Toward a Theory of True Crime:

Forms and Functions of Nonfiction Murder Narratives

by

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ABSTRACT

The mass media genre known as true crime is dismissed often as a more sensational, less reliable iteration of traditional crime journalism. Consumer and editorial confusion exists because there is no overarching criteria determining what is, and what is not, true crime. To that extent, the complete history of true crime's origins and its best practitioners and works cannot be known with any certainty, and its future forms cannot be anticipated. Scholarship is overdue on an effective criteria to determine when nonfiction murder narratives cease to be long-form crime reporting and become something else. Against the backdrop of this long-evolving, multi-faceted literary/ documentary genre, the researcher in this exploratory, qualitative study seeks to (a) examine the historical tension between formal journalism and true crime; (b) reveal how traditional journalism both reviles and plunders true crime for its rhetorical treasures; and (c) explain how this has destabilized the meaning of the term "true crime" to the degree that a more substantive understanding needs to be established. Through a textual analysis of the forms and functions of representative artifacts, the researcher will suggest that a Theory of True Crime could be patterned after time-tested analytic codes created for fiction, but structured in a simple two-stage examination that would test for dominant characteristics of established true crime texts.

For my wife, Margery. Someday the sensational true crime story must be told of how you stole my heart.

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Chapter 1: Introduction

Overview

According to Apple, *Serial*, the twelve-part podcast investigation of a 1999 murder on NPR's *This American Life* website, reached the 5 million downloads mark faster than any podcast in history (Dredge, 2014, para. 3). Critical praise for *Serial* was effusive. Although *The Telegraph* called it "badly written" (Simons, 2014, para. 12), after *The Guardian* called *Serial* "a truly remarkable piece of journalism" (Simons, 2014, para. 8), Dwight Gardner of *The New York Times* admitted that, at its best, *Serial* had made "many of us drive a bit wobblier" as we experienced "the occasional tingle of campfire-narration awe" (Gardner, 2014, para. 2). Few scholars accurately identified that the podcasts' greatest appeal came from how the show "fit so squarely in true crime" conventions (Durrani, Gotkin, & Laughlin, 2015, p. 2).

The same can be said for Andrew Jarecki's *The Jinx* on HBO (Lawson, 2015, para. 4). His six-part serial exposed the murderous trail of billionaire Robert Durst, a reclusive man accused of killing three people over 30 years. With a Hollywood budget and high-television production values, including hours of crime scene reenactments, Jarecki narrated much of his sojourn as "the cat" to Durst's "mouse"—an interplay that ended with Durst being caught on camera seemingly confessing to the three murders, one of which he had been tried for, but never convicted.

Aired within months of each other, *Serial* set the stage for a new trial for a man who had been convicted, and *The Jinx* forced a new murder indictment for a man who

had been found innocent. *Serial* won two Peabody Awards for excellence in radio, the first ever for a podcast; *The Jinx* won two Emmy Awards for "best documentary." *Serial* and *The Jinx* were both nonfiction murder narratives based on actual, but non-contemporaneous news events, packaged and sold as entertainment; yet neither was identified as a true crime text.

Similarly, Truman Capote went to his grave insisting that his arguably most famous work, *In Cold Blood*, was "new journalism" or "a nonfiction novel" rather than true crime. According to Browder (2010), "Whether or not Capote invented something called the 'nonfiction novel,' he ushered in the serious, extensive nonfiction treatment of murder" (p. 205). Because "*In Cold Blood* made reading about gory crime—in this case, the random murder of a farm family in Holcomb, Kansas—respectable," it allowed daily newspapers, Sunday supplements, and news magazines to write in a true crime style—with all of its sensational detail—under the newly legitimated banner of "new journalism" (Browder, 2010, p. 205). Pulitzer Prize-winner Madeleine Blais, a journalism professor at the University of Massachusetts, credited Capote as being the first writer who "turned reality into a kind of fiction" (Jensen, 2005, p. 1).

More recently, *Making a Murderer*, "the 10-episode Netflix documentary series that has brought (the Steven Avery) case international attention and inspired demands for his release" (Gray, 2016, para. 5), engendered some of the same criticism levied at *Serial* and *The Jinx*, and true crime in general: "(T)hey turn people's private tragedies into public entertainment" (Schulz, 2016, para. 24). In the same fashion as their respective

networks promoted *Serial* and *The Jinx*, Netflix never publicly categorized *Making a Murderer* as true crime, preferring to define it as a "documentary" instead. But what exactly is *Making a Murderer* documenting? Is it long form investigative reporting, or is it journalism? According to *The New Yorker*, "for others close to the original case, *Making a Murderer* seems less like investigative journalism than like highbrow vigilante justice." Browder made a similar assessment about the appeal of *In Cold Blood.* Central differences between *Making a Murderer* and *In Cold Blood*, if they exist, must be quantifiable.

Statement of the Problem

Because the line between the best journalistic practices of crime coverage and true crime can be elusive, mass-mediated nonfiction murder narratives often defy easy categorization. While the two forms may appear to be compatible, consumer and editorial confusion exists because there is no overarching theory that determines what is and what is not true crime. To that extent, the full history of true crime's origins, its best practitioners, and future iterations cannot be known with any certainty. Without a meta-theory, true crime could be perceived as some intangible nonfiction "other."

As will be discussed, many criteria can be used to judge what is proper journalism, but scholarship is overdue on an effective criteria to determine when mass communicated nonfiction murder narratives cease to be long-form reporting and becomes true crime. At present, critics and consumers alike are left to guess when journalism crosses the plastic, yellow taped-line into true crime. Operating under the assumption that

true crime is a legitimate genre unto itself, an analysis of true crime texts should reveal forms and functions distinct from mainstream journalism.

What is needed, then, is a Theory of True Crime akin to Mikhail Bakhtin's Theory of the Novel. A Theory of True Crime would be a breakthrough device that could help mass communication scholars to organize the study of true crime texts by their most common, consistent elements. Similar to a centrifuge that separates plasma from blood, a Theory of True Crime could eliminate much of the subjectivity concerning the form and function of what is defined as true crime.

Existing Definitions

To undergird a Theory of True Crime, it is important first to clarify what is meant by *theory.* According to Wacker (1998), theory provides "guidelines," a "framework of analysis," or a "structure" where differences of opinions can be adjudicated on a level playing field (p. 362). In a business context, for example, "theory development reduces errors in problem-solving" by integrating a new body of knowledge from any type of relevant research (Wacker, 1998, p. 362). A Theory of True Crime, therefore, would have the potential of outlining "the precise definitions in a specific domain to explain why and how the relationships are logically tied so that the theory gives specific predictions" of what is and what is not, in this case, true crime (Wacker, 1998, pp. 363-364).

By definition, true crime is an occasionally controversial multi-platform genre that is most often associated with murder narratives and shares some common heritage with journalism, but is driven by different impulses. 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. Narratives can be textual, visual, aural or a mixture of the three" (Murley, 2009, p. 6). True crime magazine layouts of the 1930s emphasized a mixture of written text, diagrams, illustrations and crime scene photography, real or reenacted, at a time when news photography in general, according to Helen Caple (2013), Senior Lecturer at the University of New South Wales, was not viewed as a "credible medium for news reporting" (p. 4).

As the eye-catching characteristics of true crime increased in popularity and influence, vanguards of "proper" journalism regarded all news photography as "supplemental," at best, to the written word (Caple, 2013). Meanwhile, the visual appeal of true crime magazines was built on intertextuality. Intertextuality, as defined by Bloome and Egan-Robertson (1993), is most simply "the juxtaposition of different texts" (p. 305); however, intertextuality also creates a conversation in these juxtapositions that "depends on the connections made by the reader," connections that reverberate and create further "connections to literary texts that postdate the text they are currently reading" (p. 306). Intertextuality, then, is a dialogue between all the existing elements on a page, the interpretation of those elements by the reader, and the imagined elements that the reader continues to bring to the text. The typical true crime mixture of written text, diagrams, illustrations and crime scene photography "led the illiterate to . . . want to learn to read," making true crime magazines a bridge "from the original elite media to the current-events cacophony" of today (Godtland, 2013, p. 7).

True crime's critics, however, have either ignored true crime as merely "criminal stories sold as entertainment" (Frost & Phillips, 2011, p. 90), or dismissed it as lurid "leisure reading . . . of (crimes) that do not have to be contemporaneous or currently newsworthy" (Biressi & Bloom, 2001, p. 1). Many scholars define true crime as "sensational" versions of murder stories, that is, "emotionally charged content mainly focused on violent crime, to a broad public" (Wiltenburg, 2004, p. 1377). Yet, to academic curators of true crime's history, such as City University of New York's Jean Murley, nonfiction murder narratives deserve greater scholarly attention for the many ways in which they have influenced American culture and reportage (Murley, 2009). In sum, true crime reports on past newsworthy murder narratives, with an emotional component intended to prioritize such sensations as horror, fear, pain, and frustration, which is either to its shame, or its credit, depending on the disposition of the observer.

According to Browder (2010), though, true crime is better understood as a form of documentary, albeit a dystopian one: "Whereas the traditional documentary is generally designed to raise people's consciousness about terrible conditions in order to effect change, true crime presents a picture of problems that are insoluble" (pp. 125-126). Browder (2010) insisted this is because "True crime is a politically slippery genre. On the one hand, true crime books uphold conservative values—policemen are heroes, criminals are punished, sometimes by death," but it is also subversive "in that they tend to question the very foundations of patriarchal culture—the family in true crime is often a poisonous unit" (p. 126). Similar to the rise in popularity of hard-boiled crime fiction that happened

concurrently to true crime and was often authored by the same writers, true crime "brought a tabloid sensibility into high culture and has illuminated the sordid with beams of truth" (Murley, 2009, p. 2).

On the other hand, prima facie, a definition of modern journalism would appear more stable. Seen one way, journalism is a long-established multi-platform discipline that attempts to disseminate recent events following a "news objective paradigm that took hold after World War I" (Graves, Nyhan, & Reifler, 2016, p. 105). The image of the truth-telling reporter steeped in "traditional ideals of objectivity and impartiality seem[s] to dominate many newsrooms across the globe, and one can find many similarities in professional routines, editorial procedures, and socialization processes" on every continent (Hanitzsch, 2007, p. 367). Of course, journalism is not limited to nonfiction murder narratives, as it uses the same principles of purported objectivity to cover politics, sports, weather, and so forth. Reportage has experienced periods of flux, however, and what is considered the mainstream of journalism today might have been unrecognizable to mainstream journalists of another era. According to Deuze (2005), historically scholars and practitioners of journalism have not always agreed on a definition: "scholars are comfortable to refer to journalism as an occupational ideology, the distinct building blocks of such an ideology are sometimes left to the imagination of the reader" (p. 446).

Journalistic ideologies have been known to shift. In the mid-1800s, for example, reporters and editors were not expected to be "agnostic" when it came to writing from their religious, political, and social perspectives (Graves et al., 2016, p. 104). After the

U.S. Civil War, American journalism was further affected by the invention and institutionalization of the classic "inverted pyramid" journalism style of "Who, What, Where, When, Why and How"—a new formula that articulated which aspects of any story should get the most attention (Graves et al., 2016, p. 104). The story that the inverted pyramid came as a response to a fear of downed telegraph lines during the Civil War is unsubstantiated, and more likely tied to the growth of chain papers in the late 19th century (Errico, April, Asch, Khalfani, Smith, & Ybarra, 1997, para. 19).

However, while an effort to be dispassionate in a near-scientific recitation of facts is a point of pride for journalists, scholars also identify as "one of the paradoxes of journalism that it is not entirely agreed what journalism actually is" (Hampton & Conboy, 2014, p. 156). Indeed, even in similar democracies, "given the differences in work roles and editorial control mechanisms between German and U.S. newsrooms, Donsbach (1995) even refers to both cultures as 'two very different professional worlds'" (Hanitzsch, 2007, p. 367). In a recent academic journal debate between Hampton and Conboy (2014), it was argued that journalism should be thought of in two different ways: a collection of literary genres and a profession with established norms and rituals. "Taking such an analytical approach, we are not limited by whether rhetors in the past used the word 'journalist,'" that journalism is better defined by how its functions, not best practices (p. 156).

To be clear, the researcher will not attempt to define "what journalism is" in this study, but rather will acknowledge that a definition of journalism is not monolithic and

that understandings of proper journalistic practice always may have been, and may always be, in flux. This apparent flexibility in best practices of journalism should make the development of a Theory of True Crime all the more relevant.

Background

Murder narratives are as old as creation; true crime, in fact, was born into the literary world naked and unashamed. In the Holy Bible, the first human born also became the first murderer: "Now Cain said to his brother Abel, 'Let's go out to the field.' While they were in the field, Cain attacked his brother Abel and killed him" (Genesis 4:8, New International Version). For Bible literalists, Cain's killing of his brother is arguably the first, complete murder narrative: a motive was established, the murder was committed, a cover-up was attempted, the crime was solved, and the perpetrator was brought to justice —with God as the first homicide detective. Regardless of whether the reader chooses to view *Genesis 4* as merely an apocryphal life lesson, the biblical model of communicating "morality through murder stories" has been a part of Judeo-Christian culture ever since. In colonial America, for instance, murder narratives appeared earliest in the form of "execution sermons" (Cullen, 2013, p. 23).

According to Scott Seay, the author of *Hanging Between Heaven and Earth* (2009), execution sermons were performed elaborately to a public gathered for the capital punishment of a man or woman in colonial America and England. These execution sermons sought both to confirm the civil magistrate's authority to execute a citizen and emotionally and theologically to support the condemned in their final minutes. For

example, in the execution sermon of Moses Paul, an Indian convicted of killing another Indian named Moses, Samson Occam, "a minister of the gospel and a missionary to Indians," declared, "Death is the king of all terrors, and it ought to be the subject of man's and woman's thoughts daily" (Chamberlain, 2004, p. 415).

In early America especially, socially approved killing was usually a somber occasion, a way of bringing order back to chaos, so the execution sermons had to be a public act of sense-making (Seay, 2004, p. 17). It was important to the Puritanical, colonial sensibility that an execution made sense. If sensemaking is defined as "a way station on the road to a consensually constructed, coordinated system of action" (Taylor & Van Every, 2000, p. 275), then a properly executed sermon was as important to early American society as a properly executed criminal.

After the industrialization of the United States, execution sermons became secularized in the form of sensational newspaper reporting and cheaply illustrated books (Cullen, 2013, pp. 11-12). After a 19th-century crime wave caught the national attention, the public's fascination with the criminal justice system popularized "police" magazines (Murley, 2009, pp. 22-23). As well as featuring early sports reporting and racy "girlie" photos, these androcentric magazines tracked shocking crimes, police officers investigating the crimes, brutal criminals, and the early forensic techniques used to apprehend them. "In the big Eastern cities, New York in particular, crime proliferated within the hungry, packed-in, largely immigrant neighborhoods . . . It was within this

climate of crime and fear of crime that true crime reporting began in earnest" (Godtland, 2013, p. 8).

As neighbor started shutting doors to neighbor in the late 19th century, due to the attention given the crime wave, many newspapers established themselves as moral crusaders—even while they published murder narratives with the most fear-inducing, gory, and salacious details. "The first wave of the attack was textual; it was the second, visual leap that sowed the seeds of the 20th-century detective magazine. This leap was taken by *The National Police Gazette*" (Godtland, 2013, p. 8). In the early part of the 20th century, the *Police Gazette* was similar to TV's *America's Most Wanted* or *Cops*, but it also contained sports reports and pictures of bathing beauties, like a true "men's magazine." The *Gazette* was one of many magazines published by an early health food enthusiast and body builder Bernarr Macfadden who often featured himself on the cover of his own muscle magazines.

Another early influence on true crime came from Edmund Lester Pearson's *Studies in Murder* in 1924. Pearson was a Library of Congress librarian, scholar, and author of several works about books, including *The Old Librarian's Almanack* (Pearson, 1909). Pearson also edited the 1930s edition of Mary Wollstonecraft Shelley's *Frankenstein: or the Modern Prometheus* (Shelley, 1934). His *Studies in Murder* was an overview of legal cases involving murder, essentially laying out the known facts of several cases, however contrary, in a narrative form; most notably, it contained the evidence regarding Lizzie Borden.

The final development of the true crime magazine came as a result of the marriage of Macfadden's version of a police gazette and his popular "whodunit" detective fiction magazines. After a few years of the cross-pollination of nonfiction and fictional detective narratives in the same publication, by 1931, Macfadden's *Real Detective* featured only America's most sensational *true* crime stories written by America's best detective fiction writers. According to Godtland (2013), the shift came about because "the competition for good writers and stories was fierce, but it is more likely that someone—Macfadden or his editor John Shuttleworth—finally noticed that what was going on in the streets and speakeasies was even more entertaining than fiction" (p. 42). The result was a descriptive, "readily identifiable four-part narrative structure of murder-pursuit-trial-execution, a preoccupation with similar types of killers, killings, and victims, the desire to portray murder in a social context, and an overriding sense of the inevitability of evil" (Murley, 2004, p. 4). The style conventions of true crime magazines were the prototype for many of the nonfiction murder narratives used in every aspect of the media today.

Before becoming known as the author of *The Maltese Falcon*, for example, Dashiell Hammett wrote true crime, as did Jim Thompson, a prolific, gritty, but literary novelist referred to as "the Dimestore Dostoyevsky." Thompson would later become famous as the author of such pulp fiction classics as *The Grifters* and the screenwriter of Stanley Kubrick's film noir, *The Killing.* To a contemporary ear, perhaps, Hammett's true crime articles seem unnecessarily experimental, but Thompson's work stands as an

archetype of the “as told to” true crime motif, in which the testimony of a local police official, eyewitness, or perpetrator was edited and shaped into a first-person account. At times, the writers would investigate a crime personally, then write about their experience in first person as they led the reader through the crime scene and, ultimately, the final moments of justice, such as Dashiell Hammett’s “The Continental Op” stories to be discussed later.

True crime scholars have proposed various explanations for the explosion in true crime magazines’ popularity. Hatton (1997) noted that Macfadden’s magazine style resonated with the masses because his true stories were curated with “working-class cultural speech; it audaciously suggested that such speech was more modern, more exciting, and therefore more valuable, than anything America's culture producers had offered the American public in the last twenty years” (p. 14).

Either way, true crime magazines’ popularity would last for decades, producing hundreds of imitators with varying degrees of dedication to accuracy in reporting: “The most popular and mainstream titles within the genre, such as *True Detective* and *Master Detective*, posited a law-and-order ethic and became arbiters of ‘taste’ within a largely tasteless tabloid tradition” (Murley, 2009, pp.15-16). Although many true crime magazine covers featured female felons or female victims in varying degrees of undress or even bondage, the “original concept that justified bound women on detective magazine covers was the classic damsel in distress” (Hanson, 2008, p. 27). Not all true crime magazines chose the “bound and gagged” covergirl route, and for the ones that did, sleazy cover

paintings and photos were “rare from 1924 to 1929 when the magazines were groping for identity, and still rare in the 1930s when women were commonly portrayed as cunning aggressors” (Hanson, 2008, p. 27).

But true crime magazines were not the only purveyors of nonfiction murder narratives. Tabloid newspapers—that is, a daily press with a blue-collar appeal—also actively pursued salacious stories and exploited them for their readership. As Ramey (2004) noted, the race was on between the tabloids that were constantly trying to scoop each other, while “the legitimate press” looked on in disgust (p. 628).

The best example of that journalistic dichotomy was the story of Ruth Snyder, who was convicted of killing her husband with the help of her lover. At a time when women were demanding social equality, the New York tabloids led the editorial charge to execute female murderers with the equal ferocity of the execution of men. In “The Bloody Blonde and the Marble Woman,” Ramey (2004) recounted how the *New York Daily News* won the tabloid competition when a reporter snuck a camera strapped under his pant leg into the prison gallery before Snyder was electrocuted. On January 13, 1928, the *Daily News* sold half a million more copies of its edition that day with the full-page photograph of Snyder dying in the electric chair, with the headline “DEAD” (Ramey, 2004, p. 630).

At least publicly, politicians and the “legitimate press” were horrified. This sort of sensationalism, the scholars declared, had no place in proper journalism. The word *sensationalism* was invented in the 19th century and was originally used as a pejorative

term denouncing works of literature or journalism intended to excite emotional reactions in the public (Wiltenburg, 2004, p. 1377). According to Browder (2010), these are stories "read not for plot, but for detailed description, and for their linear analyses of what went wrong . . . by encouraging the reader to participate in a voyeuristic dissection of the victim's mistakes, her failure to read obvious clues" (p. 125). The sibling rivalry between mainstream journalism and true crime has experienced many periods of exacerbation, such as the rise in the popularity of true crime books and sensational television crime reporting beginning in the late 1970s and lasting for several decades.

Local television news—defined as network affiliated productions "that emphasize what newsrooms perceive as interesting for themselves and their viewers" (Lipschultz & Hilt, 2003, para. 4)—was not always sensational with regard to crime coverage, however. Many local television news position themselves as "family friendly." In one market study in the 1970s, for example, "on none of the 10 Pennsylvania television stations did sensationalism and human interest stories constitute as much as one-quarter of the total news time" (Adams, 1978, p. 694). Still, during ratings sweeps months, crime coverage might take a more prominent role on local television news because murder narratives "are ideal for the art of story telling: definable events between individuals are concrete rather than abstract; dramatic, conflict-filled and intense stories are seen as interesting; crime is seen as disrupting order and threatening the community" (Lipschultz & Hilt, 2003, para. 4).

After the blood gates opened with Capote's book, Vincent Bugliosi's *Helter Skelter* (1974) led to Norman Mailer's *The Executioner's Song* (1979); meanwhile, Ann Rule's reign as the Queen of True Crime started with *The Stranger Beside Me* (1980). As one of the best-known true crime magazine writers, and then the first "goddess" in the pantheon of true crime book authors, Rule has a special place in the history of popular literature and crime studies. If Browder (2006) was correct when she claimed that, for young women, "true crime books provide a secret map of the world, a how-to guide for personal survival—and a means for expressing the violent feelings that must be masked by femininity" (p. 929), then Ann Rule is one of those secret mapmakers.

To this day, Rule's *The Stranger Beside Me* is "a pillar of true crime for many reasons: its subject matter (the infamous serial killer Ted Bundy), Rule's personalized perspective on the events and her expert use of the conventions of the true-crime genre" (Murley, 2009, p. 1). As of her death in 2015, Rule had written more than 45 true crime books, many of which have been known to be passed down from mother to daughter as a kind of a rite of passage into womanhood (Browder, 2006, p. 932). Coincidentally or not, true crime magazines ceased being published in the United States shortly after Rule's "Bundy Book" was published. When asked whether her departure for book publishing killed true crime magazines, she demurred (Rule, personal interview, 2015):

> It was a natural death. The editors, and everybody on the staff, were old guys probably in their eighties. When I switched from writing for them to writing my

> book on Bundy, they were doing the same thing, in the same way, all the time. Their distribution wasn't very good. Unless you went into a cigar store or something, you wouldn't find a *True Detective*, *Front Page Detective*, *Official Detective*, or anything of those. It was just old age. Just faded away. It wasn't because I left true crime magazines. I stayed with them a long time because they stayed with me. It could be because true crime books killed true crime magazines. That could very well be. (Appendix)

Regardless, starting in the early 1980s, true crime book publishing broke out as a separate publishing category, which generated huge profits for hardcover and mass-market paperback publishing houses (Murley, 2009). However, as of this writing (2017), there is not one true crime title in the Amazon top 20 for nonfiction. Before the demise of true crime book publishing, across America, local crime reporters were on the constant lookout for a chance to land a national true crime book contract.

Additionally, long before *The Jinx* and *Making a Murderer*, a slew of network true crime television shows, such as CBS' *48 Hours,* ABC's *20/20*, and NBC's *Dateline*—and even some 24-hour true crime cable and satellite channels—may have depleted true crime publishing's food supply, ultimately starving the category to death. Crime-based TV shows featuring nonfiction murder narratives started offering true crime stories almost as fast as the crimes could be committed, or even before they happened, as in the case of *To Catch a Predator.*

Maratea and Monahan (2013) borrowed the term "gonzo journalism" from Hunter S. Thompson, creating the term "gonzo rhetoric" to describe emotionally charged crime reportage. Maratea and Monahan (2013) also cited Arizona State University professor David Altheide who stated that "gonzo rhetoric" occurs whenever "news workers involve themselves in the story they are covering" or attempt to be "instruments of justice" (p. 262). One of the best examples of this television form of true crime was *To Catch a Predator*, a spin-off from *Dateline NBC*, hosted by Chris Hansen.

The premise of *Predator* was simple, and the show was an effective ratings-winner. Using the Internet and a non-profit organization focused on exposing sexual predators, potential child molesters and pederasts were lured into houses that had been rigged with cameras. Seemingly fully aware of the crime they were about to commit, the alleged sex offenders waited in the kitchen for the boy or girl they were expecting to come out. Instead, Hansen's team emerged, with the capture of this potential abuser depicted on camera before any sex crime occurs. Even though the underlying goal was to protect children from sex offenders—many of them repeat child offenders—*Predator* remained controversial during its run because the true crimes were captured live, the events were manufactured for the television cameras, charges often had to be dropped, and it was NBC's news division that was not just reporting on the news, it was making it.

Much of the criticism was stylistic. Amy Adler (2010), an associate professor at the New York University School of Law, called Hansen a "tall, pretty, white guy (that) strolls into the kitchen of the house with the air of a man who has just been called off the

golf course and is irritated by the interruption" (p. 4). While Adler (2010) conceded that *To Catch a Predator* has been praised as a public service that changed the cultural view of online safety and inspired new, harsher penalties for predators, she also argued that the show had "distorted the public perception about the problem of child molestation" (p. 10). Douglas McCollum (2007), contributing editor of the *Columbia Journalism Review*, also reserved condemnation for an audience willing to participate in a Puritanical spectacle of "humiliating perverts and needlessly terrifying parents," challenging the *Dateline* executive producer's claim that he was merely "setting aside older journalistic conventions to focus on new kinds of issues" (p. 7).

A similar journalistic justification was heard frequently during the broadcast of the O. J. Simpson trial in 1994. "The Simpson case was steeped in conflict, one of the fundamental criteria for determining whether a story is newsworthy" (Maxwell et al., 2000, p. 258), but some critics questioned whether "conflict" alone justifies wall-to-wall coverage on every channel simultaneously. The Simpson trial, the focus of a highly-publicized mini-series on F/X in 2016, with all of its "sausage making of justice" drama, challenged the philosophies of many news directors who looked for a way to support this massive news gathering aberration that no news organization could afford to be left out of —and many settled on using the case to report on domestic violence (Maxwell et al., 2000, p. 259). As a result, some journalists and news organizations sought the cover of a "public service" regarding the O. J. Simpson sensation. Yes, it was argued, they would cover it, but only because they were trying to raise awareness about domestic violence in

America (Maxwell et al., 2000, p. 259). Currently, a similar tack is taken for one hour every weeknight by the legal commentator Nancy Grace, who unapologetically characterizes herself as "an outspoken victims' rights advocate" (Sellers, 2008, p. 190).

It seems that while mainstream, commercial journalism is ready to invalidate other nonfiction crime narratives as being "tabloid," "gonzo," and "sensational," in contrast, it also appears to covet true crime's popular appeal by creating news-based programming that subverts classic journalistic conventions, such as employing the inverted pyramid style of the news writing and the news objectivity paradigm. To that extent, if mainstream commercial journalism truly stands in opposition to true crime products, a Theory of True Crime could clarify what critics such as Maratea, Monahan, and Altheide wish to avoid.

Research Questions

Against the backdrop of this long-evolving, multi-faceted literary/documetnary genre, this exploratory study of a Theory of True Crime seeks to (a) examine the historical tension between the so-called "legitimate press" (Ramey, 2004, p. 625) and the literary force/sociological phenomenon known as true crime; (b) reveal how traditional journalism both reviles and plunders true crime for its rhetorical treasures; (c) explain how journalism's "theft" of true crime's devices, motifs, and conventions has destabilized the meaning of the term "true crime" to the degree that a monolithic understanding needs to be re-established; thus, once the form and function of true crime are properly analyzed,

both in its historic and contemporary use, this study will utilize those results to develop and test a working Theory of True Crime.

Through textual analysis of the various nonfiction murder narratives that exist under distinct categories—or no categories at all—a Theory of True Crime could begin the process of formalizing the form and function of true crime on any current or future media platforms. Accordingly, the research questions for this study are as follows:

RQ1: What are the historical tensions between traditional journalistic crime coverage and the literary/sociological phenomenon known as true crime?

RQ2: What are the defining characteristics of true crime writing, and how does traditional journalistic crime coverage differ from these established true crime characteristics?

