with 1,200 people attending, and since then it has more than tripled in size. The 2018 and 2019 events both sold out, with 3,000 and 4,000 attendees, respectively (CrimeCon 2018; CrimeCon 2019a). According to CrimeCon statistics, 82 percent of those who attend CrimeCon are female, the average age is forty, the average household income is \$175,000, and the event is a popular venue for girls’ weekends and bachelorette parties (CrimeCon 2019a). Price of admission for the three-day event ranges from \$199 to \$1,499, depending on how early the attendee purchases tickets and the desired level of interaction and personalization (CrimeCon 2019b).