RQ3: In light of traditional journalism's usurpation of true crime's narrative motifs and conventions, what would constitute a Theory of True Crime that encompasses multi-platform media presentations of the genre?

Methodology

Developing a Theory of True Crime will require the employment of both elite oral history and textual analysis. Elite oral history is a recognized intertwining of the parallel strands of "oral history" and "elite interview" methods for gathering primary source data. As a form of qualitative research, oral history is a non-quantitative technique that relies on guided but open-ended interviews and participant observation (Davis, 1995, p. 432). Elite interviews, while still more common in journalism than academia, are an established

method of gathering information from people who have participated in certain, unique, under-studied situations (Kesar, 2002, p. 397).

As an academic discipline, elite oral history has been considered suspect in Britain due to its almost exclusively male, upperclass application, however, the reputation of scholars such a Columbia University's Allan Nevins has meant that elite oral history gathering in the U.S. is seen as more "radical" and "less politically motivated" (Perks, 2010, p. 221). As defined by McMahan (2015), oral history interviews are a valuable way of "obtaining information about the cultural realities and historical consciousness of people" (p. xiii); "elite" refers to those few, influential men and women who have impacted society or attempted to control culture in some way (p. xiv).

Elite oral history, in this case, will include, true crime author Ann Rule's (1931-2015) last interviews conducted by this researcher at her home in the months prior to her death in which she discussed story selection, design, structure, and execution. Besides Rule's previously mentioned *bona fides* as the "Queen of True Crime," she was the only true crime magazine writer to become a bestselling true crime book author, and the only living survivor of her associates from the *True Detective* publications era (Rule, personal interview, 2015).

The researcher contacted Ann Rule through her website in October 2014 with the purpose of arranging an in-person interview on the topic of true crime writing. Due to Ann's health setbacks, her daughter, Leslie Rule, an author in her own right and Rule's colleague on several investigations, acted as her representative. In accordance with

Godfrey's (2006) and the Oral History Association (OHA) guidelines, "the process began with an explanation of how the information will be used" (Godfrey, 2006, p. 56), such as for this dissertation, scholarly articles, edited for broadcast, and digitally archived online. Due to the writer's social and medical commitments, an opportunity was secured so that this researcher could be "in a position where two people could converse easily, eye-to-eye" (Godfrey, 2006, p. 61). On January 19, 2014, and again on January 20, 2014, Rule's oral history was recorded in her Seattle, Washington, home with the researcher using a MacBook Air and a MiC 96k digital microphone bracketed to a mic boom to promote informality. As a back-up, a separate MiC 96k digital microphone was connected to an iPhone 6.

Present to assist Rule on both occasions was Leslie Rule and "Barb," Rule's longtime friend and caregiver. Rule called on Leslie at times to add a comment or a story, and those exchanges are included in the interview presented in the Appendix. On a few occasions during the recording sessions, off mic, Leslie and/or Barb corrected Rule on a name or a date; those interjections are omitted from the final transcript. Each session lasted several hours. Photos were taken, rights were secured, and an agreement to follow up at a later date was sketched out.

The researcher adhered to Hothschild's (2009) elite interview method with regard to information gathering (para. 1). Pursuant to the prescribed standards of rigor, the researcher avoided binary "up or down" questions. The chosen "guided conversation" method relied "less on a fixed schedule than a series of topics to be covered and/or

prompts intended to direct the respondent in particular directions of interest to the researcher(s)" (Davies, 2001, p. 76). Indirect questions were worded in such a way that responses maintained some uniformity but also allowed the interviewee to expand on each area of inquiry (Hothschild, 2009, para. 4). Questions were often asked twice with slight differences. Questions were designed to investigate relevant biographical information: Rule's early memories about gender and crime, her personal experiences and reflections as a policewoman, reflections on true crime writing and editing; being a mother, being a woman in the field investigating crime, and being a scion of murder media and true crime books. Because Rule was in the early stages of writing her autobiography, she requested that some areas of her oral history be off limits; otherwise, she freely explored the various forms and functions of true crime.

In a properly constructed atmosphere, oral history subjects are encouraged to relax and wander in their discourse in order to offer analysis, critical viewpoints and spontaneous anecdotes (Hothschild, 2009, para. 7). For the purposes of this study, the researcher's questions and subject prompts were removed to maximize the flow of the recollections. Edits were made for space, continuity, and clarity, and some answers were rearranged to preserve the chronology of the narrative. For example, clarifications or elaborations from the second day of the interview were added to the original testimony. Arrangements are being made to store the interview digitally online in its entirety for further researchers. Whenever possible, the names and dates that Rule recalled were triangulated with other sources to corroborate her testimony.

Along with elite oral history, textual analysis of true crime artifacts will be employed toward the development of a Theory of True Crime. According to McKee (2003), "Textual analysis is a way for researchers to gather information about how other human beings make sense of the world" (p. 1). Texts can be anything which we intentionally interpret: a book, a t-shirt, a movie, a poem, a commercial, a sign, a building, and so forth. For Fürsich (2009), "Textual analysis allows the researcher to discern latent meaning, but also implicit patterns, assumptions and omissions of a text. Text is understood in its broader, poststructural, sense as any cultural practice or object that can be 'read,'" (p. 244). This research will cross-focus on true crime in various forms because, in any media, "current societal debates and representations are played out. Producers of media texts can act as cultural intermediaries reverberating cultural trends within audiences and bringing them to the forefront of debate" (Fürsich, 2009, p. 245).

All texts are artifacts, and all artifacts are texts of some kind, according to Dennett (1990): "Some artifacts, such as paintings and sculptures, are notoriously--or deliciously--open to rival interpretation, and the artist, of course, is an unreliable guide" (para. 14). A classic example of the intersection of text and artifact over time and cultures, according to Tanselle (1992), is John Keats' 19th century poem, *Ode to a Grecian Urn*: "By calling the urn a 'historian,' he made it clear that he was concerned with it as a link to the past, not simply as an object appearing before his eyes in the present" (p. 11).

Thus, analysis of any text is always possible. Just as there is an infinite number of ways to interpret reality, there is an infinite number of ways to interpret a text. Perspectives will vary depending on the approaches and the background of the analyst. The same methodology can even produce widely different results when used by the same person simply at different times in his or her life (McKee, 2001, p. 2). According to Mawdsley (2008), "absences, as well as presences" play a part in how we construct racial realities (p. 510); in other words, texts can be analyzed not just for any visible words, images, implications, symbols, sounds, and subtexts—as well as any form of non-verbal communication—and so on, but also for elements that appear to be missing.

Textual analysis can result in both "meaning making" and "sensemaking." Meaning making is a largely individual process that either challenges or confirms people's view of reality and their relationship to the world (Krauss, 2005, p. 762). Meaning making differs from sensemaking, however, in that sensemaking reorients a group into a commonly constructed reality. As Weick (1995) put it, "The concept of sensemaking is well named because, literally, it means the making of sense" (p. 4), but while the process gives stimuli a framework through which an event can be processed, sensemaking itself may not create any greater understanding of the world.

Because there is no single correct, magic methodology (McKee, 2001, p. 3), researchers most often employ more than one method, sometimes combining methodologies to study comparative or contrasting concepts and the spatial relationship between these concepts, such as in "map analysis" (Carley, 1993, p. 78). Just as Bakhtin

and Balzac aligned fictional texts to look for patterns, this analysis of true crime will look for patterns between Rule's knowledge set and a selection of nonfiction murder narratives that have either been labeled as true crime or have been associated with true crime over the course of the genre's formalization in the 1920s.

Selection of True Crime Narratives

Ten texts have been selected for textual analysis in this exploratory study: three articles, three books, three TV shows, and one podcast. The researcher fully acknowledges that because true crime texts in the form of magazine articles, books, TV shows, and other media number in hundreds of thousands, if not millions, the analysis subset could include five, 50, or 500 texts. However, as will be discussed in later chapters, these ten nonfiction murder narratives were selected based on their popularity, the popularity of the author, their impact on the form or true crime, or all three factors.

Of the ten, six were published, produced, or promoted as true crime in some form, while four make no claim to be part of the true crime genre; yet these four also appear to have qualifying characteristics and have been the subject of categorical speculation. Each of the ten artifacts is an American text. Each text to be analyzed is well known to the corpus of true crime, for its impact in the timeline of true crime's rhetorical development or because it is a new text that critics and media observers seem to be unable to categorize. After a textual analysis of each, the most prominent common characteristics of each text will be considered in the development of a Theory of True Crime, including the following elements: the role of the narrator/investigator/author, how

the narratives are situated in a community and how communities are situated within the narratives, how themes of good and evil are presented, how victims/perpetrators are presented, the role of dominant culture/government as safety provider, thematic connections to moral education, how the narrative functions as an advocacy of justice, the extent to which each text prioritizes sensations of horror, fear, pain, and frustration, and the use of criminal and psychological forensics.

After a Theory of True Crime has been developed through the analysis of the following texts, the new paradigm will be reapplied recursively to each of the artifacts to either confirm or question whether or not that text is, indeed, a work of true crime.

1) *Who Killed Bob Teal?* by Dashiell Hammett was originally included in the second edition of Macfadden's *True Detective Mysteries* (November 1924). This is one of the earliest and best examples of publisher Bernarr Macfadden's innovation of assigning America's most sensational true crime stories to America's best detective fiction writers. Of all the writers who have written true crime stories, Hammett is arguably the most famous, but not for his true crime works. Hammett's novels, such as *The Maltese Falcon*, *The Glass Key*, and *The Thin Man*, remain the gold standard for detective fiction. Many of his protagonists, such as Sam Spade and Nick and Nora Charles, became archetypes for generations of detective fiction writers.

Hammett's contributions to lesser murder media cannot be underestimated, however, because the combination of his fictionalized real-life experiences as a Pinkerton detective and the underworld he imagined still makes for compelling reading. Hammett's

brief forays into true detective/true crime magazine writing are capable, but unexceptional. He has no reputation for true crime writing for a reason: in detective fiction, Hammett was a jungle explorer blazing a trail of his own making. As a writer of factual true detective stories, Hammett reads like a reluctant tourist following a Frommer's travel guide.

2) *Secret in the Clay: How an Oklahoma Crime Puzzle was Cracked* by former Sheriff George Long as told to Jim Thompson, published in *Master Detective* (March 1939). Though his is probably not as recognizable a name as Hammett, Thompson was a more prolific true crime writer. Thompson is revered as one of the Founding Fathers of "pulp fiction," and his work has enjoyed new popularity and a renaissance of literary respectability since Quentin Tarantino named his breakthrough 1994 movie, *Pulp Fiction*, after the genre for which Thompson is most famous. As will be discussed later, many of Thompson's 30-dime store novels are among the best known pulp fiction examples.

"In his best novel, for example, *The Killer Inside Me*, Thompson gave us Deputy Sheriff Lou Ford, who is both the detective and the murderer, a man whose country bumpkin surface belies a true inner nature of sadistic cruelty" (Weigland, 1995, para. 3). Similar to the characters of Hammett, Thompson's characters live and die on proper society's tattered edges. *The Getaway*, starring Steve McQueen and Ali McGraw, its remake with Alec Baldwin and Kim Basinger, and the movie *The Grifters*, featuring John Cusack, Anjelica Huston, and Annette Bening, are among of the better film versions of

Thompson's work. Additionally, Casey Affleck played Lou Ford in an acclaimed, but largely unseen, *The Killer Inside Me* that is on Hulu Plus as of this writing.

Unlike Hammett's novels, Thompson's "as told to" true crime writing fits more squarely in a true crime tradition. Whether it is true that Thompson merely took stories from the newspaper and rewrote them in the first person as if he—and the reader—were talking to the principal people involved, Thompson's many pieces never suffered from that subterfuge. He gave average stories an exciting sheen.

3) *In Cold Blood* (1965) by Truman Capote. Regardless of whether Capote himself called it true crime, it still ranks as the bestselling true crime book of all time and is the first to emphasize the "random killers terrorize the home" motif that defined the first wave of true crime books (see p. 4).

4) "Baffling Murder of the Washington Lumber Tycoon" published in *Master Detective* (1969) by Ann Rule, as "Andy Stack." Although less famous than Hammett or Thompson in literary circles, Rule is regarded as the most prolific true crime writer ever because she wrote more true crime magazine articles and wrote for magazines longer than either Hammett or Thompson, before going on to become a successful true crime book author. Rule maintained a high standard of research and journalistic writing for her books—a practice evident in her influential true crime magazine writing.

5) *Helter Skelter: The True Story of the Manson Murders* (1974) by Vincent Bugliosi and Curt Gentry, Part of the "as told to" true crime genre, *Helter Skelter* amped the "random killers terrorize the home" motif of *In Cold Blood* with the addition of the

"roving murderous hippies" trope. At the time of its release, *Helter Skelter* was discussed in scholarly circles not so much as a true crime novel, but as a legal "insider's look" book (Spence, 1975, p. 929); the text is still analyzed as an example of public prosecutors who disclose proprietary information for media purposes (Glavin, 1995, p. 1810). Today, it is generally considered the second biggest selling true crime book of all time.

6) *The Stranger Beside Me* (1980) by Ann Rule flipped the "killer stranger" true crime model to the "serial killer next door" model that dominated the true crime shelves for decades. Rule's best-known work was published at the same time as another Bundy-themed book—*Bundy: The Deliberate Stranger* by Richard W. Larsen, a Seattle journalist. Ironically, Larsen's book was perceived by critics as "a more traditional true crime narrative" (Preston, 1980, p. 1748). *The Stranger Beside Me* marked the first time that Rule published under her own name instead of the male nom-de-plumes that true crime magazines demanded, and the first time she utilized the first person narrative technique (Rule, personal interview, 2015, Appendix).

7) *To Catch a Predator* (2004-2007) became a breakout TV hit originally as a segment on the news magazine show *Dateline: NBC*, and then as a stand-alone show for twelve episodes. *Predator* exemplified the "crusading crime fighter" role that other shows like *Cops* and *America's Most Wanted* also pursued in their own way.

8) *Serial* (2014): the podcast produced and hosted by Sarah Koenig created a sensation by presenting a true "murder mystery" in digital audio form only.

9) *The Jinx: The Life and Deaths of Robert Durst* (2015), hosted by film director Andrew Jarecki, was a six-part, Emmy Award-winning series for HBO that continued the tradition of *To Catch a Predator*, albeit with a willing participant who was convinced he would be able to prove his innocence regarding two unsolved murders. If only partly because he was caught on camera "confessing" to the murders in *The Jinx,* Durst plea bargained to a weapons-related charge and was sentenced to seven years in prison in Louisiana on April 27, 2016, the day after Jarecki won a Peabody Award for best documentary.

10) *Making a Murderer*, "A Netflix Documentary Series," written and directed in ten parts by Laura Ricciardi and Moira Demos, began streaming on December 8, 2015. *Making a Murderer* follows the ten-year chronicle of Steven Avery and, to a lesser degree, his cousin Brandon Dassey, focusing on their encounters with the Manitowoc County, Wisconsin, sheriff's department. In the second season pending, the producers are expected to continue the investigation into Steven Avery's presumed innocence.

Of all the writers and producers on this list, only Hammett, Thompson, and Rule would have categorized their own work as true crime from the outset.

Significance

Once a Theory of True Crime is formulated, this exploratory study will contribute to the limited literature about the line—or dotted line—between mainstream journalism and true crime, helping to explain the historical tension points between the two. Presenting a stable definition of what is and what is not true crime will either challenge or

justify the use of terms such as "new journalism." If true crime received the same level of scholarly attention as journalism and pulp fiction, a Theory of True Crime would create new scholarly terrain and perhaps generate interest in new "sub-categories" of true crime hitherto not discussed. Accordingly, given the reluctance of the promoters of *Serial*, *The Jinx*, and *Making a Murderer* to refer to their products as true crime despite the ease with which viewers and critics have done that, a Theory of True Crime could help to discern whether pop culture sensations such as *Serial*, *The Jinx*, and *Making a Murderer* are merely fine-crafted examples of true crime in the hands of talented auteurs, or if they truly represent a new and/or separate genre of crime coverage or nonfiction narrative that has yet to be categorized.

What is certain is that common elements between true crime artifacts do indeed exist. For example, although only limited scholarship has been devoted to textual analysis of true crime magazine covers with regard to the targeted reader, Otto (1963) conducted a pilot survey of "eleven detective magazines as part of a larger study of newsstand magazines in the 1960s and found that they offered the most sexual and nonsexual violence of all general circulation magazines, even though his data excluded advertisements and covers" (p. 14). This is indicative of a known dynamic in the publishing industry: namely, "it is the cover that initially attracts the reader to the magazine. Titles, catch phrases, and pictures displayed on magazine covers are usually all that the reader has time to look at in a store" (Malkin, Wornian, & Chrisler, 1999, p. 649). In other words, magazine editors produce covers that they believe will attract the desired

readership, because “it is these items that influence the reader to buy the magazine” (Malkin et al., 1999, p. 649).

Two decades later, Dietz, Harry, and Hazelwood (1986) further analyzed the covers of 19 other detective magazines for their sexual content and determined that the most “common image on front covers was that of a woman in an inferior or submissive position. Seventy-six percent of the cover photographs showed domination and submission imagery. Men dominated women in 71% of cover pictures, while women dominated men in 5%” (p. 191).

These two limited investigations confirm that commonalities in true crime link artifacts over time and that the consistency of their appearance defies coincidence. It is with this outlook that this research will examine true crime texts of various types on multiple platforms, in search of similar commonalties that could reveal a Theory of True Crime that has existed all along. However, since the nature of textual analysis allows for many variables, more specific results cannot be predicted until the data has been collected from the sample texts.

Chapter 2: The Literature Review

Introduction

As established in Chapter 1, true crime literature consists of nonfiction narratives of criminal events that actually happened. True crime has its roots in the intellectualism of the Enlightenment and the emotionalism of Romanticism. Often criticized as inconsistent with mainstream journalism, true crime has, at times, been embraced by the academy under supposed synonyms such as "new journalism" and "the nonfiction novel" when it was associated with critically celebrated authors such as Truman Capote and Norman Mailer. This chapter, therefore, will review any preexisting literary critical support for true crime as (a) new journalism, (b) the nonfiction novel, (c) aesthetic journalism, (d) feminist standpoint theory as a critical platform from which to view true crime from a writer's perspective, toward the development of a Theory of True Crime.

According to McKeon (2000), to narrow the scope of an investigation into true crime, one way of interrogating the term is to ask what, by standard definition, "true crime" rules out; for example, "'fiction' rules out factuality; 'narrative' rules out discourse that isn't told, or whose telling doesn't take the form of story" (p. viii). If we employ McKeon's criteria, it follows that "true" rules out "false," and "crime" rules out "non-criminal activity." It should also be noted, however, that another standard definition of "true" also suggests "truth" in a philosophical sense. As such, McKeon's theory of refining a category by examining the implications of standard definitions suggests that the meaning of true crime could be interpreted as "truths learned from crime stories."

For example, returning to the example of the Bible's Cain and Abel murder narrative, for millions of people over thousands of years, Bible stories have been "true stories," regardless of their factuality. Because truth is judged by the reader, stories themselves can "mean either that it is to be taken in a certain way or that it can serve as an adequate representation of real events" (Heyne, 1987, p. 480). Heyne (1987) argues that to determine what is truth, the reader has to engage in the text to understand what kind of story is being told, noting that "the distinction we commonly make between factual and fictional statements is based, not on any characteristic of the statements themselves, but on our perception of the kind of statement being intended" (p. 480). This is what scholars refer to as a story's teleology—the ultimate intent of the text.

In this narrative, the teleology of Cain and Abel story is instructive, intended to point the listener/reader toward a moral belief: it is imperative humans overcome their sinful nature and not kill each other. The Cain and Abel story makes a narrative out of the Divine dictum, "You shall not murder" (Exodus 20:13, New International Version), and, in doing so, the story is caught in a bipolarity of "its dual adherence to inner coherence and external correspondence" (Heyne, 1987, p. 396). In other words, similar to all instructional narratives that reveal a truth, Cain and Abel's story exists in a tension: it reads like a story, but instructs like a dictum. It should also be stressed that if an artifact is a story, that does not mean it is inherently untrue.

In fact, the study of storytelling as "a mechanism whereby narratives can affect beliefs" is at the core of "transportation theory" (Green & Brock, 2000, p. 701).

Transportation theory holds that the transmission of ethical or moral information in narrative form is more effective than shorter pedantic, logical, rhetorical "elaborations" on a topic because "transported readers (show) more story-consistent beliefs and opinions than their less transported counterparts" (Green et al., 2004, p. 313). This means that when listeners/readers see themselves in a story, they reduce negative cognitive skepticism to the messages being conveyed. By contrast, when messages are communicated outside of a story, the listener/reader may increase "logical consideration and evaluation of arguments," in other words, increase resistance (Green & Brock, 2000, p. 702). In all aspects of media, people are more receptive to an instructive message when it is part of an entertaining story (Escalas, 2000, p. 427).

As a growing professional discipline in the age of post-WWI modernism, journalism prioritized rational objectivity over "story-ness," in that, "In its original sense, objectivity meant finding the truth through the rigorous methodology of the scientist" (Streckfuss, 1990, p. 975). Journalists were invested in the "belief that the scientific method, applied to human affairs (including journalism) . . . could open the door to human betterment" (Streckfuss, 1990, p. 975). In this modernist mindset, emotional reactions were held in contempt because they were "non-rational," located in the body, and were "rated low in the hierarchy of human capacities, in social value and in location" (Wiltenburg, 2004, p. 1379).

Through this emphasis on professionalism, confidence, and the lack of self-doubt, "American mainstream journalism . . . emphasize[d] its quest to become a rationalized,

quasi-scientific discursive system" in the model of other disciplines of modernity, such as psychology and penology (Miller, 2012, p. 4). Also, modern journalism's obsession with systemic rhetoric reveals that, at very least, journalism was/is orientated around structuralism. On the opposite end, true crime's emotionalized, non-scientific emphasis on "story-ness" makes it antithetical to journalism's structuralist, modernistic claims to objectivity; yet, true crime could never be "postmodern" per se because the form began hundreds of year before the period of modernity.

Contrary to true crime, with its emphasis on dimensional story-ness to transport moral messages and truths, the traditional, inverted pyramid model of journalism discourages news accounts not rooted in modernistic ideology (Deuze, 2005, p. 446). True crime told a story; journalism told the facts. If any transportation of moral or ethical messages is being conveyed in "old" journalism, it must not occur through the emotional lamentations of the reportage, not the reporting itself. In other words, a reporter can observe and write about the emotional issues of the story, but not inject emotion into his or her writing.

New Journalism

Any study of narrative, factual or fictional, is a form of *narratology* or "the ensemble of theories of narratives, narrative texts, images, spectacles, events; cultural artifacts that tell a story" (Bal, 2009, p. 3). Within narratology, all forms of narrative inherit the undefinable "borderlines between the fictional and the nonfictional realms of narration" that have been "drawn, withdrawn, retraced, and re-effaced on various grounds

. . .” (Cohn, 1990, p. 775). In narratology, the focus is not just on the artifact and its elements, as both parts and the sum of those parts, but also on “the messages, both overt and covert, that narratives carry messages that are ‘powerful’ and evocative because they touch a deeper substratum of chords in a culture that, once touched, resonate with a multiplicity of implications that interpretation articulates” (Bhaskar, 2004, p. 392). Because true crime literature seeks to tell a story that is true, but in the guise of fiction, in the taxonomy of narratology, true crime literature presents unique problems to scholars.

Research indicates that most narrative literature is fictional and includes novels, short stories, plays, epic poetry, and, in its “lowest” form, romances and thrillers (Ryan, 1991, p. 1). From Ryan’s (1991) perspective, the much smaller category of “literary narrative nonfiction” would include only “Works of autobiography and history acknowledged as literature: Rousseau’s *Confessions*, Gibbon’s *Decline of the Fall of the Roman Empire*, Michelet’s *Histoire de France*” (p. 1). Browder (2006) called true crime “nonliterary narrative nonfiction,” but Ryan (1991) argued that “nonliterary narrative nonfiction” is comprised only of “news reports, works of history, narratives of personal experience, live play-by-play of broadcast sports” (p. 2). Yet, authors of narratives of personal experience, such as David Sedaris, have been criticized with regard to “whether ‘nonfiction’ means anything when you’re talking about humor writers who admit to flubberizing the truth for comic effect” (Heard, 2016, p. 35).

Even the most lauded of literary true crime works, Truman Capote’s *In Cold Blood,* defies Ryan’s narratological models, because the definition of what is “literary” is

as reader-subjective as what is "true." Heyne (1987) blamed the limitation of categories such as "literary narrative nonfiction" for the confusion, contending, "the author is sole determinant of whether a text is fact or fiction whereas the reader judges for herself whether a work is good or bad fact" (p. 480). Furthermore, contrary to the strict rules of journalism, in more literary forms of nonfiction narratives, the "truth" is so complex, that the search for it may actually be better served by invention and exaggeration (p. 487).

For example, as Markku Lehtimaki (2005) pointed out, in the preface to *In Cold Blood* (originally subtitled *A True Account of Murder and Its Consequences*), Capote claimed that the source material for the book had been either observed personally by him, taken from his interviews with principal witnesses, or obtained through official records (p. 65). The problem for Lehtimaki (2005) is "how a narrative that purports to be factual can succeed both in being a closely researched account of documentable material and, at the same time, an aesthetic artifact akin to the novel" (p. 65).

William Roberts and Fiona Giles argued that "ambiguity, imagination, and creativity are an essential and unavoidable part of the narrative process, and do not necessarily diminish the reliability, validity, and objectivity of the story" (Roberts & Giles, 2014, p. 102). Beginning with David L. Eason's "New Journalism" typology that divides the genre into two sub-categories—Ethnographic Realism for texts that use an omniscient author voice and focus on techniques commonly associated with social realism, and Cultural Phenomenology for first person narratives, such as literary memoir —Roberts and Giles (2014) stated that writers such as Capote "use omniscient narration

and other realist devices to create the illusion of the text's autonomy," but concluded that texts such as *In Cold Blood* "operate in a typically mimetic manner" (p. 107).

Heyne (1987) agreed that Capote imitated real life, but never captured it: "There is little doubt that (Capote) wanted his book to have factual status . . . [h]owever, there is a strong tendency to talk about the book as a kind of novel" (p. 481). Yet again, true crime or new journalism genres are not even on Ryan's list of "literary narrative fiction" (Ryan, 1991, p. 1). Lehtimaki (2005) could only suggest that texts such as Norman Mailer's *The Executioner's Song*—"In its creative shaping of factual material into literary art"—would require the creation of "a third mode between the conventional categories of fiction and nonfiction" (p. 1).

Cohn (1990) perceived this "no man's land" of a nonfiction text that reads like a fictional narrative as the by-product of negligence in that "narratologists themselves have, to a quite astonishing degree, ignored the question of demarcation between fiction and nonfiction" (p. 775). Heyne (1987) concurred by pointing to the "grandiose assertions such as 'there is no difference between fiction and nonfiction,' and simple-minded definitions of artistic nonfiction based on the use of techniques common in fiction" (p. 480).

Meanwhile, Hollowell (1977) and Zavarzadeh (1976) both made an argument for the validity of a "fictual" text. Foley (1979) defined "fictual" as a narrative "in which the strands of imagination and reality are braided together" (p. 393). Hollowell (1977) posited that this Schrodinger's cat-like duality of nonfiction narratives is a symptom of

the 1960s because in that period "everyday 'reality' became more fantastic than the fictional visions of even our best novel" (p. 3). Zavarzadeh (1976) suggested that the age of the fictual account should be pushed back further than the American 1960s to just after WWII because of "the epistemological crisis of our *age of suspicion*" (p. 41)—a claim which, according to Heyne (1987), made "the whole notion of fact versus fiction obsolete" (p. 484).

Not surprisingly, perhaps the fact versus fiction dichotomy is both obsolete and completely new at the same time. Foley (1979) described Zavarzadeh's position with regard to fictual as a "dual adherence to inner coherence and external correspondence, while traditional narratives, whether fictional or historical, are characterized by 'monoreferential' adherence to one pole of discourse or the other" (p. 396). This would imply an active "bipolar" movement between a narrative's fictional and factual elements. A teleology of narrative based on inward or outward movement (inward toward the self-contained world of fiction or outward to "the confusing, largely nonverbal world of real events") is determinative (Heyne, 1987, p. 484).

To better measure the quality of a nonfiction narrative, the listener/reader/viewer should not rely on whether a text is 100% "truthful" because the "universe is composed of a plurality of distinct worlds" (Lehtimaki, 2005, p. 54); instead, perhaps, one should focus on whether the text is moving toward the pole of fiction or the pole of nonfiction. So, while a nonfiction text cannot be simultaneously true and untrue, it will be headed either in the direction of the controllable tidiness of the tropes and conventions of

fictional storytelling, or toward the messiness of unresolvable reality with all of its loose ends. Once again, it is the teleological intention of an artifact that will influence how the reader will receive it.

For example, for years, "readers of Capote's *In Cold Blood* have discussed the degree of closure and resolution such scenes achieve with respect to reading the overall meaning of the Clutter murders" (Hollowell, 1997, p. 97). The narrative design of *In Cold Blood* satisfied the expectations of a typical fiction reader, and more specifically, a typical magazine fiction reader, because the self-contained installments were "written specifically for initial publication in *The New Yorker*" and shaped to fit its editorial conventions (Pizer, 1971, p. 112). The commercial need for Capote's narrative to accommodate an episodic, mass-market magazine cliffhanger dictated the form of the narrative, and to some degree, the form controlled the content.

While past scholarship on literary and nonliterary nonfiction narratives did isolate narratological parallels between fictional and nonfictional storytelling, it did not provide a clear theoretical division that could help assess the distinct characteristics that mark specific nonfiction narratives of criminal events as "true crime" and others as something else. However, since influential scholars such as Hollowell (1977) and Zavarzadeh (1976) have accepted longer true crime works as "nonfiction novels"—either a dichotomy or an oxymoron, depending on perspective— past "theories of the novel" are examined in the next section.

Nonfiction Novels

Mikhail Bakhtin, Jacques Derrida, and Roland Barthes were all theorists of fictional narratives, but their literary theories also challenged the line between fiction and nonfiction. In *The Dialogic Imagination* (2010), Bakhtin (1895-1975) defended the "novelty" of the novel by arguing that novels were merely the newest physical form of the oldest mode of discourse: storytelling (2010, p. 3). People had been telling stories millennia before they were written down and collected on pages, but the formalized novel that Bakhtin analyzed in the early 20th century was still developing, and, he argued, not yet given the critical respectability that it deserved (Bakhtin, 2010, p. 7). Bakhtin's goal was to examine novel forms and to advocate on behalf of fictional texts until novels were credited as the most complex written art form. His argument was that, of all written forms of fiction, the novel was the only one that was still progressing, whereas older, more venerated forms of narrative, such as the epic, poetry, and drama, were exhausted, in artistic stasis, or dying (Bakhtin, 2010, p. 7).

Instead of seeing it as a complex form that often exploited other genres as part of its storytelling, past literary criticism had treated the novel as a mere extension of other fictional modes (Bakhtin, 2010, pp. 7-8). Novels can, in fact, incorporate all kinds of writings and styles and still be novels. A novel could be written in the style of journalism from beginning to end, for example, and still be fiction. Journalism, on the other hand, is no longer journalism if it is a fiction. Bakhtin's method of textual analysis sought to establish a new, separate approach to interpreting the novels of such authors as Nikolai

Gogol, Francois Rabelais, and Voltaire in a way that was unique to the nascent art form (Bakhtin, 2010, p. 10).

Bakhtin broke down the novel into five modes: the Carnival, the heteroglossia, the polyphony, the dialogic, and the chronotope. The Carnival is the literary state of wonder and presents the limitless possibilities of the manufactured world of the novelist, a metaphor Bakhtin (2010) described in *The Dialogic Imagination*; the genre stands in contrast with the propriety of workaday pious reality (pp. 198-200). For Bakhtin (2010), a novel is like the upheaval of Mardi Gras because in fiction anything can happen. Heteroglossia judges the effectiveness of the author to create characters that sound real and sound different from each other (p. 263) while poly-glossia (or "polyphony," a term he used in an earlier work) is the compounding of that differentiation—the blended accumulation of multi-vocal heteroglossia over the course of the novel (pp. 288-291).

Since no author invents his or her own language, and every novelist pulls on preexisting understandings of history, religion, and imagery, threads from previous works are pulled inevitably through every novel in a process Bakhtin (2010) described as "dialogical" (pp. 273-276). Finally, Bakhtin's (2010) chronotope establishes the "time-space" of the novel, giving the action and dialogue a framework within which to work (p. 84).

Bakhtin's analysis and structure of discourse changed the way that fictional narratives could be understood and examined. However, for Bakhtin, discourse specifically referred to the interplay between chronotopes and heteroglossia needed to

create a believable make-believe world. Given that true crime narratives are restricted to the time and the locale in which the actual events really took place, the creativity of the true crime chronotope-heteroglossia nexus cannot exceed the information found in the police records, legal documents, witness testimony, news reports, and other factual research of what was said and done. “Discourse analysis and the word discourse is used . . . abstractly to mean statements in general or to refer to a particular group” of words and images (Philo, 2007, p. 176). Discourse in nonfiction murder narratives is also limited to the factual accounts of actual news events in any combination of audio, video, and print, even if the nonfiction artifact has the feel of a fictional narrative.

Meanwhile, Heyne (1987) suggested that a “nonfiction text has factual status, but readers would have to resolve individually or by debate the question of its factual adequacy” (p. 481). Derrida (1930-2004) argued that no artifact has a static meaning, only a destination toward another understanding, a process described as “freeplay” (Derrida, 1970, p. 232). If Lehtimaki’s (2005) proposal that the “universe is composed of a plurality of distinct worlds” (p. 54)—an endless set of alternate realities—is correct, then, as soon as a text is signified by an author, that text is simultaneously re- or un-signified by the first reader, and then the second reader, and so forth. According to Derrida (1978), the moment an original signifier is no longer bound to the thing that the author was signifying, this “is when that which is written is *deceased* as a sign-signal that it is born as language” (p. 12). This almost poetic turn “takes this fatal risk, the emancipation of meaning—as concerns any actual field of perception—from the natural

predicament in which everything refers to the disposition of a contingent situation" (Derrida, 1978, p. 12). This next iteration, or, as Derrida also refers to it, a "surrogate," de-centers the original text which is then no longer bound to a previous understanding. The intent of the original author is never identical to the iterations that are signified in every new interpretation of a text. Freed of the birth sack of linguistics, meaning is liberated and becomes itinerant (Derrida, 1970, p. 224):

> The surrogate does not substitute itself for anything which has somehow pre-existed it. From then on it was probably necessary to begin to think that there was no center, that the center would not be thought in the form of a being-present, that the center had no natural locus, that it was not a fixed locus but a function, a sort of non-locus in which an infinite number of sign-substitutions came into play.

Again, a history of Capote's *In Cold Blood* (1966) illustrates how surrogacy de-centers meaning. The original tragedy of the Clutter family murder began with the discovery of the bodies (p. 60), and then proceeded with official and word-of-mouth notifications through phone calls and personal encounters (p. 61). Next, the only local media, an AM radio station and newspaper, amplified the story and began a process of "storifying" it (pp. 69-70) with the Clutter family murder reaching the wire services and *The New York Times* beginning Nov. 15, 1959 (p. 81).

After the writer had worked on the manuscript for six years, on September 25, 1965, Capote's story first appeared as a four-part series in *The New Yorker,* then was published in hardcover in January 1966 by Random House, and later that year published

in paperback by Signet (De Bellis, 1979, p. 519). The book is written in four distinct acts, similar to the structure of a play or a movie (Murray, 1973, p. 132). Ironically, by 1967, the eventual four-time Academy Award nominated movie, *In Cold Blood*, was critically acclaimed for its realism, even though many suspected that Capote had manipulated the reportage to make it more "Hollywood" (Murray, 1973, p. 132).

"The 1996 television adaptation of *In Cold Blood*, directed by Jonathan Kaplan, is inspired by intimations in the book of Herbert Clutter presiding as an imperious patriarch over a family of neurotics," shifting the well-known narrative to Capote's implied subtext (Rance, 2002, p. 81). In 2005, Philip Seymour Hoffman won an Academy Award (and fifteen other trophies) for his portrayal in *Capote*:

> never a slavish copy of the model and so emotionally convincing that imitative skill never distracts viewers from the characterization. This last achievement is all the more impressive because Capote was an ostentatiously eccentric figure, the kind of personality that might seem comically grotesque. (Naremore, 2012, p. 41)

One year later, Toby Jones was also critically acclaimed for his gossipy, effeminate performance as Capote in *Infamous*, "which, like the Hoffman film, deals with the events surrounding the writing of Capote's *In Cold Blood*, " albeit it is less true to the book (Naremore, 2012, p. 41). Over 57 years, countless books and academic articles have been written since that original short newspaper blurb about the crime in *The New York Times*: "There is something about the Clutter case that makes it loom large in our cultural memory" (Voss, 2015, p. 2).

In *Writing and Difference* (1978), Derrida might as well have been referring to *In Cold Blood* when he argued that iterations of narratives may never end because meanings are never stable, so every successive generation of readers will find meaning of their own in the tale, regardless of whether the text is leaning toward fiction or nonfiction (p. 12). Although Derrida started as a structuralist in the tradition of Ferdinand Saussure, he came to the point of arguing that the more freedom or movement there is in the chain, the more freedom exists for readers to construct their own meaning from the text (Derrida, 1978, p. 10). Iterations may be influenced by the original intent, the historical period, the time, and the place, of the iteration, but they are not defined by those conditions (Derrida, 1978, p. 15). Derrida recognized that "freeplay is always caught up in a tension . . . with history" (Derrida, 1970, p. 234), similar to what Foley (1979) described as a narrative's "bipolarity."

Bakhtian and Derridian analysis adds to the vocabulary of criticism in understanding true crime, but it does not clarify fundamental distinctions between nonfiction murder narratives such as true crime and crime reporting. This is not surprising, perhaps, in that

> Narrative researchers from various domains have been attempting to find methods of coping with the prodigious data bank that the researcher encounters. This problem is intensified when dealing with a group of texts when the objective of the analysis is to find common features among them. The solution that is proposed . . . is the use of Barthes's [1974] method. (Tohar et al., 2007, p. 59)

Semiotician, literary theorist, and critic Roland Barthes (1915-1980) approached textual criticism using a similar analytical breakdown as Bakhtin, seeking to employ a semiological system to understand myth-making and the sense people make of those myths. In *S/Z* (1974), Barthes analyzed the function of every sentence in Honoré de Balzac's novella *Sarrasine* through the lens of a five-code narrative theory. Following Saussure's model of signs—the explanation of how concepts are signified with a correlative signifier—Barthes' five-code narrative theory "cracks open" a story in units to explain how the moving parts function together (pp. 18-21). In the critical tradition of Levi-Strauss, "Literary structuralists attempt to uncover the implicit conceptual relationships that writers unconsciously assume" (Bliss & McCormac, 1981, p. 67), meanwhile Saleem (2011) argued that *S/Z* is poststructural because "in his narratological thoughts . . . (Barthes) makes a move from its structural analysis to textual analysis" (p. 648).

Two of Barthes' narrative codifications only function going forward in the text. The Hermeneutic Code (HER) is the voice that drives the reader to look for clues about what the text has to say. HER will not be direct—it will never simply spell it out or the story is over—but will create suspense as "an enigma can be distinguished, suggested, formulated, held in suspense, and, finally, disclosed" (Tohar et al., 2007, p. 59). The Proairetic Code (ACT) refers to the small actions that build the tension to a "big reveal" later on because it is "natural for a reader to expect the completion of the action that was

started in the text, and when this expectation is not realized the way the reader desires, tensions are created and developed in the text" (Saleem, 2011, p. 649).

Semantic Code (SEM) involves words that have both a simple meaning and a connotation, increasing the number of layers of meaning in a text; SEM is usually "indicated by a group of characters, places, or objects forming a single thematic group" (Tohar et al., 2007, p. 59). In the case of Charles Dickens, even the proper name(s) of a character can be rich in connotative interpretations. The Symbolic Code (SYM) refers to certain configurations of expressions that repeat in various modes in the text to become more visible as each is amplified. According to Story (2011), "This code is similar to the connotative code in character but a little bit wider in its application" (p. 650). SYM is the accumulative voice of the symbols, organizing smaller sets of SEMs into a larger meaning played out over the course of the text.

Finally, the Cultural Code (REF) sets space-time boundaries for the novel's setting and actions to create reference points for the readers, such as consistent markers to help the reader understand a story set on a distant planet, in a medieval fantasy world on Earth, or a pigsty in a barnyard. REF is the voice of science or religion in the novel that clarifies whether dragons are possible, if gods punish, or if people can breathe the atmosphere of Venus—the experiences "common to a group of people and known only by them, so it expresses a certain way of life and way of thinking" (Tohar et al., 2007, p. 59). Because REF reflects the consistent foundation of the world that stabilizes the text, it parallels Bakhtin's chronotope. The Bakhtinian-Barthesian paradigm forms "an important

counter-thrust to readings of narrative as 'narrative discourse'," that is, just one-dimensional chronological accounts of events real or imagined (Bhaskar, 2004, p. 392), more common to a news story, for example.

Partly because Barthes only used one example in *S/Z,* critics pointed out that his five literary codes may be of limited value, as "Barthes' aim was 'neither an exhaustive, definitive analysis of a single work, nor an elaborate model which would then be tested against other works' [Mayne, 42]" (Welsch, 1978, p. 35). Tested against true crime, Barthes' codes reveal REF would be minimally effective for the analysis of a nonfiction novel because all true crime happens in the same workaday natural world of nonfiction reality. REF might be more relevant to understanding the geography of a true crime narrative's locale and its impact on the events, and perhaps, in particular, if the nonfiction novel were talking place in a foreign country.

In the structure of a true crime narrative, however, Barthes' HER code is cogent because although it is a subcategory of nonfiction, true crime usually follows fiction's "whodunit" literary device of withholding key details from the reader until later in the story in order to build suspense and interest. Accordingly, in both nonfiction and fictional novels, the ACT code teases the reader through the description of a series of smaller actions that increase the dramatic tension until the disclosure of the missing elements. "As she walked to her car, the woman had no idea she was being followed," is a HER code sentence that could appear in either true crime or a novel.

To the extent that true crime is a search for truths learned from crime narratives, the SEM and SYM codes are as fundamental to a nonfiction novel as a fictional one. Unlike the novelist who is bound only by his or her imagination, the storyteller in true crime would be restricted to the facts of a case and the realities of the people involved. However, a nonfiction novel would still follow a similar SEM and SYM pattern, both in the communication of simple meanings of the narrative's events and the larger meta-meaning of the story.

In his essay "The Death of the Author" (1977), Barthes followed Derrida in suggesting that the original intent and design of the author are not relevant to one's interpretation of a text, noting that people need to look within themselves for the ultimate author, thus creating the text as they experience it. Exclusive meanings exclude readers. In Barthes' explanation in *Image, Music, Text* (1978), the original meaning that was intended by the text's creator can never be the *final* meaning. This could account for the generational appeal of classic true crime artifacts, such as *In Cold Blood*, *Helter Skelter*, and *The Stranger Beside Me*. Barthes stressed the readers' participation as a meaning production mechanism in the interpretation of the text (Saleem, 2011, p. 648).

Accordingly, Barthes' novel codes further a foundation for a theory of true crime, but his analytical codes speak more to the work-parts structure and content of a particular narrative as opposed to any larger understanding of the true crime genre itself. Furthermore, although examining "new journalism" and "nonfiction novels" through a Bakhtian, Derridian, or Barthian lens of textual criticism of the novel can help one better

understand what true crime is, neither effectively provides a model for explaining what true crime is not.

Aesthetic Journalism

Words and images both tell stories, but not in the same way. Even if words and pictures were telling the same story, "Pictures and words deal in separate coin that is not fully convertible" (Lacayo & Russell, 1995, p. 171). In newspapers, a print story with an accompanying photograph and a corresponding caption, or an online article with an embedded video, gallery or podcast, would be "multimedia" in structure but "multi-semiotic" in its communication (Caple, 2013, p. 1).

Each element of a multi-semiotic story is in conversation with both the reader/viewer/listener and the other elements. Words and pictures, however, "reach in different directions, report to different faculties, create different impressions . . . like essential trading partners, two realms that deeply require each other" (Lacayo & Russell, 1995, p. 171). The interplay between images and words has been around for millennia, but only since the early part of the 20th century has photography become more than an art form as "photojournalism asserted itself as an increasingly legitimate, even indispensable, part of the popular press" (Griffin, 1999, p. 123). The line between "photography as an objective mirror of reality (its reportorial function) and photography as a vehicle for self-expression (its artistic function)" remains subjective, but for decades "photojournalism has stood in opposition to fine art photography" because they served different functions with different aesthetics (Schwartz, 1990, 22).

Schwartz noted that, starting in the 1980s, "photojournalists have increasingly come to embrace the art world" (Schwartz, 1990, 22). More recently, Cramerotti (2009) has researched the practice of "aesthetic journalism," a mélange of news photography and word-signifiers artfully arranged as textual-visual commentary on social, cultural, and political events and conditions (p. 21). The research outcomes of aesthetic journalists "take shape in the art context rather than through media channels and include the display of photographs and video" (Caple, 2013, p. 10).

To true crime researchers, "aesthetic journalism" is a repetition of history. In the 1930s, eye-catching collages of pictures and words in detective magazines "led the illiterate to buy newspapers; sex and violence that made them want to read, and one of the most important bridges leading from the original elite to the current-events cacophony of today" (Godtland, p. 7). While the highbrow subject matter of an aesthetic journalistic piece could be on any newsworthy subject, the intent is the same: "to create an evaluative stance on the news" through the "meaning-making of the images themselves" (Caple, 2013, p. 10).

Meaning-making through startling images and simple semiotics alone was always the intent of true crime magazines and books. "In other words," as Browder (2006) pointed out, "the plot of a true crime can easily be gleaned from a quick ruffle through the photo inset, or even a glance at the back cover" (p. 931). This was particularly true with the rise in popularity of true crime books because they "almost invariably contain a multipage insert of what are usually described as dramatic, shocking, or chilling

photographs of the killer and the victim(s)" (Browder, 2006, p. 930). Some critics of true crime's "full-on visual body horror" depicted across every platform referred to the images as "crime porn" (Murley, 2008, p. 5).

In the era before the Internet or "CSI"-type television programs, so central was the multipage photo section to the success of true crime paperbacks that:

> one true crime editor says, "pictures are at least sixty percent of the initial draw and you can't sell a paperback if you don't have solid pictures. This may seem trivial, but it is a key issue because what makes a book different is that it delivers . . . autopsy pictures, the severed breasts of prostitutes, the slashed throats—things you'll never see on TV or in the newspaper or anywhere else" [Dinas, Interview 257]. (Browder, 2006, pp. 930-931)

Vastly under-researched by scholars, the gaze of the largely female readership of true crime books (Biressi, 2000, p. 180) was tuned to the meaning-making multi-semiotics of this de rigueur mix of official police photography, posed photos, and crime recreations.

An aesthetic journalist who values his or her provocative artwork as an effort to "bring the investigative tradition back to a societal or political function" (Cramerotti, 2009, p. 29) may resist sharing gallery space with the violent visuals typical of true crime, but "a quick walk through any museum of European art leaves one with uncomfortable memories of writhing hands, severed body parts, monstrous claws, torn hunks of flesh, and everywhere streams of bright red blood" (Bynum, 2002, p. 3). In

Renaissance art, as in true crime, “repulsion vies with attraction, murder is rife with suspense and mystery, and the graphic destruction of bodies is commonplace” (Murley, 2008, p. 5). If there is an essential difference between a photographic close-up of the ligature marks on a crime victim’s wrist and the detailed brushstrokes of the bloodied, crucified palm of Jesus in Matthias Grunewald’s “Crucifixion” in the National Gallery of Art (Washington, D.C.), some people would find it elusive.

Biressi (2000) asserted that true crime murder stories, for the most part, make little effort to explore the political and economic context of crime and punishment, but then neither does Jakub Schikaneder’s classic “Murder in the House,” painted in 1890. Reflecting identical semiotics of modern crime scene photography, in “Murder in the House,” Schikaneder painted a young, attractive, contorted female victim, lying face down in a pool of her blood in a dirty Prague alleyway. Nine onlookers stand nearby, but not close. One seems to be praying, some distraught, some are staring, and one young boy is cocking his head as if he’s trying to figure it all out. The full-color painting is no more or less prurient than a typical Graflex Speed Graphic black-and-white news photo of a female murder victim surrounded by gawkers in a New York City alleyway a half century later.

Yet, art critics praised Schikaneder for painting “women with great empathy. His female figures are always isolated, radiating loneliness” (Sármány-Parsons, 2001, p. 243), while true crime critics dismiss the genre in any form: “Overall, true crime fits neatly with the dominant discourses which aligns women with vulnerability and

victimhood" (Biressi, 2000, p. 191). Nevertheless, Browder (2006) defended true crime against the facile charge of misogyny:

> At first glance, true crime would appear to be the obverse of the romance novel, the bloody photos and lurid descriptions of true crime standing in stark contrast to the gauzy cover illustrations of popular romances. Yet while the formula for the romance novel entails the pursuit of a woman by a domineering, masculine lover, and ends in marriage, the true crime book typically picks up where the romance novel leaves off, and exposes the controlling, sexually dominant male as a dangerous killer—one who preys on the very woman who believed his promises of romantic fulfillment, and who married him. (p. 937)

Furthermore, Barthes (1977) argued, "Most of the photographs exhibited to shock us have no effect at all, precisely because the photographer has too generously substituted himself for us in the formation of the subject" (p. 117). The viewer is safe, Barthes claimed, because the photographer is standing in the way, having made the images "into pure signs, without consenting to give these signs at least the ambiguity, the delay of density" (p. 118). As for news photography is in its purest sense, Barthes stated that such images have the ability to shock, but usually they only astonish (p. 118).

Toward goals such as educating, warning, and perhaps emancipating women and protecting their families from dangerous relationships, the semiotics of true crime texts may indeed be "dramatic, shocking, or chilling," but ultimately just as artistic, relevant, and enlightening as the most poignant examples of other textual-visual commentary on

social and cultural conditions. If multimedia, multi-semiotic, true crime artifacts have a legitimate therapeutic role as a form of aesthetic journalism, it should come as no surprise that its most famous practitioner was a woman.

Standpoint Theory and the Queen of True Crime

As Ann Rule was a female trailblazer in the male-dominated field of true crime, her standpoint demands scholarly consideration for its historic, social, and journalistic value in an understudied field. Although she was only a grassroots scholar, in many respects, Rule remains a pivotal figure in understanding how true crime developed from an already moribund magazine form by the 1960s to the dominant multi-platform media format today.

While Rule's longevity and influence alone justify choosing an elite oral history as a source of primary data, standpoint theory furthers undergirds the academic legitimacy of an interview with Rule. Standpoint theory logic holds that when one gender attempts to control the viewpoint of another, the perspective of the ruling gender "remains marred and perverted," but the filters of the oppressed gender will prove to be "clearer through an epistemological approach to the oppression in question" (Abitz, 2015). Besides being true crime's most published magazine and book writer, Rule's works—and often she herself—were depicted in various TV series, made-for-TV movies and documentaries. Rule was also among the first and few women ever to dominate true crime publishing. For advocates of feminist "standpoint theory," Rule's perspective supersedes mere opinion and must be included as part of the theoretical framework for

this exploratory study because an outsider generates more objective, truthful, and useful points of view.

Standpoint theorist Sandra Harding herself conceded, "It would be hard to find a theory within almost four decades of feminist research and scholarship that has remained as controversial as has standpoint theory" (Harding, 2009, p. 192). Standpoint theory's central claim is that "that those who are unprivileged with respect to their social positions are likely to be privileged with respect to gaining knowledge of social reality;" however, it seems less debatable in epistemology than the social sciences (Rolin, 2009, p. 218).

In the case of the male-hegemonic production of an androcentric media genre such as true crime, standpoint theory dictates that the outsider perspective of a female trailblazer such as Ann Rule will provide more objective and truthful information and reveal a subversive agenda of which the dominant authority might not have been aware. According to Huncileby (1998),

> Women and workers have an enhanced potential for understanding because they are less likely to falsely see themselves in separation from the world. A standpoint, whether that of workers or women, offers more than a *different* perspective; the lack of privilege has *potential advantage* for contributing to knowledge. (p. 27)

Due to her unparalleled experience as the first "goddess" in a true crime pantheon that also includes Capote, Vincent Bugliosi, and Norman Mailer, an elite interview with Rule marks off conventions of true crime that are imbued with a unique knowledge set.

Rule's unique, insightful explanations of true crime's functions, such as true crime as health communication, as a gynocentric tool for grassroots justice, and as victim's rights advocacy, plus true crime's narrative forms, such as its obsession with setting and place, are highlighted in her elite oral history in the Appendix.

Summary

True crime and journalism share similar historical DNA, but true crime seeks to create emotional sensations regarding criminal events and transport moral messages and social truths through entertaining narratives rich in detail and color. True crime eschews a slavish, chronological mono-dimensional discourse of news events in favor of narrative forms more commonly associated with fiction. Perhaps what Lehtimaki (2005) allowed for Norman Mailer's crime writing, his "creative shaping of factual material into literary art . . . represents a third mode between the conventional categories of fiction and nonfiction" (p.1), has been true to some extent for true crime writing from its genesis.

True crime is fact-based, but, unlike journalism, it allows for a certain, quantifiable amount of "freeplay" to enhance the transportive qualities of a fictional narrative, as long as the text's teleology is striving toward nonfiction pedagogy. Judging by the enduring popularity of true crime, regardless of their gender, socio-economic, or educational status, readers prefer a good story that stirs a reaction to a quasi-scientific accounting of facts. Journalism's emphasis on detached observation is modernistic and structuralist; it contrasts with true crime's emotive visuals in print, on television, digitally, and other platforms. True crime's emphasis on gripping photography and sensational

imagery is multi-semiotic and intended to satisfy curiosity regarding macabre events, to celebrate or subvert the actions of law enforcement, to express support for victims, and to educate readers/viewers/listeners about the lessons learned from aberrant stories. Akin to aesthetic journalism's goals of using dramatic and sometimes shocking images as artistic textual-visual commentary on social and cultural conditions, true crime embraces the graphic, illustrative tradition of investigation from a less "refined" period in journalism history.

While some true crime artifacts of varying lengths have been referred to as "new journalism" because of narratological similarities to fictional storytelling models, there is no identifiable "theory of new journalism" separate from true crime. New journalism cannot be isolated as a separate genre from true crime; it is simply a fashionable synonym for true crime, such as the "nonfiction novel."

With respect to true crime, the term "nonfiction novel" is used for long-form true crime written in a literary style, but they are not synonymous terms. As such, true crime of this length and depth is informed by critical analyses of traditional novels from Bakhtin, Derrida, and Barthes. Furthermore, long-form true crime techniques echo many of Barthes' five novel codes, but as nonfiction, some of the fictional codes are restricted by what Truman Capote himself acknowledged as "barbed wire of fact" (Rance, 2002, p. 81).

Meanwhile, Ann Rule established that true crime could be thought of as "really rude fairytales," that is, stories that "do not teach, even though one might learn from

them" (Hohr, 2013, p. 601). According to Rule, the conventions of true crime require good stories regardless of vintage, but no stories that involve torture, children, or grisly details. It should be noted, however, that a "convention is a pattern of behavior that is customary, expected, and self-enforcing," but these patterns termed "conventions need not be symmetric" (Young, 1993, p. 57). Rule's conventions of true crime may be heavily influenced by commercial or personal interests and may not be sufficiently informative to formulate a Theory of True Crime. Rule added that in good true crime, cases should serve to warn people about an aspect of crime they had not considered, such as one with a younger victim, if possible, and a seemingly normal antagonist that offers a twist. She noted that a best-case scenario involves a story that is still not fully solved. Authors should spend time in the location(s) of the story, get to know that part of the world, and what makes it different. In other words, they should smell the flowers, eat the local foods, write accurately, and stick to the facts; they need to start by putting the reader/viewer/listener right at the scene of the crime, and above all else, "give the victims a voice" (Appendix).

Although the "ongoing professionalization process and the corresponding development of a shared occupational ideology as a period of 'high modernism' in journalism" has been well documented (Hallin, 1992, p. 446), and "pulp fiction" detective stories have enjoyed decades of scholarly attention as "parables of classical liberalism" (McCann, 2000, p. 5), no scholars have previously attempted to articulate a Theory of True Crime. To assist in the development of such a theory, it will be important

in the next chapter to engage in a textual analysis of ten nonfiction murder narratives that span a variety of media platforms.

Chapter 3: True Crime Artifacts: A Textual Analysis

Introduction

Publisher and physical fitness enthusiast Bernarr Macfadden built an empire on the first nutrition/muscle magazine in the U.S., *Physical Culture*, before popularizing the confessional magazine *True Story* in the 1920s. "In its early years (1919-1927) *True Story* contained an eclectic set of stories, written by men and women, that explored a wide range of social/sexual problems, from men's stories of infidelity to women's stories of criminality" (Hatton, 1997, p. 3). Women's criminality received even more attention in Macfadden's next innovation—the true crime magazine.

Originally titled *True Detective Mysteries*, *True Detective* magazine was Macfadden's gold standard for the new genre in that it was more tasteful and literary than most of its hundreds of imitators. Along with sister publications, such as *Master Detective*, *True Detective* was salacious but pushed a popular "law-and-order ethic" (Murley, 2009, pp. 15-16).

Dashiell Hammett: "Who Killed Bob Teal?"

Right after its query headline, "Who Killed Bob Teal?", one of the first true crime narratives featured in Macfadden's *True Detective Mysteries* (Volume II, November, 1924) begins with a lie. The article is slugged, "By Dashiell Hammett of the Continental Detective Agency." Hammett indeed wrote the story, but he did not hide the lie afterward. Before becoming a writer, Hammett, in fact, had been a "secret operative" for the Pinkerton Detective Agency for eight years (Orel, 1968, p. 395), a police force-for-hire

that was known for gathering “damaging legal information by infiltrating radical political groups and the 'inner circle' of labor organizations, an especially helpful service during strikes” (Weiss, 1986, p. 89), but there has never been a Continental Detective Agency.

Before trying his hand at true crime stories at Macfadden’s request in 1924, Hammett had used the Continental Detective Agency as the pseudonymous home for his fictional anonymous Continental Operative personae, the “Continental Op,” a “short, stout, middle-aged detective” (Raczkowski, 2003, p. 641), in a piece for adventure fiction magazine, *The Black Mask,* the year before. “By then, fieldwork as a Pinkerton had yielded the raw data for Hammett’s writing career” (Gray, 2008, p. 764), which was compounded by his unprocessed experiences in battle during World War I (Bentley, 1988, pp. 54-55). “Hammett's vision is also the Op's. The Continental Op is the hardest of the hard. He is completely friendless, a total loner. Though he works for the Agency, he is really a lone cowboy” (Wheat, 1995, p. 244).

In “Who Killed Bob Teal?”—recognized by Hammett scholars as part of his “nonfictional prose pieces interesting for their autobiographical touches” (Gale, 2000, p. i.)—Hammett used the same literary voice and motifs as in his his fictional detective corpus for which he is better known. The narrative begins as follows (Hammett, 1924):

> “Teal was killed last night.”
>
> The Old Man—the Continental Detective Agency’s San Francisco manager—spoke without looking at me. His voice was as mild as his smile, and gave no indication of the turmoil that was seething in his mind.

> If I kept quiet, waiting for the Old Man to go on, it wasn't because the news didn't mean anything to me. I had been fond of Bob Teal—we all had. He had come to the agency fresh from college two years before, and if ever a man had the makings of crack detective in him, this slender, broad-shouldered lad had. Two years is little enough time in which to pick up the principles of sleuthing, but Bob Teal, with his quick eye, cool nerve, balanced head and whole-hearted interest in the work, was already well along the way to expertness, I had an almost fatherly interest in him, since I had given him most of his early training. (p. 60)

"The Operative is thus detached, principled, dedicated—in short, the perfect professional" (Malmgren, 1999, p. 376), the kind of cynical detective who only thinks of other cases and the next crook he can catch, regardless of whether he'll have to ruthlessly manipulate other humans to his own ends (Wheat, 1995, p. 244). Which is not to say that either Hammett or the Op is without virtue: "Hammett's never-named operative of the Continental Detective Agency was his first, and purest, answer to the question, 'What sort of fictional persona makes sense given the nature of the post-war world?'" (Wheat, 1995, pp. 240-241).

Although Ann Rule was a pioneering policewoman for a year, and Vincent Bugliosi was the prosecutor of Charles Manson, Hammett was one of the few writers of detective stories, fiction or nonfiction, who had actually been a private detective—a career for which he may have been trying to atone. "Dashiell Hammett's life, in its

discontinuities and contradictions, seems to embody the uneasy pluralism of American society" (Bentley, 1988, p. 54); using the Op character as himself, Hammett expresses his own interest in political and social causes (Orel, 1968). Beginning sometime after his service in the Great War, Hammett—and the Continental Op by extension—began questioning the inherent unfairness of American society, because Hammett's world itself had become unstable (Malmgren, 1999, p. 374).

According to Orel (1968), Hammett was confused by a country which now allowed groups to organize hired killers because this blurred the lines between "incidents that an earlier age would simply have represented a conflict between easily distinguishable races of good and evil" (p. 395). And by "organizing," Hammett did not refer to labor unions anymore, but rather, the very companies for whom he worked that paid him well to break strikes and bust heads: "The enemy that Hammett found beneath the decadent facade of twentieth century capitalist society was the universe itself" (Wheat, 1995, p. 237).

As the writer became disillusioned in a his role as a violent strikebreaker in the employ of greedy industrialists, "Hammett's voracious reading after leaving the Pinkertons may have led him as an evolving Marxist to recognize the essential paradox of modernity that the authors of the Manifesto had identified" (Gray, 2008, p. 765). If that is true, Hammett's conversion was slow and subtle. Zumoff (2012) argued that by 1924, Hammett was still only exploring the themes commonly associated with the politics of the Gilded Age of the Roaring 1920s, "such as political corruption, social tensions caused

by urbanization and industrialization, and the increasing breakdown of bourgeois respectability" (p. 78).

According to the eponymously named story's narrative, Bob Teal had been hired by one business partner to shadow his fellow business partner in an engineering firm that held options on thousands of acres of farmland that recently had been designated for irrigation. Teal had been killed while on the case, and now one partner was in hiding after realizing he was being set up for the murder. The magazine layout of the story includes only two black-and-white photographs interspersed, and both of these are staged, hokey-looking shots representative of key developments in the story, which appear more like still shots from a bad movie. Through his cynicism and his unwillingness to be swayed by the sheen of capitalist respectability, the Continental Op cracks the case wide open (Hammett, 1924):

> Ogburn and Whitacre had opened their farm development business as a plain swindle. They had options on a lot of land, and they planned to sell as many shares in their enterprise as possible before the time came to exercise their options . . . The two partners made a neat little pile out of their venture. (p. 95)

"Who Killed Bob Teal?" follows at least two central Hammett themes: the private detective avenging a fallen partner (Miles Archer, partner of Hammett's Sam Spade in *The Maltese Falcon*, is killed in a similar situation) and the incorruptible private detective standing on principles of justice, instead of taking thousands of dollars to walk away. As Orel (1968) observed:

> The seediness of Spade's surroundings is matched by a gray area in Spade's character: we are not always sure that he will reject a bribe, deny himself sexual indulgence, feel morally superior to the criminals he chases or rejoice when he catches them. He is, indeed, remarkably like them, breaking 'Agency rules, state laws, and human bones.' (p. 395)

In the end, though, Hammett's detectives suffer for their beliefs, apparently because this makes sense to Hammett given the nature of the post-war world; the Continental Op has to be "a lone cowboy" because the largely unregulated economy of the 1920s was the Wild West for rich people who could buy justice at the expense of other people's lives. "The Op or someone like him will eventually be needed to re-tame the town" (Gray, 2008, p. 770). But this is not the only way in which Hammett stood with exhausted oppressed workers. Hammett's use of a lower-to-middle class vernacular in his prose resonated with magazine readers (Hammett, 1924):

> "The Quirks live there."
>
> She merely glowered now, whereas she had a snippy manner before. "And they're decent people, if you ask me!"
>
> "How long have they been here?"
>
> "Six months or more."
>
> "What does he do for a living?"
>
> "I don't know." Sullenly: "Travels maybe."
>
> "How many in the family?"

"Just him and her, and they're nice quiet people too."

"What does he look like?"

"Like an ordinary man. I ain't a detective. I don't go 'round snoopin' into folks' faces to see what they look like, and pryin' into their business. I ain't—"

"How old a man is he?"

"Maybe between thirty-five and forty, if he ain't older or younger."

"Large or small?"

He ain't as short as you and he ain't as tall as this feller with you," glaring scornfully from my short stoutness to Dean's big bulk, "and he ain't as fat as neither of you."

"Mustache?"

"No."

"Light hair."

"No." Triumphantly: "Dark."

"Dark eyes, too?"

"I guess so." (p. 64)

Hammett's staccato voice and narrative style not only influenced generations of detective fiction writers, but also represented an attempt by Hammett to nail down "an affirmation of signification, an assertion of mastery and control over a world otherwise unanchored" (Malmgren, 1999, p. 383). Hammett's sparse, coded, clipped dialogue subverts the optimistic, flowery American capitalist facade to reveal the decadent,

eroding foundation breaking apart beneath (Malmgren, 1999, p. 374). Everybody in a Hammett dialogue uses so few words to communicate that it is almost as though every syllable is a stone and every sentence has to be hauled up in a wheelbarrow from a vocal mine.

Even so, the Continental Op does not take an overt political position—"Hammett wrote no definitive account of his political or social beliefs" (Bentley, 1988, p. 54)—but all of Hammett's detectives are revealed in their consistent profiles and sympathies (Wheat, 1995)

> Though lower-middle class hired men, they are incorruptible and therefore free. They have no discernible religious or spiritual commitment. They usually have to work against the authorities--the police, the politicians, and the courts--since the authorities are, almost without exception, corrupt. The dicks are not prone to violence, but realize that violence is usually necessary, given the irrational nature of a world in which logic no longer works and savagery is seen to lurk just below the surface of society. (p. 237)

In Hammett's Continental Op fiction later on, the narratives do seem radicalized; eventually "facing off against gangs of thugs as well as crooked police, the Op becomes increasingly comfortable in resorting to draconian measures," but there's no evidence of that anarchy yet in Hammett's early true crime narratives (Gray, 2008, p. 767). Contrary to many other famous left-wing writers in history, including many of Hammett's

contemporaries, Hammett wrote all of his major works before he became radicalized (Zumoff, 2012, p. 78).

In fact, although not a Communist, Hammett's next detective character, Sam Spade, is completely independent from the aegis of a detective agency like Continental, preferring to be self-employed and off-the-grid in a capitalist, democratic society. Unlike Sam Spade, the Continental Op in fiction and, presumably, nonfiction still had an authority figure to whom he answered and against whom he would rebel occasionally—the "nearest thing to a personal relationship for the Op . . . a father figure he serves, the Old Man, the head of the agency" (Malmgren, 1999, p. 376). Because of the Old Man's half century of sleuthing himself, the Op respects the Old Man, but ultimately the Op answers only to his conscience and to the common man that he tries to protect from corporatism and corruption. The Op is even willing to lie to the Old Man, but the Op does not keep not secrets from the reader (Malmgren, 1999, p. 383; Wheat, 1995, p. 241).

Yet, it could be argued that Hammett is lying to the reader, which would allow "Who Killed Bob Teal?" to be presented as factually true. It is difficult to fact-check all of Hammett's personal experiences because there is nothing about this story prima facie that is implausible as a "memoir." As for the extensive dialogue, Hammett may have "remembered" the conversations just as accurately as Truman Capote remembered dialogue in *In Cold Blood.* Davis (2012) insisted that writers are just lying to themselves if they are unaware of how much memory can reshape the facts just in the writer's mind. Although readers "expect a true crime writer to be fairly accurate, we also expect the

writer to select, shape, and interpret the material so that it gives us what we expect from a good book" (p. 11). Maybe "Who Killed Bob Teal?" is merely a nonfictional prose piece with autobiographical touches, as Gale (2000) suggested, framed as the anonymous Continental Op story because Hammett was experimenting still with the character and form (p. i.)

If this is a true story about a crime as Hammett remembers it—like any story Hammett might have been telling for years with adjustments to the names and locations —the reader should not be surprised. Most memories that are told publicly go through a process of "storyfiying" because no story, "no matter how attentive to accuracy, can replicate the peculiar details, odd coincidences, and utter disrespect for what satisfies us that is our world. There is a raggedy-ness on the edges of reality that has to be straightened to make an effective story" (Davis, 2012, p. 11).

Some scholars argue that the reader's inability to tell fact from fiction gives Hammett the power to turn prose into parables. On the surface, at least, Hammett's characters are all about justice, but language, "like behavior, begins to reveal its arbitrary nature" about what justice means (Malmgren, 1999, p. 382). For example, by sending one more rich man to the gallows, was Hammett getting justice for the death of Bob Teal, or finding another, greater satisfaction in it? Malmgren (1999) argued that Hammett is grappling with an "unsettling power" in his writing, noticing that his early articles record a historical process of reconsidering his own understanding of concepts such as patriotism, duty, and manhood, leaving Hammett in the midst of a public Derridian "un-

coupling, the unzipping of the relation between outer signs and inner meanings, between words and deeds—in short, between the signifier and the signified" (p. 382).

Even though Hammett's disaffection with capitalism subverted the same justice his true crime stories seemed to signify, likely Hammett never stopped believing in democracy. Lillian Hellman, Hammett's long-time off-and-on lover, reported that on the eve of going to jail for refusing to "name names" of suspected communists to Senator Joseph McCarthy's Senate Internal Security Subcommittee, Hammett said, "I hate this damn kind of talk, but maybe I better tell you that if it were more than jail, if it were my life, I would give it for what I think democracy is, and I don't let cops or judges tell me what I think democracy is" (Bentley, 1988, p. 54).

In the same subversive way, at the end of "Who Killed Bob Teal?", the Op updates the reader on the outcome of the trials: "As it turned out, Ogburn went to the gallows, Mae Landis is now serving a fifteen-year sentence, and Whitacre, in return for his testimony and restitution of the loot, was not prosecuted for his share in the land swindle" (Hammett, 1924, p. 95). Thus, while Hammett can state the need for law and order, at the same time, he plays favorites with his perception of blue-collar mercy. The rank and file guys are just trying to get by; it is the system and the people the run it who are guilty. This is typical for a Hammett ending, be it fact or fiction (Wheat, 1995):

> through patience, ruthlessness, and usually violence, the hard-boiled dick reaches some semblance of the truth and produces a rough justice. The result may be somewhat ambiguous--some minor players may escape the net, and the culprits

> may have had reasons for doing what they did that the dick can understand--but the dick almost succeeds in introducing some stability and order into the chaotic social world. (p. 237)

"Introducing some stability and order into a chaotic social world" also might be an apt description for Macfadden's editorial true crime magazine mission in general. "From the inception of the form, magazines got their stories by soliciting policemen and journalists to send them in;" they also "solicited stories from the public and used their professional writers to turn raw facts into spicy and compelling narrative" (Murley, 2009, p. 20). This grassroots reader involvement in *True Detective Mysteries* is also reflected in the following marketing solicitation from the editors (*True Detective Mysteries*, 1924):

> When you have read this issue of *TRUE DETECTIVE MYSTERIES* MAGAZINE, let us know what you think of the stories it contains. Which story is best? Which poorest? Have you any suggestions for improving the magazine? Ten dollars will be paid to the person whose letter, in the opinion of the judges in charge of this award, offers the most intelligent constructive criticism; $5 to the letter considered second best; $3 to the third. (p. 64)

Because "the patterns and structures of signs in media texts condition the meanings which can be communicated and understood" (Bignell, 2002, p. 3), the repetition of a cash offer is significant. Barthes (1977) stated that, in advertising, "the signification of the message is undoubtedly intentional . . . frank, or at least, emphatic" (p. 33). In this case, the semiotics of multiple solicitations to readers of every

stripe to participate in various aspects of the magazine's production forms an "indexical sign" that creates a "concrete and often causal relationship" between the referent and the viewer (Bignell, 2002, p. 15). Cash is offered at every level of participation in what might be called today a consumer "buy-in"—a symbiosis that encouraged readers to be invested *literally* in the financial success of the magazine as well as its editorial mission to pursue justice. Getting reader suggestions is not just effective market research for a new magazine. Instead, it creates an image of empowerment and egalitarianism consistent with Bignell's (2002) suggestion that advertising copywriters "look for linguistic and visual signs which support the mythic meanings of a product" (p. 26). Judging by that, true crime was a movement, even in this early stage, as much a social crusade as it was entertainment.

The non-promotional display advertising in *True Detective Mysteries* surrounding "Who Killed Bob Teal?" also confirms this publisher/reader camaraderie. On the back jump page for Hammett's story, there is an ad for the Genuine Master Model Royal No. 10 typewriter, "cut to $49.50," and an ad for an engraved pen—"the perfect writing instrument"—for just $1. Aligned with the ads for a typewriter and a fancy pen, there is another three-line notice from the magazine: "For Spare Time Work, Write," with the publisher's New York address and contact information (*True Detective Mysteries*, 1924, p. 93).

Although *True Detective Mysteries* took a collectivistic approach to its readership, the emphasis on individualistic first-person narratives "provided the model for a new kind

citizen-crime-stopper and put some measure of power and control back into the hands of people who may have felt powerless in the face of random violence and certain menacing trends in society" (Murley, 2009, p. 27). As true crime magazines grew in popularity every year, so did their prestige. By the 1930s, in the U.S., "both cops and criminals viewed detective magazines as quasi-trade journals. For cops, a mention in an article—or, better, a heroic photo—was as career-validating as an aspiring actor seeing his face in *Variety"* (Godtland, 2013, p. 66).

Entreaties to law enforcement—"you must have dozens of good, punchy cases in your locker. Why not sent them to us?" (Murley, 2009, p. 20)—allowed any actual detective to have his or her own "Dr. Watson" celebrating his or her own crime-fighting accomplishments. "As told to" became an easy way for editors to get the best stories out of law enforcement faster. *True Detective Mysteries*' "The Strange Death of Eugene Kling" by Robert K. Norwood (November, 1935), "The Riddle of the Bride in Scarlett" by Officer Claude M. Tyler in *Daring Detective* (October, 1936), and "Frozen Footprints: Solving the Riddle of Cache Creek" by former Sheriff Tom Mullins, Cotton County, Oklahoma in *True Detective Mysteries* (May, 1939) all had the same co-writer in common when they were published: "As told to Jim Thompson."

Jim Thompson: "Secret in the Clay—How an Oklahoma Crime Puzzle was Cracked"

According to Godltand (2013), the explosion of true crime magazines in the 1930s was catalyzed by "the proliferation of home radio sets, the national crime wave

generated by Prohibition, and the escapist yearnings of a public mind in the Great Depression" (p. 65). Writers such as Jim Thompson were skilled at making the most mundane police work sound dramatic with nothing more than exciting adverbs and clever punctuation (Murley, 2009, p. 27). Thompson's "as told to" stories were models of early versions of what are currently termed "police procedural" narratives which allowed the readers to learn about "the intricate working of the criminal justice and the complex, often tedious police procedures of good (and bad) police work" (Murley, 2009, p. 27).

However, "Secret in the Clay—How an Oklahoma Crime Puzzle was Cracked" by Former Sheriff George Long, Kingfisher Country, Oklahoma, as told to Jim Thompson in *Master Detective* (March, 1939), also represents a different side to true crime—and a different side to Thompson, an author later credited for bringing "modernist techniques to the suspense novel" (McCann, 2000, p. 3). As a true crime writer scratching out a living in Oklahoma, Thompson also had a secret buried deep in the Sooner soil, perhaps one only just now fully uncovered.

James Myers Thompson was born in Anadarko, Oklahoma, in 1906. He seemed to be destined for a life of looking down on cops and criminals, considering that he came into this world in an apartment above the town jail (Waring, 2016, para. 9). Before finally committing to being a novelist, Thompson wrote for true crime and pulp magazines (Madigan, 1994). Thompson wrote more than twenty-five crime novels, almost all of them published as paperback originals; however, his reputation as a writer has risen steadily since his death in 1977: "While all of his books were out of print when he died,

nearly all have been reissued since, with several adapted as major motion pictures" (Madigan, 1994, p. 105). Perhaps because his father was Anadarko's sheriff when Thompson was young, Thompson spoke the language of law enforcement officials, enabling him to write first-person true crime stories that read like his later fiction.

"Mostly, Thompson recreated in lurid prose grisly, real-life murders, recruiting his mother and sister to do the fact-finding leg-work: they located crime scenes, interviewed witnesses and even took illustrative photographs to accompany the articles Thompson crafted out of their detailed reports" (Waring, 2016, para. 27). Thompson used such details to put his arm around both the local and sheriff and the reader (Thompson, 1939):

> Fritz Tro allowed the mail-order catalogue he had been reading to slip from the bed. He lay there thoughtfully as he listened to his friend, Earl Young, hitch up his team and rattle out of the barnyard in the heavy farm wagon. A good boy, Earl, he mused; it was nice to have him drop in every night or so. But—how old he made a man feel afterward! Like Methuselah, almost . . . This, the opening scene in the death drama, took place on September 20th. (p. 30)

Thompson's straight-forward, readable narrative style moved the reader so quickly through plot developments that the speedy prose seemed to match the often blurry, grainy photos that Thompson submitted to the editors along with his texts. In the voice of Sheriff George Long, Thompson spelled out how Fritz Tro, a prosperous local farmer of German descent, was duped and killed by a down-and-out fellow German immigrant farmhand named John Wirth, who then proceeded to move his family into

Tro's place. In the voice of Sheriff Long, Thompson explained the sometimes plodding detective work that eventually led to the discovery of Tro's body in a shallow grave near the house, preventing a slow-witted red herring named Big George from being falsely implicated (Thompson, 1939):

> Big George—his last name does not matter—had been a familiar character around the town of Pond Creek for years. He was considerably larger than the average man, and he was strong in proportion to his size. If he had chosen, he might have been a prize-fighter, but so far as I knew, his only bouts had been with John Barleycorn. When he felt that it was safe to do so he sold a little whisky; the rest of the time he preferred odd jobs, gambled for small stakes, or merely loafed. Generally, he was more pitied than condemned. Everyone, myself included, considered him harmless. (p. 32)

Thompson mastered "the popular appeal of the gory details, the first-person eyewitness accounts, and the tough masculine style of crime writing" that was typical of true crime in print and on the radio by the end of the 1930s—a style that "also absorbed the populist politics of printed and performed bandit lore" (Razlogova, 2006, p. 143). And it was behind this mask of populist policing narratives that Thompson hid his own secret: he was a "card-carrying" communist. After the upheaval of the Depression—and with a war looming in Europe—Americans were not in the mood for revolution. Instead, the American "public evinced a voracious appetite for escapism in the form of lurid tales of violent crime" (Waring, 2016, para. 26).

On the radio, Americans found a welcome distraction in *Gang Busters* (1935-1957), a true crime radio show that "reenacted less-known cases not from FBI memoranda but from police files, detective pulps, original interviews, and special investigator's reports" (Razlogova, 2006, p. 142). For true crime readers, the *Gang Busters* radio show of the 1930s had a familiar ring. According to Razlogova, (2006) the *Gang Busters* radio show echoed the anticrime rhetoric of true crime magazines, following the same model as Thompson's "as told to" stories, although many *Gang Busters* episodes reenacted the narratives of Federal Bureau of Investigation agents (pp. 144-145).

The FBI also had a presence in *True Detective Mysteries*. Right next to another "as told to Jim Thompson" article, two monthly issues after "Secret in the Clay," there is an interview with the FBI's Clyde A. Tolson—Hoover's majordomo and life partner—titled "Personalities in Law Enforcement" (*True Detective Mysteries*, 1939, p. 65). On the radio and on the magazine stands, true crime reinforced the virtues of democracy and capitalism. The sheriffs and detectives Thompson wrote about formed the "thin blue line" between these American values and anarchy, even though Thompson was the director/ writer for the Oklahoma Federal Writers' Project—"a New Deal program to put American writers to work that was also a hotbed of radical politics" (Geffner, 2009, para. 1).

Although he kept his Communist Party membership out of the pages of the true crime magazine, Thompson's justice-themed writings attracted the respect of Richard Wright, celebrated author of *Uncle Tom's Children* (1938) and *Native Son* (1940).

Nobody knows for certain how Thompson and Wright became acquainted, but because "Thompson published stories in magazines such as *Daring Detective*, *Master Detective*, and *True Detective* early in his career, it is conceivable that Wright became acquainted with his work in these periodicals . . . While Wright's association with the Party has been well-documented, Thompson's has not" (Madigan, 1994, p. 107).

Thompson traveled to New York in 1941 intent on publishing a novel with the help of his Communist connections. Sympathetic celebrities such as Woody Guthrie "circulated Thompson's first novel among leftist publishers in New York until eventually it was taken by Modern Age [Books]" (Geffner, 2009, para. 7). Promotion from award-winning authors like Wright helped to guarantee the success of Thompson's *Now and on Earth* (1942). "The convergence of Richard Wright's and Jim Thompson's literary careers appears to have been brief, but nevertheless noteworthy. By the time Wright's blurb appeared on the jacket of *Now and on Earth*, he was an established writer" (Madigan, 1994, p. 107). Thompson never returned to true crime or the Communist Party again (Geffner, 2009, para. 8).

But just as in life, where Thompson had been a closeted communist who covered up his radicalism by hiding behind establishment, first-person law-and-order narratives, in "the center of *Now and on Earth* lies a secret that [the main character, James] Dillon is hiding: his past ties to the Communist Party" (Madigan, 1994, p. 107). This recursive dynamic of characters hiding secrets by an author with a hidden secret would remain a theme in some of Thompson's best known pulp fiction work.

For example, *The Killer Inside Me* (1952) is the fictional first-person crime narrative of Lou Ford. A "deputy sheriff in the small Texas town of Central City, Lou has constructed a persona that enables him to carry on his police duties and be a member of his community. It is a persona meant to fool his neighbors, to keep them from knowing the truth about him" (Payne, 2002, p. 51). The truth is that Lou is the serial killer who has been preying on the very town he is sworn to protect, but one would not know it by looking at him. According to Payne (2002), Lou is the model of every upstanding Oklahoma law official who Thompson himself pretended to be in the true crime magazines:

> [Lou Ford] is a composite of stereotypes and clichés: he is a Hollywood version of a Texas cop, a Gary Cooper spin-off—he is goodness in a Stetson: kind, compassionate, gentlemanly, always courteous, nonviolent, and he is informed by American Enlightenment optimism and belief in reason; there are no bad people—just ones who need guidance. (p. 51)

While Lou attempts to hide his murderous sickness from the fictional townspeople in *The Killer Inside Me*, the character also makes every effort to be honest with himself about who he is, with Thompson offering no explanations or excuses to the reader for Lou's "complex, confounding, ultimately enigmatic sensibility" (Payne, 2002, p. 50). The reader can only know Lou through a composite of "several voices who spin a narrative out of the cultural imagination that instructs us in the problematics of evil in the post-Holocaust world" (Payne, 2002, p. 50). For that matter, neither democracy nor

capitalism is implicated in Lou's horrible crimes, because by then "Jim Thompson wasn't chiefly interested in establishing a new society; he was obsessed with chronicling the vacuum and its victims" (Madigan, 1994, p. 106).

Thompson's legendary first-person narrative prowess proposes and simultaneously rejects all facile "Grand Narratives" about the duality of evil in the human soul (Payne, 2002, p. 260). In the end, all Thompson (1952) gives the reader to work with is Lou's unreliable, unctuous, self-serving point of view:

> How can a man ever really know anything? We're living in a funny world, a peculiar civilization. The police are playing crooks in it, and the crooks are doing police duty. The politicians are preachers, and the preachers are politicians. The Bad People want us to have more dough, and the Good People are fighting to keep it from us. (p. 118)

Thompson's philosophy seems more driven by cynicism than communism, a point reinforced by the assumption that, unlike Hammett's worldview, "Thompson's communism was generational, given that his literary education began in the 1920s at the left-leaning Prairie Schooner (at the University of Nebraska-Lincoln) and culminated with 'the crucible that was the Federal Writers' Project' a decade later" (Geffner, 2009, para. 11). To that extent, Thompson may have been less committed to the cause than he was to his club of writers. More to the point, Thompson may have used his true crime status as a front masking whatever radicalism he harbored; however, there is a common thread connecting Thompson's first-person true crime texts and his later first-person

fictional crime narratives: the financial misdeeds of his father, his namesake, the law-breaking town sheriff who blew the Thompsons' family apart when the embezzlement became public (Waring, 2016):

> Rather than stay and face the music (and the threat of probable incarceration), James Thompson, Sr., gathered up his family and fled Andarko in the middle of the night. He put [the family] on a train heading northwards while he himself ventured south to Mexico on horseback. It was two years before they heard from him again. (para. 13)

Thompson's father was an actual sheriff who secretly broke the law and later hid from justice; Thompson himself was writing "as told to" true crime in his own voice as though he were law enforcement, in part, to keep others off the trail of his secret Communist allegiances. Thompson knew from personal experience that many lawmen were also lawbreakers; yet, in true crime magazines, Thompson went out of his way to satisfy the national appetite for "good versus evil" victories, even though later on all of his police characters carried tarnished badges. There is no evidence that any of the men Thompson interviewed to write his true crime stories were ever accused of wrongdoing, but Razlogova (2006) asserted that "story shaping" was proved on another true crime platform, radio's *Gang Busters* (p. 158).

One story about the perils of lionizing a less-than-heroic police officer stands out. About 1936, in Thompson's home state of Oklahoma, "at a remote farmhouse in Comanche County, local sheriffs caught up with two small-time armed robbers, George

Sands and Leon Siler. A gunfight ensued, and the owner of the farm died in the crossfire" (Razlogova, 2006, p. 137). Three years later, in February 1939, the death of that farm owner, Adrian Medrano, a Mexican-American, was dramatized on an episode of *Gang Busters*, with Mrs. Medrano, the white widow of that farm owner, publicly accusing the *Gang Busters*' rendition of the gunfight to be a whitewash. The widow insisted that the lawmen deliberately shot her husband because he was a person of color (Razlogova, 2006, p. 158).

This portrayal raised another problem for purveyors of true crime on any platform in the 1930s:

> Public admiration for robbers held the show's meanings hostage. Bandits and gun molls like Clyde Barrow and Bonnie Parker became heroes for many Americans who coped with the hardships of the Depression. Millions consumed true detective pulps, gangster movies, and sensational newspaper coverage of gang shootouts and bank robberies." (Razlogova, 2006, p. 140)

In other words, Americans sometimes empathized with the "bad guys" for being victims of Depression circumstances. These devoted listeners were sensitive to a narrative that reflected an unfair fight. It was a tough line for a populist show like *Gang Busters* to walk, and the widow, in her eyewitness testimony—something on which the show often depended—-accused the producers of fictionalizing the murder of her husband by jittery, racist "laws" (Razlogova, 2006):

> The broadcast failed to depict the social order as Medrano saw it—rigged against farmers, with lawmen cast as villains and bandits as victims. Eyewitnesses interviewed for the broadcast also objected to the script. They insisted that one of the deputies killed Adrian Medrano, a farmer of Mexican descent, solely because of the dark color of his skin, mistaking him for a Choctaw criminal on the loose. The widow's letter thus at once indicted cops' casual racism, the legal order that condoned it, and the radio system that elided it. Medrano's arguments hinged upon both her sense of racial justice and her way of listening to radio. (p. 140)

Mrs. Medrano's story of protest survives because in cops-and-robbers scenarios, producers and the advertisers were only concerned with the public's perspective. Therein lies an ongoing tension of true crime on any platform—a constant since the archetypical execution sermons of the 17th century—the public's dichotomous identification with both sinners and saints, an appreciation of order but a suspicion of authority for always having the upper hand. True crime is inherently in favor of justice, but that does not mean it is always pro-police. True crime is situated in narratives about law and order, but righteousness is fleeting, and there are no sacrosanct contracts with institutions: not the police, not the church, not even the family. The police may get the benefit of the doubt, as in the case of *Gang Busters*' version of the Medrano shoot-out, but the public was invested in the moral "efficacy of law enforcement" (Murley, 2009, p. 23), not in cops that were just as flawed as those whom they sought to apprehend.

Both Hammett and Thompson likely would have tracked with Mrs. Medrano's side of the accusations, too, although perhaps each for their own reasons. Hammett saw power abuses go unpunished after having "claimed to have worked as a detective in the service of mine officials at the Anaconda Copper Strike led by the Industrial Workers of the World (IWW) when labor organizer Frank Little was castrated and lynched by antilabor vigilantes" (Raczkowski, 2003, p. 639). Thompson's past as a "hobo, bellhop, roughneck, boozer, factory worker, Marine, devoted father and husband, and, for a brief time, a registered Communist" (Geffner, 2009, para. 1), coupled with his unique experience as the bard of Oklahoma law enforcement, meant that Thompson knew things were not always what they seemed, especially in small towns in the Midwest.

But this also meant that Thompson, who covered crime in Oklahoma and parts of northern Texas, was a pioneer in "nationalizing" stories from the smallest of American farm towns. In fact, scholars are beginning to value true crime magazines as historical documents because they "contain detailed accounts of a huge number of both little known and notorious crime cases that do not exist in any other form" (Murley, 2009, p. 19). Although a murder in a small Midwestern town would be limited to a minor blurb in a major newspaper such as *The New York Times*, Jim Thompson was taking those little stories and writing them large in true crime magazines long before Truman Capote decided to write about the violent deaths of four members of the Clutter family in Holcomb, Kansas, on November 15, 1959.

Truman Capote: *In Cold Blood*

Although Truman Capote alternately claimed to have invented a new form of journalism and/or "a nonfiction novel"—a new literary narrative genre—some of his detractors have pointed out lapses in Capote's reporting techniques. Although he never used the word "lie," Kansas Bureau of Investigation Detective Harold Nye told George Plimpton, author of the 1997 biography *Truman Capote*, that *In Cold Blood* was not "true" (Peele, 2013, para. 3).

The facts of the case are as follows. Two recently paroled convicts from the Kansas State Penitentiary, Richard Eugene "Dick" Hickock and Perry Edward Smith, murdered four members of the Clutter family (Herbert, Bonnie, Nancy, and Kenyon) in the early hours of November 15, 1959. Convinced that Herb Clutter kept large amounts of cash in his farmhouse, Hickock and Smith bound and gagged the family before murdering them "in cold blood."

From the day of the book's release, scholarly reviewers doubted Capote's self-professed achievement to have written a book told "precisely like a novel, with a single difference: every word of it would be true from beginning to end." Levine (1966), for instance, argued that the premise of originality did not stand up to scrutiny or historical criticism because even James Joyce's *Ulysses* and Theodore Dreiser's *An American Tragedy* "relied heavily on newspaper accounts and public records. Moreover, writers like Isak Dinesen and Ernest Hemingway sought serious alternatives to fiction which would depict a similar quality of inner reality" (Levine, 1966, p. 135).

When the story first appeared in *The New Yorker*, “no one imagined that his much-heralded ‘nonfiction novel’ was an unpolished work” (De Bellis, 1979, p. 519) while Capote demanded confidence in his narrative’s accuracy because he possessed “the equivalent of an auditory photographic memory” (De Bellis, 1979, p. 531). Yet, perhaps indicative of Capote’s own inability to remember consistently whether his near-perfect audio recall was 90, 93, or 95 percent accurate, “a comparison of the magazine edition and publication by Random House ten weeks later reveals that Capote made nearly five-thousand changes, ranging from crucial matters of fact to the placement of a comma” (De Bellis, 1979, pp. 519-520). Making 5,000 additions, deletions, corrections, and rewordings in a text only 343 pages long would indict either the magazine version, or the book-length version, on a charge of less than perfect factual accuracy. For example, in *The New Yorker* article, De Bellis (1979) pointed out:

> Originally [Capote] described Smith's reactions to fellow-prisoner Lee Andrews this way: "Was it any wonder he never opened his mouth? Andrews meant well, but Perry couldn't stand him—yet for a long time he did not admit it." Revision changes the tone of Smith's reaction: "Better to keep your mouth shut than to risk one of the college kid's snotty lines, like: 'Don't say *dis*interested. When what you mean is *un*interested.' Andrews meant well, he was without malice, but Perry could have boiled him in oil—yet he never admitted it” (NY: Oct. 16: 162. R: 317-318). Does "boiled him in oil" clarify the precise quality of Smith's feeling as he experienced it? Or is Capote attempting to vivify Smith's character by showing

> the close relation in Smith's mind between violence and his intellectual insecurity . . . revisions in the character of Smith offer clues about why Capote failed in his intention to write a "nonfiction novel." (p. 524)

This is why Peele (2013) contended that the discovery of a cache of secret law enforcement documents on the 1959 murders of the Clutter family in southwestern Kansas only further undermined the veracity of *In Cold Blood* by invalidating Capote's descriptions of events (para. 1). This adds to previous contradictions of Capote's claims concerning the amount of time he spent in Holcomb, Kansas, and an exaggerated role of the Kansas Bureau of Investigation in the capture of the killers (Helliker, 2013, para. 3). If scenes were created, facts changed, and testimony altered to give the story needed narrative sustenance and closure, then Capote violated his own definition for what would count as a nonfiction novel, not to mention "new or old" journalistic standards of reportage.

Of course, true crime's emotionalized, non-scientific emphasis on "story-ness" makes it antithetical to journalism's structuralist modernistic claims to objectivity. Whereas *In Cold Blood* fails as journalism—and does not satisfy Capote's own criteria for the nonfiction novel—the narrative excels at being a compelling read. As Capote once famously said, his book was 90 percent accurate, and "who cares about the other ten percent?" (De Bellis, 1979, p. 531). In answer to that, Gay Talese (1993), a Capote contemporary, certainly cared about "the other ten percent": "The new journalism, though reading like fiction, is not fiction. It is, or should be, as reliable as the most reliable

reportage, although it seeks a larger truth than is possible through the mere compilation of verifiable facts" (p. vii).

Meanwhile, although it is highly questionable Capote invented a new literary genre, he did reinvent a true crime-like story in a prosperous, novel-length form, breaking it out rhetorically and literarily from the magazine-length rut in which true crime had been stuck in print, on the radio, and on TV. But even as a longer, more poetic version of a nonfiction murder narrative, *In Cold Blood* still maintained one of true crime's darker conventions: it was tinged with racism.

Whether Capote was himself racist is matter of debate, and he would have insisted the idea was preposterous. Even though Quincy Jones claimed that Capote did not want an African-American scoring the film version of *In Cold Blood* (Wenn, 2007, para. 1), Capote claimed a special kinship to minorities due to the abuse that he took for being effeminately gay. According to a 1967 interview with Gloria Steinem, "Most of the time, the relationships between white people and colored people in the South were kind. But then there would be that moment when you saw them stepping off the sidewalk for us to pass—I just couldn't accept that at all" (Fahy, 2013, p. 30). Because Capote linked racism to homophobia, critics have defended Capote's use of freak shows and the gang rape of an African-American woman in his first novel, *Other Voices, Other Rooms* (1948), as a "vehicle for condemning homophobia and racism" (Fahy, 2014, p. 4).

In *Breakfast at Tiffany's* (1958), however, the protagonist, Holly Golightly, was given overtly racist dialogue by Capote. As an unrefined country Texan-cum-New York

cafe society party girl, Golightly disdains "nigger-lip[s]" (p. 34), dismisses "brats and niggers" (p. 61), and hopes to marry a rich Brazilian man because "what could be prettier than a quite coony baby with bright green beautiful eyes?" (p. 81). As the maker of the character, Capote could have been using Golightly's bigotry as a device to create revulsion in the reader, but the purpose is left unstated.

If *In Cold Blood* had been meticulously accurate in all things, Capote's similar use of dozens of subtle and not-so-subtle racist references would be unchallengeable. However, in light of the 5,000 "changes ranging from crucial matters of fact to the placement of a comma" between the publication in *The New Yorker* and the release of the book, as well as the image-conscious reshaping of events in *In Cold Blood* to make them more favorable to certain people, some readers might conclude that references to African Americans as "niggers" (p. 109; p. 112), Chinese people as "Chinks" (p. 192), and discussions of who deserves "white man's wages" (p. 202), were included intentionally to suit Capote's sensibilities.

The copious number of seemingly gratuitous ethnic slurs in Capote's fiction and nonfiction may also reflect his Southern upbringing. In an often-quoted defense of Capote's inclusivity, "on one occasion he hosted a Halloween Party that included the participation of an African-American servant who had once killed several people with a revolver. This enraged the local chapter of the Ku Klux Klan, but their planned march was thwarted, which Capote viewed as a personal victory" (Fahy, 2014, p. 4). Yet, because the African American at the Halloween party was still identified as a "servant,"

not a friend, the paucity of evidence is more suggestive of a theatrically minded host who invited somebody to a party "who had once killed several people with a revolver," because his presence would be a thumb in the eye to the KKK, in the same "freak show" capacity that Capote condemned in *Other Voices, Other Rooms.* Racism takes many forms. Inviting somebody to a party only to stipulate their "otherness," Capote was promoting the appearance of symmetry while maintaining the presumed right of white people to control the agency of other races, just another "thimblerig" between whiteness and blackness (Fields, 2001, p. 48).

Yet, in true crime, more often it is the racism in the margins, not the racism on the page, that connects Capote's *In Cold Blood* to an ugly tradition in true crime. In print, on the radio, on television, and on any other platform, true crime products more rarely display racism by what they include than by what they leave out, namely, any reference to the black crime experience in America at all, not as victims or perpetrators. For example, "Between 1882 and 1946, 4,716 people were lynched in the USA . . . Three-quarters of those lynched were blacks" (Kloosterman & Quispel, 1990, p. 154), yet the lack of any coverage of racially motivated lynching in true crime demonstrates how "editors shaped criminal reality for the readers, ignoring certain uncomfortable truths, while packaging others for quick and easy consumption" (Murley, 2009, p. 20).

Of the 368 reproduced true crime magazine covers featured in Godtland and Hanson's *True Crime Detective Magazines, 1924-1969* (2013), there are only about a dozen instances in which someone—or some thing—other than a Caucasian man and

woman is depicted. Depending upon interpretation, perhaps one or two figures are Asian, but none of the victims of crime portrayed on the covers are African American, Hispanic, or Native American. All the women who appear on the covers as perpetrators of violent crime appear to be of European descent, although some have a hairstyle that might be associated with a Spanish flamenco dancer (p. 14, p. 77, p. 87), a gypsy fortune teller (p. 20), or a gypsy prostitute in *Special Detective*'s "Confidential Diary of a Sex Gyp" (p. 35). *Real Detective*'s "Vice Dens of Panama Exposed by a Hostess who Worked in Them" is anchored by a white somewhat Spanish-looking woman in a dress falling off her shoulders while she holds a gun (p. 86).

On one cover, an either vaguely Asian woman or a Caucasian female with "cat-eye" make-up is having daggers thrown at her by a stereotypically dressed "coolie" Chinese man on the cover of *Real Police Story Magazine,* under the headline "Oriental Vengeance" (Godtland & Hanson, 2013, p. 116). Similarly, an alarmed white woman dressed in a kind of Chinese costume is holding a dagger on the cover of *Real Detective Tales* with the headline "The Chinese Code" with a spectral, inhuman "Fu Manchu" character-like mask menacing her in the backdrop to the cover (p. 94). Fu Manchu, symbolic of the classic "framings of the 'Yellow Peril' [that] construct the Chinese as unscrupulous, inhumanely cruel, despotic, devious and inscrutable," was "the name of a popular villain of comics, films and books from the early 20th century, a character of unparalleled evil and mysterious powers" (Mawdsley, 2008, p. 511). A combination of two stereotypes—two "coolie"-dressed Chinese men with Fu Manchu mustaches—they

appear to be stuffing a black-haired, almond-shaped eyed ambiguously Asian-looking woman into a box on the cover of *Startling Detective* (p. 93).

True crime magazine covers in the Godtland and Hanson collection also featured "Svengali," another Western mass culture antagonist of "unparalleled evil and mysterious powers." *Detective World* magazine displayed a seemingly catatonic, buxom, blonde white woman in repose with a dark-skinned man looming over her in the background, with the headline, "The Svengali of Sex: Exposé of Carnival Hypnotist Racket" (Godtland & Hanson, 2013, p. 24). Although the long-faced ethnic villain is wearing a turban with a jeweled forehead, Zanger (1991) argued that Svengali is

> the third of the trio of literary Jews whose names were to enter the English language—Shylock and Fagin were the other two—was a sinister "Oriental Israelite Hebrew" who possessed supernatural hypnotic powers which permitted him to dominate, seduce, and transform innocent women into instruments (quite literally) of his will. (p. 33)

To reinforce that point, twice in this select subset of true crime magazine covers, Fagin-like characters, both scantily dressed women, are highlighted. Referencing Charles Dickens' infamous and controversial anti-Semitic stereotype in *Oliver Twist* (Grossman, 1996, p. 37), "I Was a Female Fagin" was a cover story for *Real Detective* (Godtland & Hanson, 2013, p. 154), and *Master Detective*'s "Female Fagin—Unmasking the Black Widow Spider of Texas" (Godtland & Hanson, 2013, p. 180) was a teaser headline underneath the cover story about the famously brutal Jewish mobster, Louis "Lepke"

Burchalter. The case of the latter marked two negative references to powerful Jewish criminal figures on the same cover.

The trope of exotic men who possess the ability to "dominate, seduce, and transform innocent women into instruments" seemed to be a mainstay of true crime magazine covers. "Wizard of Sex! Magic Was the Front of his Vicious Racket" (Godtland & Hanson, 2013, p. 182) shows a magician's assistant/showgirl in high heels and a sparkly bikini framed against a mad-looking but ethnically neutral Beau Brummell in a top hat and a monocle on the cover of *Detective World* magazine. "I Was a Yogi's Love Slave" on the cover of *Special Detective* (Godtland & Hanson, 2013, p. 169), on the other hand, depicts an entranced woman under the spell of a colorful, nondescript foreignly dressed man wearing a yellow turban secured by a large, red medallion and adorned with a long feather plume.

Sex slavery was a frequent theme of true crime exposés, such as "White Slaves in Black Harlem" on the cover of *Real Detective* (p. 145), but despite the racial implication of the title, the doctor examining the distraught, struggling white woman is also white. A blurry photograph of a handsome young man with dark features is on the cover of *Front Page Detective*, but the headline "Bloody Trail of a Lady-Killer" does not offer any more context as to whether this photograph is of an African American, a Hispanic, a darker skinned Greek, or a white male of Mediterranean European descent. There is no doubt that *True Gang Life* magazine shows the figure of a black member of a multiracial gang, but the face is only one of many in the background of a bar fight (p. 117). A disembodied

dark-skinned hand covered in long straight hair has grabbed a white woman around the throat on the cover of *Detective World* magazine in "Enigma of the Strangled Nudes" (p. 314), but, again, no particular ethnicity is suggested.

On the other hand, some magazine art more explicitly reflects historic white xenophobia. One example is "Secrets of the Jap Spies" cover of *True Detective* showing a Japanese-American man in a harbor listening in on U.S. ship movements *(*p. 290). The other example is not a cover, and it was not true crime: Gotland and Hanson (2013) included an inside "exposé" from a magazine called *True Thrills*, the story of a voodoo priest cult in Haiti titled "Damballa was My Master," complete with several photographs of black Haitians and their voodoo master (p. 330).

Of the non-white, non-human images in the "other" category, a cover of *Feature Detective Cases* shows a sitting woman with a book in her lap falling asleep. Behind her, a malicious figure in a black trench coat and wide-brimmed hat switches her brown prescription bottle with an identical brown bottle marked with a skull and cross bones connoting "poison." The face of the would-be poisoner is just a skull itself, but the hands of death with their grayish flesh with long pointed fingernails are open to interpretation (p. 152). Consistently, other images of Fu Manchu, Svengali, and assorted Asians have associated men with long fingernails with foreign threats.

Lastly, a large, hairy, brown gorilla carrying off a white female victim is being shot at by a white man in a suit in "Michigan's 'Gorilla' Murderer" on the cover of *Startling Detective Adventures* (p. 92). It is anybody's guess whether the real murder in

Michigan to which the headline alludes was committed by an actual gorilla or just some thug with that nickname.

As Murley (2009) confirmed, “the publishers of the true-crime magazines apparently imagined an all-white world, as they very rarely printed any articles or stories featuring people of color, apart from the appearance of black faces” in “America’s Most Wanted”-type photo features (p. 17). It should be noted also that there is no evidence that black-owned, black-oriented media ever attempted to replicate the success of mainstream true crime magazines for a black audience in any form. Joyce (1991) observed that African-American publishing had existed in the U.S. since the early 1800s (p. xi), and the first “Anglo-African Magazine” started in 1858 (p. xiii), but no true crime magazine titles have surfaced.

This is surprising, perhaps, because to fill the gap created by Hollywood films that underserved the African-American market, “Black-audience movies, also called underground black movies, black-cast movies, and race movies, were made in the first half of the twentieth century—most in the 1920s and 1930s— and distributed to all-black cinemas,” largely by black producers, directors, and financiers (Leyda, 2002, p. 47). Due to an increase in black families owning radios, the number of black-owned, operated, and formatted radio stations grew significantly after WWII; before that, the recordings of “black music, the so-called 'race recordings', were considered as a separate category and were mostly sold in shops in black neighborhoods” (Kloosterman & Quispel, 1990, p. 158). Antiquarian bookseller and publisher Patterson Smith (private correspondence,

July 25, 2016), the largest private collector and purveyor of true crime magazines in the U.S. (http://patterson-smith.com/Index.htm), confirmed, “Never heard of a black-oriented crime mag. Interesting question.” If a black-audience true crime magazine is ever located, it would be of interest to researchers to determine whether it mimicked, contra-indicated, or innovated “white” true crime conventions.

A “whites only” editorial policy in true crime magazines established the criterion based on which crimes would be covered on later media platforms as well. As Browder (2006) argued, “Contemporary true crime books are almost exclusively focused on white, usually middle class victims and killers—particularly interesting in an age when political rhetoric tends to dramatize the threat of black criminality” (p. 936). The true crime magazine roots could be responsible for news coverage of young white women and girls in peril—the so-called “missing-white-girl-of-the-week phenomenon” that dominated cable news for several years—that “typically involves round-the-clock coverage of disappeared young females who qualify as 'damsels in distress' by race, class, and other relevant social variables” (Stillman, 2007, p. 492). Even in *In Cold Blood*, with Capote’s authorial emphasis on the diary, the hopes and dreams, and the fate of pretty teenager Nancy Clutter received disproportionate coverage to the other Clutter family victims. “True crime’s intense focus on the intersection of whiteness and violence is at odds with statistical reality, where in 2006, African Americans made up 12.5 percent of the total United States population, but 49.5 percent of its murder victims” (Murley, 2009, p. 20).

But judging by the editorial content, representing the entirety of the U.S. never seemed to be a concern for true crime writers and publishers. Publishing market forces may have played an invisible hand in editorial biases as well. Jim Thompson's "as told to" industry may have given crimes in Oklahoma a higher national profile compared to less motivated or less talented writers freelancing from other regions of the country. Capote's decision to write about a multiple homicide from the white bred Midwest for his first nonfiction murder narrative, however, may have been part of a longstanding true crime geographical prejudice: "a survey of stories from the 1930s reveals a preponderance of crimes set in the Midwest, in such places as Kansas City, Detroit, Indianapolis, Cleveland and Chicago" (Murley, 2009, p. 26).

Perhaps, murders in Middle America amplified an aspect of true crime that Ann Rule suggested in her criteria for which victims interested her as a writer the most, specifically, those whose youth and innocence draws a greater contrast to the evilness lurking in the world: "I'm looking for somebody who has their whole life ahead of them because you realize better how much has been robbed of them. That makes them more interesting as a murder victim, but it's awful to say, isn't it?" (See Appendix). Compared to the American coasts, a small-town Midwestern farmhouse occupied by a typical middle-class white family would seem the epitome of innocence in the true crime mindscape.

According to Karl (1983), "Capote has provided dual convergences. The first is the description of the Clutters in their everyday, highly successful lives, with the author

intruding to tell us it was their last day; this is followed by a description of the killers preparing to make the journey which will result in the Clutters' deaths" (p. 575). The reader of *In Cold Blood*, then, is like a bystander on a beach watching partially submerged alligators menacingly sneak up on swimmers in a freshwater lake with no warning signs posted: "The family moves toward its hour of doom, while the murderers race their car to bring it about," but all the reader can do is scream (Karl, 1983, p. 575). Attacks like that are not supposed to happen in a freshwater lake. The art of true crime is in the explanation of how the alligators got there. In the end, both the family and the lake itself are victims because neither will ever be the same again.

So it was with the sanctity of the Clutter house. "The idea of owning one's own home is a consistent thread throughout the American narrative really until today. And during the Great Depression there was an effort to support and encourage home ownership" (*Domestic life—Art through time: A global view*, 2009). Slightly under two-thirds of all Americans owned a home by 1960, and about 58 percent of young people aged 25-44 had one. In the six years between the Clutter family murders and the release of *In Cold Blood*, home ownership rose steadily (Taeuber, 1972, p. 146).

"There is in our culture a long history of the development of the house as a place of safety from both nonhuman and human threats, a history which culminates in guaranteeing the house, a man's castle, against unreasonable search and seizure" (Rainwater, 1966, p. 24). "Our house, our home, and all it encompasses says everything about who we are, where we've been, and what we want to be" (*Domestic life*

—*Art through time: A global view*, 2009). Because a "house acquires a sacred character from its complex intertwining with the self and from the symbolic character it has as a representation of the family" (Rainwater, 1966, p. 24), the home develops a soul. The "home," it could be argued, was the fifth, unnamed victim in *In Cold Blood*, as the Clutter family home suffered multiple wounds, from the top floor to the basement.

In violating the Clutter house completely, the killers thoroughly destroyed any sense of safety that the reader might have in his or her own home, any hope that any place in the reader's house provided sufficient protection against threats. In America, the home is a "place of maximum exercise of individual autonomy, minimum conformity to the formal and complex rules of public demeanor" (Rainwater, 1966, p. 24), but when that notion deteriorates and becomes disordered, it can be experienced as "signs of the disintegration of the standards that guide local public life" (Skogan, 1986, p. 212). From this perspective, if the Clutters were vulnerable to random killers in a solidly built home in the middle of a Kansas farm, nobody could be safe.

It is in this "terrible confrontation between the illusions by which we invest our lives with order, meaning, and security as a defense against reality, and the prowling reality which is ever ready to strip us of our defenses and reveal its true violent and incomprehensible nature," the homeowner/reader is rendered ultimately powerless (Levine, 1966, p. 136). Perhaps, because it is out of this ancient effort to the family home a sanctuary from evil that *In Cold Blood* remains so potent 50 years after publication.

Depending on the mythic viewpoint of the reader—and perhaps despite all of Capote's efforts to humanize Perry Smith and Richard Hickock before their executions—the killers of the Clutters were either soulless monsters or mere men who were the sad product of having been raised in homes that were tragically lacking. It is the same duality as in *Grimm's Fairy Tales* where "either the presence of evil (villainy) or the absence of good (lack) is the prime mover of events. Villainy and lack ultimately have the same function, even if they appear under different narrative guises" (Tatar, 2003, p. 62).

Ann Rule: "Baffling Murder of the Washington Lumber Tycoon"

A young Ann Rule, sitting in her grandfather's sheriff's office, instinctively recognized in the true crime magazines a characteristic that fascinated her:

> True crime magazines seemed like fairytales to me—really rude fairytales. I don't think I saw them as real, as a kid, partially because they had few real photos; they had artwork and drawings, so there were not real victims. It was easy to picture it as fiction, and I think that's the way I did. (Appendix)

Grimms' *Fairy Tales*, originally titled *Nursery and Household Tales*, with their "graphic descriptions of murder, mutilation, cannibalism, infanticide, and incest that fill the pages of these bedtime stories for children," were pretty rude to begin with (Tatar, 2003, p. 1). According to Zipes (2012), fairytales are the same as folktales except that they replace many of the human characters with mythical creatures. While neither may be the same as news stories, it should not mean that fairytales or folktales are "unreal";

instead, “they tell us metaphorically that ‘life is hard,’ or that ‘life is a dream,’” with their “symbolical narrative patterns” (p. xiii).

For many people growing into adulthood, true crime serves the function of illustrating alternative life choices that are made to maximize future happiness (Zipes, 2012, p. xiii). True crime novels, similar to stories with fairies and elves, are created in order to teach humans how to be safe by instructing them about who should be avoided:

> There are three types of ogres in the *Nursery and Household Tales*. The first comprises beasts and monsters; these include wolves and bears, but also the man-eating giants who threaten to devour the hero as he makes his way through the world. The second group consists of social deviants; among them are the robbers and highwaymen who waylay innocent young women, murder them, chop up their corpses, and cook the pieces in a stew. The third (and this group easily outnumbers the members of both other categories) is composed of women. (Tatar, 2003, p. 62)

It would be fair to say that true crime editorial content features ogres who are distributed between those three categories, but “social deviants” were of particular interest to Rule, especially if the first type of ogre could be interpreted as a psychological beast or a monster. For example, the story of Heidi Peterson in Rule’s “Little Girl Lost” article for *True Detective* (May, 1974) does not end well, but the article begins beautifully. A nuclear family is enjoying an early spring day in Seattle in and around the protection of their modern house. The father is watching over the children, as the mother

is gathering food and the children are playing outside. It was one of Rule's favorite true crime magazine articles (Ann Rule, personal interview, 2015):

> Thursday, February 21st, 1974, was an unusually mild day for Seattle in late winter, 42 degrees and only the nearest trace of rain. Four-year-old Heidi Peterson and her two-year-old brother Carl hadn't had much opportunity to play outside in the past few weeks. They were delighted to ride trikes up and down the sidewalk in front of their comfortable frame home just across the street from Roanoke Park. It seemed the safest spot for little ones to play. Their father, Roy Peterson, was just inside at the window, and their mother, Sally, had made a fifteen-minute trip to the grocery store. (Appendix)

After disappearing in almost full view of her neighborhood, Heidi's murderer was never brought to justice because there was never enough evidence to indict anybody. Off the record, Rule and her daughter, Leslie Rule, her mother's writing assistant and co-writer toward the end of Ann Rule's career, filled in a few more details about the alleged killer and why it was so difficult for the police to make a case or for the state to prosecute. The main suspect was a teenage family member. He also might have had an accomplice, also known to the family. The alleged teenage killer(s) were treated as the product of a sick home, not as a threat to society at large.

In fairytales and folktales, the nuclear family is the most common subject, as it provides the typical cast of characters and allows the writers to warn frequently about incest and child abuse (Tatar, 2003, p. 4). The lessons of fairytales and folktales concern

most often the welfare of society's most vulnerable layer—young women and children. Centuries before true crime novels, the Brothers Grimm were writing about the same thing: "In fairytales, nearly every character—from the most hardened criminal to the Virgin Mary—is capable of cruel behavior" (Tatar, 2003, p. 5). Threats from within the home were also the theme of Rule's first printed true crime story. Writing under the pen name "Andy Stack," Ann Rule in "Baffling Murder of the Washington Lumber Tycoon," published in *Master Detective*, substantiated the claim that the one closest to us can be the biggest threat (Stack, 1969, p. 30).

"Violence on a Sunday morning in Twisp, Washington, is about as out of place as a lumberjack at a tea party," Rule began humorously, "and the horror that met the eyes of two Twisp men that Sunday morning in November was doubly shocking because the victim was a man known for his generosity and fair play" (Stack, 1969, p. 31). "Baffling Murder of the Washington Lumber Tycoon" is the story of Otto Wagner, lumber baron philanthropist, who died at the hands of his spoiled nephew, Jim Hayden, on whom Mr. and Mrs. Wagner had doted like a son. Hayden spent a couple of his high school years living with the childless Wagners, but the couple put their nephew through college (Stack, 1969, p. 31).

Rule's murder narrative in "Baffling Murder of the Washington Lumber Tycoon" is not in the first person as either a recollection of the writer or framed with "as told to" device. Stack's narrative (1969) writing is straightforward journalism but with a slight film noir rhythm to it:

> The closet door swung open and their search was ended, tragically ended. Otto Wagner's bludgeoned body was jack-knifed into the closet. There was no question of feeling for a pulse or sign of life; it was obvious the old man had been dead for some time. (p. 32)

Rule's "Baffling Murder of the Washington Lumber Tycoon" ignores the inverted fact pyramid model, which suggests relating the most important data at the beginning of the text (Canavilhas, 2007, p. 4). In the true crime tradition, Rule withholds key details from the reader to enhance the suspense. Illustrating the same technique as that evident in Capote's *In Cold Blood*, the "why" of this senseless crime becomes the tantalizing secret only revealed near the end of the story. After learning that Otto Wagner had been bludgeoned to death, it takes the reader five pages to learn that Hayden killed his uncle for money that Wagner might have happily given to him:

> Interviewed by *Master Detective*'s investigator, Sheriff Horner mused, "We just don't know. You meet Hayden and he's a nice person to talk to as you'd want to meet. He never gave us a bit of trouble in jail. Here's a guy who's young, good-looking, brilliant, with a college education, and he throws it all away. Sometimes you just can't figure the way things turn out. (Stack, 1969, p. 34)

Betrayal within the family, the reader learns, is meant to be the "baffling" part about the headline. The death of Otto Wagner was "baffling," but not the manner in which the crime was committed or the identity of the perpetrator, only the randomness of the reason and the realization that no matter how generous one is with a family member

in need, as Tatar (2003) noted, anybody "from the most hardened criminal to the Virgin Mary is capable of cruel behavior" (p. 5).

Folktales, with all their ugly truths embedded in blood needing to be discussed and decoded, were intentionally constructed narratives with the potential of bonding an entire nation together. For example, Grimms' fairytales "were thought to contain the scattered fragments of ancient Germanic myth, which—when collected —would provide the German people with a magic mirror in which they could discern and thus reassert their national identity" (Haase, 1993, p. 385) "Little Red Riding Hood" is one of the first stories that many adults ever hear as children and among the first they read to their children; however, Orenstein (2008) argued most people don't know the tale as well as they think. Today the Little Red Riding Hood story is a children's cartoon, not a "bawdy morality tale for adults" (p. 3). At best, in the U.S., folktales are a pastiche of the bedtime traditions that each immigrant group has imported into our culture and then homogenized for American consumption. "Disney is the absolute antithesis of the mythic peasant or Ice Age storyteller from whom we have supposedly inherited this allegedly sacred possession" (Haase, 1993, p. 384).

As young Rule intuited, with all their "graphic descriptions of murder, mutilation, cannibalism, infanticide, and incest," perhaps true crime magazines do function as "really rude fairytales," filling the void left behind by the sanitized folktales in America. "Every society has developed some sort of civilizing process to motivate its members to cooperate and co-exist in peaceful ways," Zipes stated (2012, p. x). To the extent that in

the U.S. media platforms became the storytellers, and true crime developed out of execution sermons to become morality-normalizing folktales, it would explain why narratives do not follow journalistic news models.

As morality tales that were using salacious but civilizing stories to motivate readers to cooperate and co-exist in peaceful ways, true crime magazines could not be bound by typical "news time pegs." To the extent that nonfiction murder narratives are retold and repackaged for consumption every few years on different platforms, the criterion for source material would not concern the recentness of the story, but its effectiveness in communicating folk truths: "Tales are motivators, and as they were told and retold over vast periods of time, they were woven into the texture of the civilizing process, retained in our memories, and assumed different forms for social purposes that determined the nature of their genre" (Zipes, 2012, p. x).

This is true of another story about families, ogres, and murder, one that also has been told and retold over time, woven into the civilizing process, and retained in the national memory in different forms for flexible social purposes. Just as *In Cold Blood* marred the end of the "Ozzie and Harriett" nuclear family era of the 1950s, *Helter Skelter: The True Story of the Manson Murders* (1974) killed the spirit of a decade in Los Angeles, California, and forever skewed the national perception of the "All You Need is Love" hippie "families" of the 1960s.

Vincent Bugliosi: *Helter Skelter*

Law enforcement likely will never be sure exactly how many homicides Charles Manson was responsible for, but Vincent Bugliosi's *Helter Skelter: The True Story of the Manson Murders* (1974), co-written by Curt Gentry, attributed at least seven of them to the Manson Family. Over 40 years later, *Helter Skelter* is still in print, while the movie of the same name (1976) often airs on late-night television and is available through iTunes. Over 50 books have been written about Charles Manson, and the market for Manson "tee-shirts, board games, comic books, trading cards, toy dolls, and Halloween masks" remains strong (Conrath, 1994, pp. 150-151).

On one level, it's easy to understand how a group of young women and men, high on large and frequent doses of psychedelic drugs, could be manipulated by a controlling maniac to kill seven affluent people in two homes, on successive nights, in Beverly Hills, California, in 1969. *Helter Skelter* traces the Manson Family's zig-zag line from its members' radical exodus from American suburban society to the elevation of the orgiastic freeform "Happenings" at Spahn Ranch as a twisted form of performance art (Horning, 2015).

Nevertheless, as Faith (1993) argued, at the time, "peace and love" hippies, especially women toting communal babies, would be unusual murder suspects on the night of August 8, 1969 (pp. 53-54). Actress Sharon Tate, wife of actor/writer/producer/director Roman Polanski, coffee heiress Abigail Folger, her Polish would-be actor/boyfriend Voytek Frykowski, renowned men's hair stylist and Tate's former fiancé, Jay

Sebring, and Steven Parent, an incidental visitor to the estate's caretaker at the guest house, were all viciously shot, stabbed, and mutilated by Charles "Tex" Watson, Susan Atkins, Linda Kasabian, and Patricia Krenwinkel, under the mesmerizing guidance of Charles Manson (Faith, 2001, pp. xv—xvi).

One night later, the same four killers, along with Leslie Van Houten and Steve "Clem" Grogan, left for another home invasion of "pigs" that ended in the mutilation of supermarket executive Leno LaBianca and his wife Rosemary, the owner of a successful dress boutique. For these deaths, Manson, Watson, and three young women were sentenced to death, their sentences later commuted to life in state prison by a 1972 U.S. Supreme Court ruling that interpreted capital punishment as "cruel and unusual" (Faith, 2001, p. xiii).

The brutal murders eventually would be understood as part of a continuum of cult violence that included previous and later Manson Family killings. According to Browder (2010), "the family in true crime is often a poisonous unit" (p. 126), but law enforcement and the public had a different view of the capabilities of a communal hippie family. Yet, according to Bugliosi (1974), this comprehensive understanding of flower-children-gone-mad was slow in coming on August 27, 1969, 18 days after the murder at the Tate mansion, when Truman Capote was a guest on the *Tonight Show starring Johnny Carson*, offering his observations about Tate mansion murders over which the nation was obsessing:

> One person, acting alone, had committed the murders, the author of *In Cold Blood* said authoritatively. He then proceeded to tell how, and why. The killer, a man, had been in the house earlier. Something had happened to "trigger a kind of instant paranoia." The man then left the premises, went home to get a knife and a gun, and returned to systematically assassinate everyone in the place. According to Capote's deductions, Steven Parent had been the last to die. From the knowledge accumulated in over a hundred interviews with convicted murderers, Capote revealed that the killer was a "very young, enraged paranoid." While committing the murders, he probably experienced a sexual release, then, exhausted, went home and slept for two days. (p. 100)

Although police had given up the "single-suspect theory," law enforcement kept that to themselves. According to Bugliosi, the Los Angeles Police Department (LAPD) and Los Angeles Sheriff's Office (LASO) also were busy making their own mistakes, some as egregious as Capote's. The text of *Helter Skelter* operates on many levels, but one major thrust of this true crime narrative is how police incompetence was directly responsible for a delay in the apprehension and prosecution of the murder suspects (Kirsch, 1974, para. 3). Bugliosi (1974), then a thirty-five-year-old flamboyant prosecutor, called out law enforcement for hubris, laziness, unprofessionalism, and police sectarianism, noting:

> The physical distance between Parker Center, headquarters of the Los Angles Police Department, and the Hall of Justice, which houses the Los Angeles County

> Sheriff's Office, is four blocks. That distance can be traversed in the time it takes to dial a telephone. Jurisdictional separations reflect badly on law enforcement's promise to the public to put aside pride and cooperate. Though LAPD and LASO cooperate on investigations that involve both jurisdictions, there exists between them a certain amount of jealousy. (p. 113)

Bugliosi (1974) then went even further by stipulating specific instances of (a) police abuse of a later-cleared suspect, naming the officers responsible (p. 32); (b) insensitive notification of a victim's death to his parents (p. 49); (c) the disparities in the quality of forensic evidence gathering between the Tate crime scene and the LaBianca house (p. 101); (d) the mishandling of evidence and testimony by law enforcement at almost every level. At the time, some critics credited this humiliation of law enforcement figures by name to Bugliosi's attempt at fixing a dysfunctional system (Kirsch, 1974, para. 4).

Bugliosi's commentary is unlike an investigation on a news-based program such as *Dateline NBC* (1992) because Bugliosi was a personal witness to law enforcement failires. For example, Bugliosi (1974) illustrated how two LASO homicide detectives, Sergeants Paul Whitely and Charles Guenther, reached out to Sergeant Jess Buckles of LAPD to share a theory about how hippies had murdered a thirty-four-year old music teacher Gary Hinman and had written "political piggy" in his blood on the wall. Whitely and Guenther suggested a connection between the two murders because the word "pig" was also written in blood on the front door of the Tate mansion. Buckles dismissed this

coincidence by saying with misplaced confidence, “Naw, we know what’s behind [the Tate] murders. They’re part of a big dope transaction” (p. 62).

Cheekily, Bugliosi also made it clear that Steven Weiss, a ten-year-old boy, knew more about the proper handling of potential firearm evidence from watching *Dragnet* on television than LAPD patrolman Michael Watson. After the boy had carefully retrieved the gun from the bushes near his house without touching it himself, Officer Watson put his fingerprints all over the murder weapon while taking it away (p. 104). Later, two escaping Manson Family girls flagged down a LASO car on a desert highway and confessed to having inside information about the Hinman murder that tied it to the Tate investigation. When LASO contacted LAPD detectives for a second time about the possible link, it took the Tate detectives 11 days to follow up (p. 116).

Bugliosi’s ad hominem indictment of poor detective work runs throughout the book *Helter Skelter*, but it is not evident in the made-for-TV movie version of *Helter Skelter* (1976). The *Helter Skelter* movie was made by Warner Bros. to be run in the U.S. as a two-part miniseries on CBS on April 1-2, 1976, and for foreign in-theater distribution. Since they are titled the same, for the purposes of this discussion, the movie will be designated by year of its release—*Helter Skelter* (1976). The U.S. made-for-TV feature was a major hit for CBS, still ranking as one of the most successful TV miniseries of all time. *Helter Skelter* (Part 1) (1976) won its night with a 35 rating/57 share; *Helter Skelter* (Part 2) (1976) improved to a 37.5 rating/60 share (approximately 60% of all television-equipped households with a television in use at the time were watching)

(Edgerton, 2003, p. 226). By comparison, Super Bowl 50 on February 7, 2016, earned a 49 rating/73 share.

At a running time of three hours, *Helter Skelter* (1976) was, in many places, a word-for-word replication of the major parts of the book, especially the court transcript—a production that was commonly referred to, sometimes pejoratively, as a "docudrama" (Faith, 1993, p. 64). By definition, docudramas are situated in the historical record of an event, not as part of a documentary or fictionalized productions "based on a true story." Docudramas, however, are not documentary, "due to the fact that [they rely] on dramatized re-enactments of real historical events rather than raw actuality footage" (Mathew, 2014, p. 18).

At one time, docudramas were more common. For example, made-for-TV docudramas dominated the 1975-1976 television season (Edgerton, 2003, p. 222), but none was more controversial than *Helter Skelter* (1976) from the feminist viewpoint (Faith, 1993, p. 64), and from the perspective of those arguing that sex and violence was being promoted irresponsibly by the commercial TV networks (Wurtzel & Surlin, 1978, p. 20.). "Writing about the CBS film *Helter Skelter*, columnist Nicholas von Hoffman criticized the ambiguous quality of the disclaimer: 'Before the movie starts there is a disclaimer warning *younger or sensitive viewers* that what follows may be too *mature*.' Too mature is a corporate public relations euphemism for what?" (Wurtzel & Surlin, 1978, p. 20).

There is no such disclaimer in the book, but that is not the only euphemistic "public relations" disclaimer in the movie. Just after the Warner Bros.' logo appears, actor George DiCenzo, a performer similar in appearance and vocal demeanor to Vincent Bugliosi, walks out of the Hall of Justice and faces the camera. "You're about to see a dramatization of actual facts in which some of the names have been changed, but the story is true. If it were not true, it would not be believable, for it is surely one of the most bizarre chapters in the history of crime" (*Helter Skelter*, 1976, 00:00:27). No explanation is offered as to why any names were changed for the movie at all, or, more specifically, why most of the names changed in the movie were those of law enforcement officers.

To reiterate, in the book *Helter Skelter*, police officers, sheriff's deputies, and detectives are named, sometimes unflatteringly, along with the identities of the victims, their families, the prosecutors, witnesses, and the judges (Bugliosi, 1974, pp. 14-20). The rare exceptions include a "Sergeant Broom" and her superior "Lieutenant Johns" who, as Bugliosi footnoted in the book, were given pseudonyms because neither officer made her or himself available for an interview (Bugliosi, 1974, p. 140). Few of the names of victims, their families, the prosecutors, witnesses and the judges were changed for the *Helter Skelter* (1976) movie.

The events in question regarding Broom and Johns were the desperate attempts of Ronnie Howard, an inmate at the Sybil Brand Institute for Women in Los Angeles—a prostitute who was a bunkmate of Susan Atkins, the woman directly involved in almost all of the Manson Family murders—to get in contact with detectives working on those

cases (Bugliosi, 1974, pp. 140-141). Atkins confessed nonchalantly to Howard and her friend in explicit detail how much killing she had done to bring about Manson's vision of the Beatles' song *Helter Skelter*. After Sergeant Broom contacted Lieutenant Johns, however, Johns refused to allow Howard to make contact with police because he did not believe Howard's story. Women as the primary murderers of a pregnant woman did not fit the police profile. Days later, Lieutenant Johns probably forgot all about it, and Sergeant Broom encouraged Ronnie to do the same (Bugliosi, 1974, p. 142).

Unlike police officials, Howard could not forget what she knew and had no problem accepting Atkins as the cold-blooded killer of a pregnant woman. As Bugliosi (1974) argued, "By now, according to Ronnie, she was literally begging. People were going to die unless she warned the police in time," but Sergeant Broom informed her again that it was against the rules for a guard to make a call like this on her behalf (Bugliosi, 1974, p. 141). But the emotionless, almost robotic Atkins freaked Howard out by the way she described killing people in a calm detached manner. At least two other Manson Family murders would take place after and due to Sergeant Broom and Lieutenant John's inaction. Broom did not even bother mentioning Howard's story to the guard's boyfriend at the time, who was one of the detectives working on the Tate murder case (Bugliosi, 1974, p. 142).

This situation reflects a public bias regarding the violent criminality of women. As Eleanor Miller (1986) posited, "For a long time, the social sciences were silent on the criminality of women. It was a silence that lasted a quarter of a century, from the

publication of Otto Pollack's *The Criminality of Women* in 1950 to the appearance in 1975 of Freda Adler's *Sisters in Crime* and Rita James Simon's *Women and Crime"* (Miller, 1986, p. 3). At least, that was the case in respectable journals of social science. For the writers, editors, and millions of consumers of true crime, however, who were used to stories of "bandits and gun molls," the criminality of women had been frontpage news for most of the 20th century.

In fact, Celia Clooney, "The Bobbed Haired Bandit," first imagined her famous life in armed robbery by reading detective magazines "with real live stories in them—shooting and all the rest" (Duncombe & Mattson, 2006, p. 3). A review of true crime magazine covers of the 1930s reveals images of heavily made-up women, usually smoking, next to headlines such as *Inside Detective*'s "Colorado's Riddle of the Stranded Nude," *Actual Detective: Stories of Women in Crime*'s "She Couldn't Resist Diamonds and Youth," and *Real Detective*'s "Vice Dens of Panama Exposed by a Hostess Who Worked in Them."

Although at first no one suspected female perpetrators of the Mansion Family murders, later, "Charlie's girls" were presented by the media "in all its forms, as She-Devils in cahoots with Manson, the Devil incarnate claiming to be the Son of God" (Faith, 1993, p. 64). While the structure of an underground cult built around a dynamic messianic figure who lured social cast-offs, "human flotsam" (*Helter Skelter*, 1976, 3:00:30) into a new communal, artistic family was not unusual for the 1960s, the end result of murder, mutilation, and the gallery-like display of bloody signs in the homes

of its victims caught law enforcement officials by surprise despite the efforts of so many women to tip them off.

As for Bugliosi, the deputy district attorney-turned-author promoted the actions of justice-minded civilians and encouraged, as Murley (2009) stated earlier, "the model for a new kind citizen-crime-stopper and put some measure of power and control back into the hands of people who may have felt powerless in the face of random violence and certain menacing trends in society" (p. 27). Bugliosi himself identified his motivation by citing from the old Canon of Ethics of the American Bar Association: "The primary duty of a lawyer engaged in pubic prosecution is not to convict, but to see that justice is done" (Bugliosi, 1974, p. 165). Both the movie and the book of *Helter Skelter* embodied true crime as "a social crusade as much as entertainment" in their praise of the participation of the public in seeing that justice was done in the Tate/LaBianca murders.

This was never more true than in the case of Bernard Weiss, the father of ten-year-old Steven Weiss who found the broken, odd .22 caliber "Buntline" revolver used in the Tate murders in his backyard and turned it over to police just two weeks after the shootings. Weiss was disturbed by the stories he kept seeing in the media about the "missing" handgun that was eluding the police (Bugliosi, 1974, p. 268). The morning of December 16, 1969, Weiss called the Valley Services Division of the LAPD to remind them about the weapon they already had. In turn, Valley Services Division suggested Weiss call LAPD Homicide at Parker Center (Bugliosi, 1974, p. 268).

"Well, it sounds enough like the gun," the homicide detective told Weiss when he called Parker Center, "We'll check it out." But nobody called him back, and nobody came. Later that evening, Weiss called LAPD homicide again and repeated the story for the third time that day:

> This officer told him, "We don't keep guns that long. We throw them in the ocean after a while." Weiss said, "I can't believe you'd throw away what could be the single most important piece of evidence in the Tate case." "Listen, mister," the officer replied, "we can't check out every citizen report on every gun we find. Thousands of guns are found every year." The discussion became an argument, and they hung up on each other. (Bugliosi, 1974, p. 268)

A frustrated Weiss called a neighbor and local TV newsman, Clete Roberts, a veteran Los Angeles reporter at CBS-owned KNXT, telling the story for the *fourth* time. Roberts phoned one of his own connections in LAPD and gave the police one more chance. "Although it remains unclear which one of the five calls triggered a response, at least one did. At 10 p.m.—three and half months after Weiss gave the gun to officer Watson—Sergeants Calkins and McGann drove over to Van Nuys and picked up the .22 caliber Hi Standard Longhorn revolver" (Bugliosi, 1974, pp. 268-269). In the book, Bugliosi lambasted LAPD for "leaking" to the press that it had located the missing gun without telling the reporter it was not the police who found it; instead, it had been in their possession since shortly after the murders (Bugliosi, 1974, p. 269).

In the 1976 movie *Helter Skelter*, however, the dramatization of police ineptitude is even more significant. In the movie, Bernard Weiss has been renamed "Ben Quint." The transcript from the scene in which Weiss/Quint contacted the LAPD to remind them to check on the weapon his son had found earlier effectively illustrates that:

> Bugliosi (voiceover): December 16, 1969, four months and one week after the Tate/LaBianca murders.
>
> Quint: Hello, my name is Ben Quint. I'm calling about a gun that I think may be the gun that was used in the Tate murders. My son found—(interruption on the other end)—Quint. Q-U-I-N-T, Quint. My son found a .22 caliber revolver. We turned it over to the Van Nuys police and it—(interruption on the other end)—(frustratedly) Uh, first of September, Labor Day, it was two weeks after the Tate murders. And the—(interruption on the other end)—What do you mean you don't keep guns that long? (Pause) Look, I cannot believe you would throw away what might be the single most important piece of evidence in the Tate murders! Now I —(interruption on the other end)—Yeah, but this was not just any gun, this was—(interruption on the other end)—(Pause) Hello? (Incredulously) Hello! He hung up on me!
>
> Mrs. Quint: He what?
>
> Quint: Says he hasn't got time to check out every citizen report on every gun they find. Mrs. Quint: Well, no wonder nobody feels safe anywhere in the world.

Quint: (Picking up the phone) I'm going to call Clete Roberts at Channel Two. Maybe a newscaster has the power to expose this kind of cynicism. (*Helter Skelter*, 1976, 01:38:06)

The scene then cuts to the actual headline in *The Los Angeles Times*, "Gun Believed Used in Tate Case Found," with the implied credit going to the police. The next scene in the movie is the testing of the Weiss/Quint gun and the conclusion of the forensics examiner: "There's no doubt whatsoever that it's the same (bullet) from the .22 'Buntline.'" Bugliosi replies, "That really burns me up. We could have had that gun months ago. I mean, the police department really has its share of incompetence" (*Helter Skelter*, 1976, 01:39:52).

If we compare the two texts, in the book's version of the Weiss/Quint call, the dialogue represented both sides of the exchange, but Bugliosi's omniscient author narration merely stated that the exchange ended badly when the police and the citizen hung up on each other. In the movie version, only the Weiss/Quint side of the call is illustrated, and the abrupt end of the call comes only as a result of the police officer on the phone losing patience. The movie and the book passages convey a similar, but not identical, meaning. The movie version is more dramatic—with added emphasis from commentary by Mrs. Quint—"Well, no wonder nobody feels safe anywhere in the world!"—and Bugliosi, "the police department really has its share of incompetence." Like all docudramas, *Helter Skelter* was *"*greatly influenced by the writers' and directors' desire to envelop the audience in the story and to entertain" (Mathew, 2014, p. 18).

However, Abramowitz (2004) argued that because of the low-tech theatrics and bad 1970s wardrobe, *Helter Skelter* (1976), still the highest-rated two-part miniseries of all time, comes off as one part *Perry Mason*, one part low-budget horror film (para. 4). To enhance the movie's authenticity, however, the bloody scenes in the LaBianca house were filmed in the actual home where the murders took place, and the dialogue for the courtroom scenes was taken directly from the court transcript (Abramowitz, 2004, para. 14). Producers of the docudrama went to great lengths to cast actors who bore strong resemblances to the main historic figures because the bestselling book's 64 pages of "crime-scene photos, with horrors that included the dead eyes of corpses [and] the mug shots of the family, whose members were just out of their teens" were so well-known, the public had a clear expectation of what the movie *Helter Skelter* (1976) should look like (Horning, 2015, p. 106).

The casting of Steve Railsback as Charles Manson was the centerpiece of that effort. His was "a sexy, clever Manson, charismatic but with a chilly remoteness that flickers and repels; he's evil incarnate, but without the usual Hollywood scenery-chewing that somehow always ends up softening the horror" (Abramowitz , 2004, para. 4). Because the actor had about the same build as Manson and both had spent time in Texas, Railsback evoked Manson so perfectly that— decades after the movie—the actor was never able to tell for sure whether playing the killer had ruined his career (Abramowitz, 2004, para. 8).

The fact that the association with Manson possibly ended the career of the celebrity who played the killer of celebrities is just another manifestation of the bizarre, recursive cycle of *Helter Skelter.* Movie actors and Hollywood celebrities were murdered by the disciples of a fame-obsessed psychopath; the depraved killers became more famous than their victims; young actors who then became celebrities themselves, had their careers mortally wounded by playing killers so convincingly. But the cycle also tragically reversed itself.

Within a few years of his wife's murder, Roman Polanski, the sympathetic, bereaved husband of Sharon Tate, was convicted of drugging and raping a 13-year-old girl who wanted to be a famous international model like his late wife, making Polanski himself a criminal fugitive in the aftermath (Harding, S., 2009, para. 1). Yet, despite Polanski's being a convicted sexual abuser who used charm and drugs to seduce a teenage girl in a manner similar to Charles Manson's recruitment into his cult (Bugliosi, 1974, p. 226), the same Hollywood community that was terrorized by Manson awarded Polanksi the Academy Award for Best Director in 2002 (Palmer, 2009). According to Bugliosi (1974), during an interview, Polanski suggested that, contrary to the police theory of drug-related murders, perhaps the killers had no personal business with anyone at the house, speculating the attack was "sheer folly, someone just decided to commit a crime" (p. 95). It would take police investigators—and Bugliosi himself—months to come to that same conclusion.

Admittedly, the Manson Family acts defied existing typologies that differentiated between mass murder, serial murder, and spree murder (Atchison & Heide, 2011, p. 775). While "(c)riminological theories clearly offer persuasive explanations for Manson's deviance," such as labeling theory, general strain theory, and social learning theory, "(m)ore engaging and interesting . . . is the underlying reasons that might have led some of Manson's followers to choose crime and, ultimately, to engage in murder" (Atchison & Heide, 2011, p. 786). Over a period of time and study, criminologists were able to offer some explanations for seemingly senseless murders in order to make the attacks more understandable to the public (Atchison & Heide, 2011, p. 774). Scholarship of this sort is not done in real time, however, which often leaves the average citizen with feelings of confusion and despair as represented by Mrs. Quint's exclamation, "Well, no wonder nobody feels safe anywhere in the world!"

While the safety concerns of Bernard Weiss' wife are not registered in the book *Helter Skelter*, this comment uttered by Mrs. Quint in the movie is consistent with perceptions of women's fear of crime when their well-being depends on "the state, the criminal justice system, and the men with whom women live" (Smith, 1988, p. 37). Having turned in what Mr. Weiss/Quint thought could be a murder weapon, Mrs. Quint's husband expressed frustration, anger, and ultimately independence from law enforcement in trying to resolve the lack of interest by LAPD. Still, Weiss/Quint never voiced fear. Mrs. Quint, on the other hand, expressed her feelings of fear and vulnerability even though there was no immediate danger or threat to her safety or to her family. Scholars

offer many explanations for the discrepancy between a woman's fear of violent crime and, judging by national statistics, her relatively low risk of being violently victimized (Smith, 1988, p. 30). Some explanations for a statistically typical woman's fear of being attacked are rooted in sexist tropes of female emotionalism that "begin with the assumption that women's fear is subjectively based" (Smith, 1988, p. 30); in other words, "I don't care what the statistics say, I don't feel safe."

For that reason, in the framework of a true crime narrative, Mrs. Quint's concerns are a proxy for the TV viewer of *Helter Skelter* (1976), because her expression is a normal, relatable "anxiety that deterioration and disorder generates among area residents [that] can be a constant psychological irritant" (Skogan, 1986, p. 212). While Mrs. Quint's line may have been the invention of the screenwriter, her fear was similar to the previously mentioned loss of safety experienced by homeowner/readers of *In Cold Blood*. Whenever a vicious, remorseless mass killing violates a "safe" neighborhood, the "sacred character" of the family home has been threatened and the family's health is, in fact, at risk (Rainwater, 1966, p. 24).

Similar to execution narratives, *Helter Skelter* narratives in both media attempt to reorder chaos for media consumer, such as Mrs. Quint, who is trying to understand hippie assassins and lazy law enforcement failures. Recursively, *Helter Skelter*, the book and movie, could be the most effective way for the real-world Mrs. Quints to be less fearful of real-world murders. Like a doctor treating an infection, the narrative may be discomforting, but its aim is to be therapeutic. Bugliosi consistently named the unhealthy

irritants to the public health, suggesting ways that the system could be made whole again. To the extent that narrative "sensemaking" is "a way station on the road to a consensually constructed, coordinated system of action" (Taylor & Van Every, 2000, p. 275), per transportation theory, a modification of "real-world beliefs" is targeted through an audience's identification with the people in the texts (Green & Brock, 2000, p. 701). To the extent that true crime narratives performed a therapeutic function—either in the capacity of an awareness raising campaign or a targeted, prophylactic effort to a specific public—true crime could be seen as an unorthodox form of health communication.

Contrary to transportive narratives, throughout the 1980s, "most printed health information was mass produced in brochures, pamphlets, and booklets for undifferentiated audiences" (Rimer & Kreuter, 2006, p. 185). True crime books, with their "multipage insert of what are usually described as dramatic, shocking, or chilling photographs of the killer and the victim(s)" (Browder, 2006, p. 930), did not resemble customary health communications of that time in any way. Yet, true crime texts, such as Ann Rule's *The Stranger Beside Me* (1980), the bestselling true crime book about serial killer Ted Bundy, actively raised awareness concerning potential health threats to young women.

Ann Rule: *The Stranger Beside Me*

As of Rule's death in 2015, she had written more than 45 true crime books, many of which have been known to be passed down from mother to daughter as a kind of rite of passage into womanhood, much as fairytales, folktales, and "old wive's tales" had been

used for generations before. Browder (2006) argued that true crime stories such as *The Stranger Beside Me* are read for the detailed description and analyses of victim error in order to maximize health and happiness in personal relationships and protect the household (p. 931).

Meanwhile, if a narrative has a beginning, a middle, and an end, in which the readers/listeners/viewers is able to "immerse themselves," Green and Brock (2000) argued that the modification of beliefs and actions can happen regardless of whether the story is fictional or not (p. 931). "True crime as health communication" has not been considered in scholarship thus far, but the therapeutic and/or prophylactic nature of true crime texts is consistent with Ann Rule's stated mission (Rule, personal interview, 2015):

> I still get so many emails and letters from women that say, "I would be dead, except for something I read in one of your books or magazines. I no longer hitchhike," or, "I read one about a dangerous, possessive husband and I realized that the fella I am engaged to has all the same traits, so I broke it off." So, there was this ability to warn people and save lives. I probably have saved more lives than the (deaths) I have had to write about. That's my goal. (Appendix)

As young girl, Horning (2015) revealed that after sneaking looks at *Helter Skelter*'s photo inserts of the Manson Family victims and "Charlie's girls," "I wondered: Was that waiting for me, around the corner from puberty?" (p. 106). In this, Horning is concerned not merely with avoiding victimhood, but also grappling with the possibility of a perpetrator lurking even in the most innocent-looking people. Rule understood her role

as this “secret mapmaker” for young women still figuring out the world (Rule, personal interview, 2015):

> Women true crime readers can place themselves right in the middle. I know they think, “That could have been me. I would have gotten away. I would have spotted trouble sooner,” or “What would I have done to save my child?” Maybe some of the victims I write about did, and maybe they didn’t. I mean, women fear crime more than men. And it’s kind of good that we do. You have to have just that little voice in your head that makes you alert to your surroundings. Women are fascinated by crime, but they also want to be prepared. My books and articles do prepare them. (Appendix)

In *The Stranger Beside Me*, Rule was faced with evaluating not just how serial killer Ted Bundy was able to disguise his evil intentions from his victims, but also why Rule herself did not see Bundy for who he was during their friendship that had developed while they were both volunteering at a Seattle suicide prevention hotline. It was pure coincidence that they met at all: “I was a volunteer on the phones and Ted earned two dollars an hour as a work-study student” (Rule, 2009, p. xi).

By the time they met, by his later account, Bundy had already killed several women, perhaps as many as 100 overall (Jenkins, 1992, p. 2); Rule was already the Northwest correspondent for *True Detective* and her sister publications (Rule, 2009, p. xi). A couple of nights a week, they sat near each other talking depressed people out of

suicide: “Ted Bundy took lives, he also saved lives. I know he did because I was there when he did it” (Rule, 2009, p. 28).

At first, Rule never suspected that Bundy was anything other than a “perfect” college student (Rule, 2009, p. xiii), but Bundy knew that Rule was writing about the same string of brutal, unsolved murders of attractive college students that he was committing. Considered a brilliant student of psychology in his senior year, Bundy once asked Rule for copies of her true crime articles about rape victims for a study he was doing (Rule, 2009, p. 42). *The Stranger Beside Me*, therefore, is a unique true crime book—part criminological, part biographical, part autobiographical. The author was involved personally with the murderer on many levels over a decade, both before she knew he was a serial killer and after. Thus, Rule is both the author and a witness in her own true crime narrative. After years of detached research on the animalistic attacks on young women around Washington state, Rule “learned that the stranger at the very vortex of an ever-spreading police probe was not a stranger at all; he was my friend” (Rule, 2009, p. x). To the reader, Rule is both a Virgilian guide to the netherworld of Bundy’s narrative and a transportive character standing in for the reader.

For transportation theorists, this represents the best of health communication strategies because “people at all literacy levels have problems understanding and using health information” (Houts et al., 2006, p. 174). Done effectively, “tailored health communication can customize the source, message and channel of a given communication to a given individual, presumably maximizing the relevance of the

communication to that person" (Kreuter & Wray, 2003, p. 227). If Rule's goal was to get a typical female reader immersed in the narrative in order to receive important life-preserving messages about the threat of strangers, then, theoretically, Rule's willingness to share how Bundy duped her would make her even more powerfully empathetic to the reader. Browder's (2006) research on true crime confirms the efficacy of transportation theory with regard to Rule, even if the testimony gets a few biographical facts wrong:

> As *The Stranger Beside Me*, Ann Rule's account of her relationship with Ted Bundy, evidences, one's friend and coworker could turn out to be a killer. Three women brought up this book, including Patricia, a twenty-nine-year-old stripper, who told me that Ann Rule is ''a true crime writer, and a policewoman, and a former private detective. If anyone should have been able to see a sociopath, you'd think it would be her, but here she's working with him in a rape crisis center, and she's friends with him, and she goes to parties with him, and she doesn't know. I mean isn't that a perfect example?'' Patricia later told me that she had been married to a sociopath for four years—after all, if a true crime expert could not detect the presence of a sociopath in her life, how could she have known who her husband really was? (pp. 934-935)

As a bestselling book to a largely female audience identifying with the author as a woman (Browder, 2006, p. 941), *The Stranger Beside Me* reached millions of potential victims in a form that other health communications, such as public service announcements or pamphlets, cannot imitate. Into the 1980s, "most printed health

information was mass produced in brochures, pamphlets, and booklets for undifferentiated audiences" (Rimer & Kreuter, 2006, p. 185), and there was no perceived need to raise awareness of potential threats to young women away at schools. Only a decade after Bundy were sexual assaults recognized as an "urgent pervasive problem on college and university campuses" (Day, 1994, p. 772), even though predators similar to Bundy had been preying on coeds at least since the 1940s (Jenkins, 1992, p. 6).

Unfortunately, to date no research exists that explains why men ceased being the dominant consumers of true crime. As previously discussed, the advertising in true crime magazines was male-demo driven, but it is possible that women were reading them as a much as men from the beginning. Recall that Celia Clooney, "The Bobbed Haired Bandit," was addicted to true crime magazines (Duncombe & Mattson, 2006, p. 3), that Ann Rule was an avid reader since childhood, and that she always believed many of her readers were women:

> At Johnny's IGA, I was grocery shopping— very carefully—and this lady came by and she had my magazines, a bottle of wine, and a box of chocolate covered cherries. My typical reader! I wanted to say something to her, but I didn't want to destroy the illusion, because that's when I was still Andy Stack. (Rule, personal interview, 2015, Appendix)

No doubt part of the appeal *Stranger Beside Me* was based on Bundy's attractiveness to women. "Unlike most of the other male college students of that era, who wore long hair and often beards, Ted was clean-shaven and his wavy brown hair was cut

above the ears . . . He wore a T-shirt, jeans and sneakers, and his desk was piled with books," Rule recalled of their first meeting, "I liked him immediately" (Rule, 2009, p. 27). Apparently, so did his victims, most of whom were approached in public spaces, often in the afternoon, by a handsome, successful-looking, preppy young guy wearing a sling on his arm looking for help (Rule, 2009, p. 99). Bundy's victims would have no immunity to his affable "big man on campus" demeanor because he was not the man women of that generation were taught to fear; instead, he was the one a woman could bring home to meet her parents. From Washington to Utah to Colorado, and eventually as a wanted fugitive to Michigan and Florida, Bundy knew that beautiful, unsuspecting, unprepared women populated college campuses (Rule, 2009):

> Ted Bundy arrived on the Florida State University Campus on Sunday morning, January 8, 1978, and settled into his room at The Oak. Unheralded, unrecognized, he moved about the campus, sometimes even sitting in on classes, eating in the cafeteria, playing racquetball in the athletic complex south of the campus proper. He knew no one and no one knew him; to the rest of the inhabitants of the college society, he was only a shadowy figure—a nobody. (p. 320)

It should be noted that, similar to *Helter Skelter* (1974), *The Stranger Beside Me* was also made into a TV movie. Unlike the former, however, *Ann Rule Presents: The Stranger Beside Me* (2003), produced by cable channel USA Network, was not true to the source material. For example, in her own words, when Rule and Bundy first met in 1971, the author was a "plumpish mother of four, almost 35, nearing divorce. Ted was twenty-

four, a brilliant handsome senior in psychology at the University of Washington," making Ann Rule Ted Bundy's senior by nine years (Rule, 2009, p. xi). In the TV movie, Rule is played by then-55-year-old Barbara Hershey, while then-44-year-old actor Billy Campbell portrayed the college-aged Bundy in a series of obvious wigs that were longer and straighter than the clean-cut way Bundy wore his hair.

Contrary to the meticulous casting of the docudrama of *Helter Skelter* (1976), the real-life Rule was stout with bright red hair, while Hershey was trim with long, curly, brown locks. As this researcher can attest, the real Ann Rule was confident, brash, and tough. She drank, she swore, and enjoyed ribald humor. Hershey's Rule often spoke in contemplative whispers and cried a lot in guilty anguish over her life choices: "What I do. How I make a living . . . I write about people who have endured unimaginable horrors. I feed off of that. Off of them. Like a vulture" (*Ann Rule Presents: The Stranger Beside Me,* 2003, 00:47:55). This is hard to reconcile with the woman who often confronted mothers of missing girls to obtain the details she needed and was prepared for any reaction: "Some mothers didn't really care except to ask if I was going to make money out of writing this, and how much were they going to get for this book. I said, 'This is how I make my living'" (Rule, personal interview, 2015, Appendix).

Visual inaccuracies aside, a few minutes into *Ann Rule Presents: The Stranger Beside Me*, Rule and Bundy are in a diner having coffee when he tosses a small stack of *Detective Journal* magazines onto the table back to Rule (*Ann Rule Presents: The Stranger Beside Me,* 2003, 00:06:20):

Bundy: These were great.

Rule: Oh, you read them all?

Bundy: Well, yeah, how many published authors can I count as a friend? Of course, I read them.

Rule: Not exactly Shakespeare, but it puts food on the table if I throw in enough adjectives.

Bundy: You write like Truman Capote if he'd been a guy. (Rule laughs) Do you miss it?

Rule: Being a cop, yeah, I mean, I'll always miss it, but I get my fix doing this now. (Bundy laughs). Did I say something funny?

Bundy: Well, yeah, you used to be a cop, you write crime fiction, you work on a suicide prevention line. I'd say you have pretty healthy taste for the macabre.

Because Rule was proud of her work, it is unlikely that she would ever have denigrated her accomplishments so harshly (as in the film), nor would she have tolerated being called a "crime fiction" writer, which is a sensitive comment for fans of true crime. More importantly, some errors in the movie changed essential aspects of the investigation into the disappearance of women. For example, the color of Bundy's rusty, faded Volkswagen was hard for witnesses to describe—a condition that prevented positive police identification at crucial times. Sometimes Bundy's car was reported to be "off-shade brown," "bronze," or "tannish" (Rule, 2009, p. 109; p. 118; p. 145) while the movie described it as "bright red."

Ann Rule Presents: The Stranger Beside Me also depicts a cat-and-mouse relationship between a deeply suspicious Rule and a devious Bundy that contradicted Rule's own stubborn reluctance to admit Bundy's guilt on kidnapping charges in Utah, and her willingness to give him the benefit of doubt as a serial murderer in Washington (Rule, 2009, p. 223). "I cannot be completely convinced of your innocence," the real Rule told the real Bundy after he had made bail for the kidnapping charge in Utah. He smiled and said, "That's O.K., I can understand that" (Rule, 2009, p. 223). Even as late as the attack on the Chi Omega house at Florida State University—the sixth state where Bundy was under investigation for murder—Rule resisted thinking Bundy was involved. She mused in response to headlines about the sorority house slaughter, "*If* Ted had been guilty of the crimes he was accused of in Washington, Utah, and Colorado, and I always had great difficulty believing that, he had made a clean escape. He was free. Why would he jeopardize that freedom, which meant so much to him?" (Rule, 2009, p. 349).

In the book, Rule is self-aware enough to wonder how much she had in common with Bundy's adoring groupies who came to watch him legally defend himself in the Florida courtroom, but in the TV movie, Rule appears much shrewder. In light of the many exaggerations, inventions, and inaccuracies, the producers of *Ann Rule Presents: The Stranger Beside Me* appear unconcerned about creating a "docudrama."

But perhaps time has become the enemy of truth when commercial TV attempts crime narratives. In 1976, the CBS docudrama of *Helter Skelter* (1976) was three hours long and played out over two nights with the production style almost languid in its fly-

on-the-wall view of events. However, this would not be the case with the reality show-like justice of *To Catch a Predator* on NBC.

Chris Hansen: *Dateline: To Catch a Predator*

To Catch a Predator was originally a breakout hit segment under the banner of NBC News' magazine show, *Dateline NBC* (1992). *To Catch a Predator* was developed into one- and two-hour long stand-alone spin-off episodes beginning in 2004 and ending in 2007. The premise of *To Catch a Predator* was, according to some critics, "organized around the spectacle of humiliating putative pedophiles on network television in partnership with local police agencies and a rag-tag band of internet vigilantes known as Perverted Justice" (Kohm, 2009, pp. 188-189). Perverted Justice, a loosely affiliated group of men and women in Portland, Oregon, had been actively outing and shaming "men trolling for sex with minors in local chat rooms. With names that evoke comic book characters, Xavier Von Erck and Frank Fencepost, they began posing as minors on line in 2002, engaging in sexually charged conversations with men" (Kohm, 2009, p. 192).

In a broader sense, *To Catch a Predator* was part of the recently established entertainment genre of current events-based reality TV that "blurs the line between crime drama and crime news" (Cavender et al., 1999, p. 645). Inexpensively produced reality TV and its popular sub-genre "reality crime programming," such as *America's Most Wanted* and *Cops*, "flourished, in part, because of the social context" of blending U.S. crime policy, ideological suppositions about "good guys and bad guys," and Hollywood-style, multi-camera production values" (Cavender & Fishman, 1998, p. 5). Using a

televisual sense of "presence" at events as they are unfolding, the producers attempt to pass off quick cuts of "presence" as "reality" (Cavender, Bond-Maupin, & Jurik, 1999, p. 5).

To Catch a Predator presented a mix of news, entertainment, and a carnivalesque treatment of justice as it pushed "the boundaries of post-modern journalism by actively creating the very stories it claims to cover in the name of public interest" (Kohm, 2009, p. 192). With TV shows such as *Cops*, the viewer would go on exclusive, heavily edited "ride-alongs" with various police and sheriff departments. Unlike most ride-alongs in which little happens, every episode of *COPS* features "actual footage of police in action —breaking down a door in a drug bust, or chasing and wrestling a suspect to the ground. The audience sees and hears what the police see and hear" (Cavender & Fishman, 1998, p. 4).

But according to Kohm (2009), *To Catch a Predator* differed significantly from *Cops* or *America's Most Wanted* because it was focused entirely on contemporary parental worries about online child sexual predators, and law enforcement did not have to search for people to take down on camera. According to Kohm (2009), in *To Catch a Predator,* "the perps" came to them:

> The program follows a predicable formula whereby unsuspecting men are lured to a home (impregnated with hidden cameras and microphones) where they believe they are going to meet a teenager with whom they've been chatting on line. Before the dupes realize what's going on, Chris Hansen, the program's host,

> confronts the unsuspecting men and subjects them to a humiliating battery of questions. Surprisingly, most men stay to answer the questions, often assuming Hansen is a police officer or concerned parent. (p. 196)

Even reluctant critics agreed that *To Catch a Predator* might deserve some praise for bringing potential child sex offenders to the attention of police and justice officials (Kohm, 2009, p. 196). *To Catch a Predator* arrived at a time in the U.S. and around the world when media consumers seemed in the mood to watch actual justice (Lowry, Nio, & Leitner, 2003, p. 62). But some public pushback and the lawsuits that eventually drove the show off the air also indicate that "while humiliation has emerged in recent years as a viable and symbolically rich vehicle for social control, when commodified and refracted through the lens of popular culture, the outcomes are unpredictable and may contain the seeds of discontent" (Kohm, 2009, p. 196).

Other critics of *To Catch a Predator* responded to the "humiliation" endured by the grown male adults who arrived at these homes by attempting to shame the program and its host, Chris Hansen. For example, Adler (2010) argued, "If you have ever seen it, the show is almost unbearable to watch—so deeply uncomfortable and disturbing, that even I, a seasoned scholar of child pornography law, find it painful to view" (p. 11). Adler's (2010) level of sympathy for the "humiliated" men under "attack" from Hansen is only matched by her contempt for the host:

> Skeptical, all seeing, all knowing, he's not just a man, but "The Man." In fact, refusing to name himself, perhaps Hansen is not just "The Man" but some sort of

> avenging god, or at least daddy or the police . . . In any event, the predator senses Hansen's authority; it is remarkable how many of them obey instantly. (p. 4)

Also rising to the defense of those predators that Hansen was attempting to catch, Kohm (2009) referred to the perpetrators as "putative pedophiles," as if the pornographic chats and attempts at nude online photo exchanges prior to driving hundreds of miles with alcohol, condoms, and X-rated DVDs to party with a willing "13-year-old" girl/boy were not proof enough of their tendencies. There is no small amount of schadenfreude in his conclusion that "the remarkable rise and fall of this program demonstrates that humiliation as social control and media spectacle occupies an ambiguous place in popular culture" (p. 196).

Feminist criticism of reality crime programming centers on television's depiction of women and children "as being vulnerable to criminals, who are usually men," because "such imagery reinforces gender stereotypes, including women's subordination to men" (Cavender et al., 1999, p. 645). Adler (2010) asserted that adult predation of children online is not even an issue warranting primetime media attention because the statistics indicate that the "number of teenagers receiving online solicitations has actually declined since 2000" (p. 11). Yet, this conclusion ignores that *To Catch a Predator* had been a major hit and a much discussed show since 2004. It would stand to reason that if online predation were not an issue, pedophiles and pederasts would not be coming to the sting houses two at a time—letting themselves in the front door while the police were arresting them out of the back.

Incidences of a "revolving door" of would-be predators happened frequently in *To Catch a Predator IV: Greenville, Ohio* (April, 2006). This episode was chosen for this study for four reasons: the two-part episode is available for viewing on YouTube for the benefit of the reader, it was the fourth episode of the series, the show's formulae had been well established by then, and the location was in America's heartland (*To Catch a Predator,* 2006, 00:02:46). The host was Chris Hansen, but this was the first episode where Perverted Justice operatives were identified as paid consultants to the show (*To Catch a Predator*, 2006, 00:03:40), and, pursuant to Ohio law, temporarily deputized (*To Catch a Predator*, 2006, 00:28:36).

Everything is in place for *To Catch a Predator IV: Greenville, Ohio*: "a home (fitted with hidden cameras and microphones)," a waiting "teenager," Perverted Justice with noms-de-guerre such as "Frag" and "Dell" (*To Catch a Predator*, 2006, 00:03:29), police officers standing by, a parade of "unsuspecting men," and Hansen, the skeptical, all-knowing, all-seeing reporter, who steps up to confront these men who are unsure whether he is an "avenging god, or at least daddy or the police," to "humiliate" them with his "attack" of questions (Adler, 2010, p. 4).

Textual analysis reveals, however, that it is difficult to suggest any of the men caught in this sting were not suspicious on some level, and the only humiliating thing about the on-camera exchanges with Hansen are not the questions, but the men's answers. For example, Alonzo Wayne, a father of a 15-year-old girl who drives 104 miles expecting to meet a sexually active 15-year-old girl that he was soliciting online, lets

himself into the target house loaded with beer and alco-pop beverages (*To Catch a Predator*, 2006, 00:04:19). While later conversing calmly with Hansen, Wayne first claims that the three cases of alcohol were all for him, but states that he was "open" to having sex with the supposed teenager. Later, Wayne freely admits, "I should go to jail" (*To Catch a Predator*, 2006, 00:06:02).

"How do I know you're not a cop?" was the question asked by professional EMT Jason Shapner of the decoy he thought was a "horny" 13-year-old girl (*To Catch a Predator*, 2006, 00:12:22). Shapner proposed that the decoy could prove she was not a cop by leaving a "sexy message" on his voicemail. After being confronted by Hansen, Shapner confesses that he has watched previous episodes of *To Catch A Predator* on television. When Hansen tells him, "This is one of them," Shapner slaps his hand to his forehead and says, "Oh, no!" (*To Catch a Predator*, 2006, 00:14:26).

This is the pattern that is repeated throughout *To Catch a Predator IV: Greenville, Ohio* (2006). At no point does Hansen ask sexually personal questions; instead, while the situation may be unorthodox, Hansen's questions follow traditional journalistic protocol. For example, when he confronts Tim Isaac, an adult who has driven across the state in the middle of the night, Hansen asks, "What makes a man get in the car and drive two hours to meet a 15-year-old girl at 3 a.m.?" Isaac replies, "I don't know. Somebody wanted to meet me. I was kind of scared about it, to be honest with you" (*To Catch a Predator*, 2006, 00:16:52).

The self-humiliation is compounded by the fact that Isaac is unaware that Hansen has the transcript to the online sessions that prompted him to try to rendezvous with the decoy. Isaac attempts to diminish Hansen's question—"What made you think that it was OK, at 42-years old, to walk into a home, roughly at 2:30 in the morning, when a 15-year-old girl was apparently home alone?"—by stating, "I wasn't sure she was 15, to be honest with you" (*To Catch a Predator*, 2006, 00:17:49). Hansen then starts reading Isaac's own dialogue back to him, "You're only 15—a little young for this, aren't you? Are you still a virgin?" (*To Catch a Predator*, 2006, 00:17:50). Isaac further betrays his own claims to innocence or that his cross-country drive was on a "whim" when Hansen reads Isaac's doleful online entreaty to the decoy from the transcript: "But, baby, 15 could get me 20." After Hansen finishes reading, Isaac adds quietly to the camera, "And it probably will" (*To Catch a Predator*, 2006, 00:18:05).

All of the visitors to the *Predator* house express some level of awareness that what they are doing is not only wrong, but illegal, although some have a hard time admitting that at first. One church-going man leaves an "alibi" letter behind on the front seat of his car explaining he is on a "rescue mission" before walking in (*To Catch a Predator*, 2006, 00:29:30) while another pleads innocence by insisting he was participating in harmless, online fantasy play (*To Catch a Predator*, 2006, 00:59:00). The sheriff is familiar with both tactics. The man with the alibi letter drives back and forth in front of the target house before parking because, he says, "I was concerned for my safety" in case this wayward teenager that he was attempting to "rescue" is looking to harm

Good Samaritans. The sheriff sees the repeated passes in front of the house as either an attempt to spot the presence of law enforcement, or "the battle from within" (*To Catch a Predator*, 2006, 00:25:01).

"That's what I thought. I'm sure I'm on TV or something," is the reaction of a schoolteacher who thinks he would be rendezvousing with a girl the same age as the ones he had in his classes (*To Catch a Predator,* 2006, 00:35:38). He even wonders if it is a set-up before coming over (*To Catch a Predator*, 2006, 00:37:48). After seeing the *Dateline* cameras, he further concedes, "Oh, damn, I've seen one of these" (*To Catch a Predator*, 2006, 00:37:25). Despite first maintaining that he only wants to counsel and befriend the decoy teenager, the teacher wraps up his relaxed conversation with Hansen by disclosing that he wondered if he needed therapy before, admitting, "I need help" (*To Catch a Predator*, 2006, 00:35:50). Reflecting on the last episode of *To Catch a Predator* that the teacher watched, he tells Hansen he thought to himself, "These guys are sad. Why would you do that?" he wonders, "And what was that—a month? A month and a half ago? And here I am" (*To Catch a Predator*, 2006, 00:38:15).

Perhaps the closest that Hansen comes to a "humiliating" question is in conversation with "MeatRocket 8," a man named Mike Burruss, who comes to meet a 15-year-old virgin despite suspecting that she might be a police officer (*To Catch a Predator*, 2006, 00:48:40). When confronted by Hansen, Buruss vehemently denies he had any intentions of having sex with the girl, saying he merely was planning to drink his alcohol in front of her and, "Relax, kick back, and have some fun" (*To Catch a Predator*, 2006,

00:49:00). When Buruss reveals the pocketful of condoms he brought into the home, Hansen quips, “Do you do balloon tricks with them?” (*To Catch a Predator*, 2006, 00:49:25). MeatRocket 8 demurs.

Kohm (2009) is correct that “most men stay to answer the questions, often assuming Hansen is a police officer or concerned parent” (p. 196), but very few leave even after Hansen makes it clear that he is a reporter for NBC News. A few attempt a getaway, unaware that there are sheriff’s deputies right outside the door, but just as many treat Hansen as some sort of Father Confessor, not because he is actively shaming them, but because the men have become more self-aware and are ashamed of themselves (*To Catch a Predator*, 2006, 00:25:29). Some of the men sit and talk for more than 40 minutes (*To Catch a Predator*, 2006, 00:38:11). Sometimes, they are so deeply engaged in sorting out their lives with Hansen that he has to ask them to leave (*To Catch a Predator*, 2006, 00:28:49); other times there are so many men coming over to the house that Hansen has to cut the confessionals short because the deputies are getting backed up making arrests (*To Catch a Predator*, 2006, 00:51:33).

Little evidence exists to support the contention that the men being caught in *To Catch a Predator* were anything other than adult males with full knowledge of the illegality of searching the Internet for willing teenage girls and boys. Furthermore, the majority of those arrested expressed awareness of police and media stings—in fact, one successful family man arrested is the son of a county prosecutor and a law enforcement official (*To Catch a Predator*, 2006, 01:07:45)—but were unable to resist the compulsion

to commit multiple felonies in pursuit of a twisted sexual gratification. The attempted sexual abuse of teens and pre-teens was willful, premeditated, and not police entrapment (*To Catch a Predator*, 2006, 00:06:40). Although Adler found the exposure of these predators "painful to view," many of the men seemed relieved that they had been thwarted from actually committing any physical abuse, if the situation had not been fake, they "probably would have done something stupid with a 13-year-old girl" (*To Catch a Predator*, 2006, 00:14:03). Perhaps *To Catch a Predator* also functioned as "health communication" on several levels.

Critics may be correct in questioning *To Catch a Predator*'s journalistic legitimacy by pointing out how it created the news it is covering (Kohm, 2009, p. 192). After being the subject of a lawsuit in 2006, the show was cancelled in 2008, but has continued to run in reruns on MSNBC (Chammah, 2017, para. 3). Critics who associate bad journalism with true crime might assume *To Catch a Predator* would qualify as true crime. Meanwhile, category-defying journalistic practices are also at the critical core of Sarah Koenig's *Serial.*

Sarah Koenig: *Serial*

Serial, a podcast co-produced by Julie Snyder and Sarah Koenig in 12 episodes on the digital platform of the popular NPR radio show, *This American Life* (www.thisamericanlife.org), revolves around the murder investigation of Hae Min Lee, a high school girl who was found dead in a Baltimore park in 1999. Her former boyfriend, Adnan Syed, was arrested, plea bargained, and was convicted of the crime (Berry, 2015,

p. 171). Not long after *Serial*—"one story told week by week"—got national traction, the debate online in op-ed pieces and blogs started between journalists and scholars as to whether the host Sarah Koenig's research and narrative approach constituted good journalism: "What Koenig does that we don't normally do is share our thoughts and views as we research a story. Normally we do all that work *before* publishing" (Barnathan, 2014, para. 4).

There is no disagreement on whether Koenig is a good storyteller, with Merry (2014) stating, "Koenig is an amiable narrator, not to mention a phenomenal detective. She has broken down a complicated tragedy and distilled it into a coherent narrative while injecting humor and emotion into her storytelling" (para. 9). But even in the praise, there is often a subtext of ill-ease, because sometimes Koenig verbalizes her hope that Syed is innocent while other times she is open about her concern that Syed is a sociopath (Merry, 2014, para. 9).

It is in this uncertainty about a man's guilt that author and veteran freelance journalist Brian C. Jones, guest blogging on Northeastern University professor Dan Kennedy's website, saw Koenig's back-and-forth musings as a problem. Jones (2014) argued, "almost from the beginning I've thought of it as flawed journalism. Sarah Koenig, the lead producer and narrator, acknowledged when the episodes began that she didn't know the outcome; she'd done considerable digging, but her investigation wasn't finished," an approach that Jones likened to "digging up a coffin just to see what's inside" (para. 4).

Jones' (2014) major complaint was not just that *Serial* delved deeply into a story publicly without knowing whether it would be ultimately newsworthy; instead, it was that Koenig "used the tools of legitimate reporting — the right to public records, access to experts, the goodwill of interviewees, compelling soundbites, stylish storytelling and the credibility of *This American Life* . . . to intrude into and disrupt real lives for the fun of it. It's voyeurism, not journalism" (para. 15). In response, Bunce (2014) noted that while others alleged that Koenig holds back key information in an effort to manipulate the audience with increased narrative tension, Bunce's (2014) main concern was whether any news story becomes a carefully crafted artifice any time it goes beyond a brief update (para. 12).

Ultimately, Bunce (2014) sided with the value of *Serial*, though not because she decided the podcast was the product of good journalism, but because the greater good justified the narrative's defects:

> Truth seeking is the cornerstone of professional journalism ethics—and the first articulated value in many ethical codes. The value is stronger still where there is a public interest at stake: in this case, a flawed judicial system and a potentially unsafe conviction. (para. 12)

In defense of *Serial*'s "coffin digging" approach, Bradshaw (2014) argued that all good journalism is voyeuristic to a degree but conceded, "Sure it might be a different kind of journalism to the type that you like. But it's still journalism (para. 18). Barnathan (2014) posited that it is actually Koenig's ambivalence about the outcome that is *Serial*'s

strength: “What makes *Serial* so special and so meaningful for journalism is reporter Sarah Koenig’s transparency. She takes her listeners along with her as she ponders the innocence or guilt of Adnan Syed. As she says, she has no skin in the game” (para. 2).

For Kang (2014), Koenig’s lack of “skin in the game” is compounded by the color of that skin (para. 2). Kang was uncomfortable listening in as a detached, privileged “white journalist stomps around in a cold case involving people from two distinctly separate immigrant communities,” and questioned the “parlor game” frivolity of *Serial:* “Koenig emerges as the subject as the show’s drama revolves not so much around the crime, but rather, her obsessions with it” (para.1). To Kang, this makes *Serial* reminiscent of *Gang Busters* and *True Detective Mysteries*, “an experiment in two old forms: the weekly radio crime show, and the confessional true-crime narrative, wherein the journalist plays the role of the protagonist” (para. 1).

Kang is not alone in identifying *Serial* as some new “highbrow” iteration of true crime: “Where true-crime was usually splashy and exploitative, *Serial* was thoughtful and journalistic; where the ‘characters’ were often stereotypes or caricatures, Koenig’s interviewing and research created complex figures—anchored, of course, by phone calls with convicted murderer Adnan Syed himself” (Saraiya, 2016, para. 4). Holmes (2014) dispensed with the “good journalism/bad journalism” paradigm completely, noting: “*Serial* is true crime, and it has the quality that true crime always has, which is not just a fascination with the way the system doesn't work in logical ways, but also an appreciation of the way people don't work in logical ways” (para. 2).

Meanwhile, the general acceptance of Koenig as a journalistic trailblazer appears to benefit from the public's ignorance of true crime's longstanding, self-conscious, meta-narrative tradition. It is difficult to imagine that anybody who read Ann Rule's first-person quandary of her relationship with Ted Bundy in *The Stranger Beside Me*—or any of the various reader-driven, "we can solve this crime together" editorial poses taken by true crime magazines—could claim that Koenig "breaks new ground because she makes journalism more transparent—and in my view, adds tremendous credibility to our field" (Barnathan, 2014, para. 5).

Some scholars have even wondered whether a dose of "transparency" would heal the jaundiced eye through which many in the American public view journalism in the first place. "All this begs the question about how it is that transparency constitutes a new form of cultural capital in the field of journalism. How is transparency different from objectivity?" (Hellmueller, Vos, & Poepsel, 2013, p. 288). For Allen (2008), it may come down to definitions:

> The ethic of transparency is easy enough to understand. It goes something like this: the news media are facing increased examination of their daily product that leads to more and more criticism. The best way to respond to that criticism is by letting people see the process that leads to the creation of those products. Once they see the process, people will understand how journalistic decisions are made. (p. 324)

As the argument goes, Koenig was creating transparency because, like any good journalist, "Koenig does what we all do, all the time. We find an interesting topic and pursue it with great skepticism. Our goal is to bring to the public insights and understanding that people wouldn't otherwise have" (Barnathan, 2014, para. 3). To that extent, the debate goes that "insights" and "transparency" outweigh Jones' (2014) argument that a reporter is obligated to know why a story is worthwhile before bringing it to the public, not justify an entire journalistic investigation merely because Koenig would something "interesting" (para.4).

Perhaps the confusion over the value of what is perceived as transparency is rooted in Koenig's model, not her motivation. *Serial* was never traditional journalism, but an experimental narration regarding the satisfaction of a radio reporter's curiosity. The guilt or innocence of Adana Syed was never "the one story told week by week"; instead, *Serial* is the broadcast chronicle of the fun that Koenig had doing it. Confirming the guilt or innocence of Syed was only a by-product, not the primary aim of Koenig's audio narrative. *Serial* was an online audio blog of a university-trained, traditional journalist investigating something about a decade-old murder story that she found interesting on an alternative online platform where audiences are content with a audio blogger's "truth" model.

As Phillips (2010) contended, "Bloggers see truth as a work in progress. They will publish rumours and wait for readers to react to them believing that the interactivity of the web will provide its own corrective" (p. 7). According to Jones (2014), this

approach is antithetical to traditional journalism, but that is exactly what made Barnathan (2014) so excited. To that extent, what made *Serial* a triumph to some traditional journalists and journalistic organizations was their enthusiastic acceptance of a blogger's truth model, what Heinderyckx (2009) described as a "'cyber-snowball effect', an idea, a judgment, an evaluation that seems shared by some, becomes adopted by others (be it by conformism or mimetism), thus making it ever more present, offering the aspect of consensus" (p. 234). Online, reader/viewer/listener feedback, not the reporter/editor/publisher hierarchy, becomes the mechanism through which transparency is transformed into accountability and, ultimately, trust with the consumer.

In other words, traditional journalism was the skeleton structure of *Serial*, but the podcast was birthed in the new skin of an audio blog about a journalist's experience. In examining *Serial*, some traditional journalists see through to the bones of Edward R. Murrow—or, as Jones (2014) phrased it, to "the tools of legitimate reporting—the right to public records, access to experts, the goodwill of interviewees, compelling soundbites, stylish storytelling and the credibility of *This American* Life" (para. 15), while other traditional journalists focus on Koenig's presentational style, which is equal parts Nancy Drew and Marc Maron. Ultimately, because "truth and transparency both are fundamental to notions of trust in a society" (Singer, 2007, p. 10), both models come down to the judgment of which method is more trustworthy. Judging by the massive numbers of listeners, regardless of its parentage, the audience saw in the podcast a chance to play "Sherlock Holmes."

Koenig's recursive relationship with the listeners' opinions in shaping the narrative was established in the first episode of *Serial*, with a journalistic "man on the street" montage before it had even aired. Although no listeners could have heard the show yet, a question driven from the show was asked and "a number of people weigh in, none named so as to represent an average audience" (Durrani et al., 2015, p. 2). This opening montage modeled the average listener's role as Koenig's sidekick. Koenig herself denies any credentials as a detective; yet this montage from the first episode concretizes *Serial*'s cooperative whodunit motif, according to Durrani et al. (2015).

> One suggests Syed was framed. Another asks, with a desperation that never leaves the show, if it wasn't him, who else could it have been? As the episode ends, *Serial*'s catchy theme music plays out the credits. It's a simple chord progression, noncommittal affectively but effective in reminding listeners of the enduring sense of mystery. (p. 2)

After having demonstrated the pattern for listener interactivity, following the pattern of radio's old weekly sensation, *Gang Busters*, Koenig shared more specific feedback from the audience as new information from her files was released, proving that "*Serial* is not really named for how it is delivered to its listeners. It is named for the weekly release of the clues Koenig follows in her attempt to find out whether Adnan Syed murdered his ex-girlfriend in early 1999" (Durrani et al., 2015, p. 2). The listener-driven theorizing and computations that Koenig encouraged fostered an environment of armchair detectives reminiscent of 1930s true crime magazines' citizen-crime-stopper

(Murley, 2009, p. 27), which might also rise to Lopez Coombs' (2016) definition of "citizen journalism," in which non-professionals participate in some form of journalistic activity, usually on a digital platform (p. 4). The term that Lopez Coombs used, "keyboard sleuths," associates positively with the ubiquitous true crime magazine ads selling professional typewriters to would-be true detectives alongside editorial solicitations for contributions from the reading public (p. 4).

The anticipation of each new episode reinforced Jones' (2014) position that *Serial* was more "voyeurism than journalism" and could also challenge the claim that Koenig's highly produced packaging of her obsession reflected true journalistic transparency. For example, if Koenig was truly skeptical about the scope of her inquiry, there is no explanation why the story had to be told in twelve episodes as opposed to, for instance, five. *Serial*'s first "season" closely resembled a typical 13-episode television police drama. As Lopez Coombs (2016) observed, "Just as they would for a popular film or television show, *Serial* fans took to the Internet to share their opinions on their favorite podcast. On Reddit's r/serialpodcast thread, however, hundreds of these listeners went from merely debating the podcast to attempting to solve the crime themselves" (p. 4).

According to Siegelman (2016), it is beyond doubt that Koenig is "an unbiased journalist" (p. 1), but the topical story elements of Adnan Syed's status as a male Muslim Pakistani-American convicted, perhaps falsely, of murder reflected so many contemporary strains of social discourse that it might be proof of an unspoken bias toward other stories not used; this is a prejudice in favor of a topical narrative that could

sustain a longer run of episodes. Or, as Lopez Coombs (2016) posited, perhaps the keyboard sleuthing in online communities "is driven both to solve a crime and to prolong the interaction of its socially connected members" (p. 2).

To the extent that Allen (2008) is correct, that at "its most basic level, journalistic transparency can be defined as making public the traditionally private factors that influence the creation of news" (p. 323), the listener is never taken inside the editorial meeting that gave the project the green light, shaped its development or shaped its performance. It would seem that "performance" would defeat transparency. It is difficult to discern when Koenig is sincerely pulling the curtain back on the journalistic processes that she is largely eschewing and when these disclosures are used as a narrative device to create more online conversation.

Furthermore, according to *Serial*'s digital communities of fans, the reason why this form of "transparent journalist" became so "addicting is how well it fits into the true crime genre, buttressed by the promise of an investigative journalist to answer that burning question at the center of the series: Did he do it?" (Durrani et al., 2015, p. 2). After the final episode of *Serial*, however, the listener still does not know. As of this writing, Syed's attorneys are still preparing a new trial, with scholars left wondering whether it is true that more journalistic transparency equals more public credibility. Besides, if every text provided complete explanations of the news gathering process, "it would bring an unnecessary and boring punctiliousness into news stories, which are, let us not forget, narratives" (Rupar, 2006, p. 139). This journalistic call for transparency

may have waned already because "these efforts at transparency have not always met with success from the journalistic perspective. Members of the news media have expressed surprise that even after careful explanation, people do not always agree with their decisions" (Allen, 2008, p. 325).

Regardless of whether Koenig intended *Serial* to exemplify transparency journalism, Hegelian grassroots blog sensibilities, a nonfiction essay in radio form (McMurtry, 2016, p. 306), or simply a mass appeal entertainment package that an "audience could engage with intellectually and emotionally" (Berry, 2015, p. 171), it can be agreed that *Serial* "changed what true-crime could be—at least in the minds of network executives" (Saraiya, 2016, para. 4). After the wild success of *Serial*—at the last count, 80 million people have downloaded the series (Marsh, 2016, p. 8)—other true crime narratives started appearing on other national platforms. If "*Serial* whetted the prestige audience's appetite for a quest for truth, *The Jinx* found a way to actually feed it" (Saraiya, 2016, para 5).

The Jinx: The Life and Deaths of Robert Durst (2015), a series of interviews with "a billionaire implicated in two murders and a disappearance" (Lawson, 2015, para. 4), matched *Serial* in terms of national impact, but *The Jinx* went further. "Not only did the filmmakers, led by Andrew Jarecki, make Robert Durst into an approachable, and even sympathetic figure, they also did what law enforcement couldn't —*The Jinx* found new evidence that led to the case being reopened" (Saraiya, 2016, para.5). In rapid succession on two different platforms, a website and a premium cable channel, *Serial* and *The Jinx*

became “an impromptu branch of the judiciary: Durst was charged with murder after an apparent confession in the last part of the documentary about him, while Syed was given leave to appeal after the first *Serial* aired” (Lawson, 2015, para. 18).

Koenig began *Serial* not knowing whether Syed would cooperate for interviews or how the series might end. Jarecki began the project that became known as *The Jinx*—an ironic title that references how his supporters considered Robert Durst to be so “cursed” that this innocent man should be at the center of three different murder investigations—after Durst contacted Jarecki and offered to be interviewed. Both producers of *Serial* and *The Jinx* collected evidence with the cooperation of the subjects on the murders of which they were accused and used this information to structure fascinating narratives. In both cases, some critics claim that Koenig and Jarecki “help create the cultures around them of amateur sleuthing and of viewing other people’s tragedies as a form of entertainment” (Marsh, 2016, p. 8). But neiter the shows nor Koenig and Jarecki themselves actually have much in common.

Andrew Jarecki: *The Jinx: The Life and Deaths of Robert Durst*

MovieFone and moviefone.com were, at one time, customer-friendly, cutting-edge interfaces between movie box offices and cinema-going consumers (Partovi, McCue, Davis, Plitkins, & Accardi, 2005). When it was sold to AOL in February 1999 for $388 million, the “Jarecki family—including company chairman Henry Jarecki and his son, chief executive officer Andrew Jarecki—control(ed) about 92 percent of the votes and 73 percent of the equity of MovieFone” (CNNMoney.com, 1999, para. 9). Andrew

Jarecki, already raised in an upper class family, suddenly became an extremely wealthy guy who had the time and energy to explore his creative interests and play detective (Saraiya, 2015, para. 7). With his producing partner Marc Smerling, Jaracki went from informing the public about movie times to becoming a documentary filmmaker by directing *Capturing the Friedmans* (2003), a movie that "combines intimate home video, news footage, and various interviews to share the story of a family's dissolution during and after an investigation of the father and youngest son for child molestation" (Eisen, 2012, p. 26). Although the financially successful film won the Grand Jury prize at the 2003 Sundance Film Festival and was nominated for an Academy Award, *Capturing the Friedmans* remains controversial because of "the relationship between director and subject initially seems somewhat cooperative" (Eisen, 2012, p. 26).

While Koenig's first-person thoughts, feelings, and occasionally tortured observations of her investigative discoveries are shared consistently throughout *Serial*, Jarecki himself does not narrate *Capturing the Friedmans* or the first episode of *The Jinx.* As it develops, the six-part *The Jinx* is a hybrid of narrative forms. From the first few minutes of the first episode, co-producer, director, and host Jarecki is only an off-camera presence when he asks quietly, "What's the area here?" while driving with a police detective (*The Jinx* Episode 1, 2015, 00:00:50). Jarecki's back is visible about a minute into the production; he is casually dressed in a t-shirt, cargo shorts, and sandals as the detective speaks at a crime scene (*The Jinx* Episode 1, 2015, 00:01:10), but he does not

appear full-face until the first episode is almost over (*The Jinx* Episode 1, 2015, 00:35:30).

Similar to *Capturing the Friedmans,* the narrative thread of the first episode of *The Jinx* is curated from interviews with law enforcement, news coverage, deposition video, home video, home movies, jailhouse phone recordings, surreptitiously recorded audio and video, voicemail messages, and dreamily shot recreations of biographical scenes from the life of billionaire murder fugitive, Robert "Bob" Durst. As documentarians phrase it, the audio is not "raw" but "cooked," meaning "creatively edited," with all of the "um's" and "you know's" of common speech scrubbed out (McHugh, 2012, p. 4). Although Jarecki is heard only incidentally during episode one, his "voice," in a rhetorical sense, is baked in. Jarecki is editing the soundbites and visual footage as a visual and audio storyteller, but his role as an on-camera mediator of the story does not begin until a few minutes into the second episode.

The series is built around twenty hours of interviews to which Robert Durst agreed against his lawyers' advice. During the formal sit-down interview, Jarecki, not a journalist by trade, is wearing a sport coat, a dress shirt, and a tie (*The Jinx* Episode 2, 2015, 00:02:00). The more Jarecki and his team investigate the claims that Durst made about his innocence in the interviews, the more the focus of the film shifts to Jarecki, his experiences, and the experiences of his producing partners, Marc Smerling and Zachary Stuart-Pontier. By episode five, Jarecki and the other producers are "reacting 'behind the scenes' to new pieces of evidence and breathlessly following up on leads, with Jarecki

himself visibly pumped" (Marsh, 2016, p. 8). Also expanding over the course of the episodes are recreated scenes depicting Durst's various murders—his first wife, Kathy, who is never found, his best female friend, and a neighbor whom Durst murders and dismembers—and his related escapes. It is in these hypnotic, slow-motion, "B-roll" crime reconstructions that Jarecki and his partners, Smerling and Stuart-Pontier, flex their Hollywood-production muscles.

Once frowned upon by documentary purists, the cinematography of the reconstructions in *The Jinx* won praise for blending "archive material from the 1980s, 1990s and 2000s, carefully framed within the high definition 16:9 image and often with 'blurred' edges, top and bottom, so that the timeframe can be effectively conveyed" (Bryant, 2015, p. 5). The artistic reconstructions of the murder scenes of Durst's first wife and his best female friend call to mind the potential gallery-worthy beauty of aesthetic journalism, Schikaneder's painting of a young murdered woman in an alley, and the acclaim Schikaneder received for representing "women with great empathy. His female figures are always isolated, radiating loneliness" (Sármány-Parsons, 2001, p. 243).

However, by the sixth episode of *The Jinx*, the narrative style shifts. The first five episodes were well-crafted and polished, featuring highly produced segments with music video-like elements telling the story. After the opening credits, episode six swerves into in a roughhewn style that is framed by the producers as "behind the scenes."

"Are you recording our conversation now?" asks a full-framed Jarecki directly into the still-focusing camera (*The Jinx* Episode 6, 2015, 00:07:00). The scene then cuts to a group strategy meeting focused on getting Durst to sit for an on-camera follow-up interview in light of potential evidence that was discovered in a previous episode. The primary objective of the second interview is stated by Jarecki into the handheld camera: "Get justice" without interfering with the police (*The Jinx* Episode 6, 2015, 00:07:18). "Whether we use it or not, I do want to do the handwriting thing we were talking about," argues Stuart-Pontier, and the scene cuts to Jarecki's interview with John Osborn, a forensic document examiner (*The Jinx* Episode 6, 2015, 00:08:00).

Thus, the narrative frame of the final episode is established. On cameras of various quality—professional grade to cell phones—Jarecki, Smerling, and Stuart-Pontier document their efforts to confirm that Durst was responsible for a handwritten note to the Los Angeles police penned presumably by the killer of his friend, Susan Berman, and a letter than Durst himself sent to Berman in Beverly Hills not long before she was found executed. When the forensic document examiner confirms his findings of these to L.A. documents—"These characteristics are unique to the known subject"—the tone of *The Jinx* shifts to Jarecki's personal struggle with tightening the noose around the man who had originally contacted him for an interview, Robert Durst. Once more, Jarecki finds himself in the same position for which he was criticized in *Capturing the Friedmans*—befriending the same person who he was exposing (The Jinx Episode 6, 2015, 00:10:51):

> This is a guy in some ways that I have been giving tremendous benefit of the doubt. You know, not just in terms of the kind of questions I ask him, but in terms of my emotional connection to him. You know, I like the guy. The shift for me—post L.A, and, you know, with everything we've learned in the meantime—is big, yet it cannot be evidenced in my relationship with him. I can't be any different. And yet, my feelings about it are very different. My feelings are different not because I thought, "Well, I sure that Bob was innocent," but I wasn't sure that Bob was guilty. And that's a big, big change.

Contrary to slicker, previous episodes, the audio of episode six is less "cooked." Jarecki often speaks in an impromptu manner into an "ambient" condenser mic (one that records all the sounds of the room, not just voice), and all of the typical rhetorical repetitions of human speech disfluencies have been left in. The arrangement of the final follow-up interview with Durst needed to confront him with the new handwriting evidence of his complicity in the two unsolved murders has taken center stage, but the narrative thread of episode six occurs "behind the scenes."

For several minutes, the tension mounts toward Jarecki's hoped-for showdown with Bob Durst. Jarecki first asks for another interview (*The Jinx* Episode 6, 2015, 00:11:57), gets the go-ahead from Durst (*The Jinx* Episode 6, 2015, 00:14:36), gets cancelled by Durst (*The Jinx* Episode 6, 2015, 00:14:40), and is seemingly, completely shut down by Durst, "period," when he tells Jarecki, "It increasingly makes less and less sense to me" (*The Jinx* Episode 6, 2015, 00:15:42). Jarecki is even left wondering into the

cameras if Durst has "found something out" about the two handwritten notes that seem to preclude any doubt that Durst killed his friend, Susan Berman, and by implication, Durst's first wife (*The Jinx* Episode 6, 2015, 00:16:39).

Then, in a twist that could not be predicted, Durst is arrested for violating a court order preventing him from having any contact with his brother, Douglas, and Durst's attorneys need Jarecki's video of Durst taken that same day showing that he was farther away from his brother's offices than was being claimed (*The Jinx* Episode 6, 2015, 00:19:20). "Obviously, it gives us a lot of leverage," Jarecki gloats to his partners (*The Jinx* Episode 6, 2015, 00:20:01).

In a quid pro quo for the taped evidence that exonerates him for violating a court order of protection against his brother, Durst voluntarily agreed to a final interview. Watching episode six, the audience knows the "gotcha cards" that Jarecki is holding. When Durst ambles into a conference room, he is led to believe he's just clearing up some loose ends. A similar tactic complicated Jarecki's treatment of his main subjects in *Capturing the Friedmans*: "With this responsibility in Jarecki's hands, we must then question whether the Friedmans' consent was ethically granted, considering how unstable they were and how the documentary affected their lives" (Eisen, 2012, p. 30).

But the real "gotcha" moment came a few years after that final interview was taped as the show was being edited for cablecast on HBO in 2015. A new production assistant was going over the audio of the last interview to make sure nothing had been missed for episode six. As *The New York Times* reported it, the production assistant heard

Durst, “on a live microphone he’s wearing in the bathroom following a formal interview in April 2012 with Mr. Jarecki, seeming to confess to three murders” (Fretts, 2015, para 1). Over a million people watched that showdown on HBO, and that moment when Durst, “muttering to himself in the bathroom with his mic still on, confessed that he ‘killed them all’ instantly went viral” (Marsh, 2016, p. 7).

Based on that odd audio confession, the handwriting analysis of the note written by Berman’s killer, and other evidence uncovered by Jarecki’s team, Durst was arrested and pleaded guilty to a weapons charge in Louisiana, agreeing to extradition to Los Angeles to stand trial for one of the unsolved murders with which he has been connected (Winton & Hamilton, 2016, para. 2). Accordingly, Jarecki has received a lot attention from scholars as part of a trend “taking place within criminology: a growing awareness that film contributes to understandings of crime and, as a result, a steady accumulation of studies analyzing crime films” (Rafter, 2007, p. 403).

Despite not being a journalist, Jarecki succeeded in his priorities in episode six to “get justice” without interfering with the police and also achieved a level of seemingly authentic transparency that made for compelling crime television, as well as contributing to a greater good. Both Bunce (2014) and Barnathan (2014) were willing to forgive Koenig’s excesses in exchange for her transparency and skills as a truth seeker because “Truth seeking is the cornerstone of professional journalism ethics” (Bunce, 2014, p. 12). In this ends-means justification of Koenig’s bending of journalistic traditions, Barnathan

(2014) added that the goal of a journalist "is to bring to the public insights and understanding that people wouldn't otherwise have" (p. 3). Jarecki certainly did that.

Perhaps because he was not concerned with protecting his image as a journalist, or because he was compromised by his friendly feelings for Durst (Saraiya, 2016, para. 5), Jarecki put a premium on transparency in episode six. Once Durst had agreed to the final interview, Jarecki turned to Smerling and Stuart-Pontier to help him ask the right questions of Durst needed to get the billionaire to incriminate himself (*The Jinx* Episode 6, 2015, 00:21:08).

After suggesting some easy opening "softball" questions, they agreed that putting out some photos for Durst to identify would make him less suspicious about asking about the conclusions from the handwriting analysis when handed the evidence (*The Jinx* Episode 6, 2015, 00:21:27). Jarecki, Smerling, and Stuart-Pontier also took time for role-play before Smerling ultimately decided, "We don't know what he's going to say" (*The Jinx* Episode 6, 2015, 00:22:40). Jarecki handled Durst just the way Jarecki, Smerling, and Stuart-Pontier had rehearsed it for the cameras.

The final interview ironically turned out to be Durst's undoing perhaps, because when Durst originally chose Jarecki to do an interview, he said he had declined all of the television networks because he was "not interested in doing the true crime kind of stuff" (*The Jinx* Episode 1, 2015, 00:38:20). To compound the irony, if Durst had agreed to be interviewed by a traditional journalist, he likely would be a free man today because traditional journalism is bound by different rules. Jarecki used all the familiar tools of

legitimate reporting (Jones, 2014, para. 15) and the credibility of an Academy Award-nominated documentary, but never under the pretense of being an actual journalist (see p. 16 for a discussion of "legitimate" journalism).

Rupar (2006) suggested, "The new media landscape, where news is not manufactured by interaction between agents of reality (sources) and agents of representation of reality (journalists), demands new rules" (p. 139), but these rules have been slow in coming or not materialized at all. To the extent bloggers see truth as a work in progress (Phillips, 2010, p. 7), and more terrestrial media are monetizing web-exclusive content after the success of *Serial* (Punnett, 2014, p. 5), it is expected that more self-funded individuals working in nonfiction, such as Jarecki, could use digital platforms to play "detective" (McMurtry, 2006, p. 306-307). According to Rupar (2006), a good place to start addressing "new rules" would be "an acknowledgement of the existence of the people in the middle (para-journalists) and an indication of their intervention in reality" (p. 139).

Para-journalism is defined by Heinderyckx (2006) as discourse that "shares a number of formal features with journalism and can be seen as just a different form of journalism by the audience" (p. 235). The term in a not a new one. Talese (1993) used para-journalism as a pejorative synonym for new journalism, a "derogatory description coined by the late critic, Dwight MacDonald, who was somewhat suspicious of the form" (p. vii). Maybe there is some continuity in that people who call themselves para-journalists today pride themselves on their outsider-ness: "not part of the establishment,

not from the universe of what they see as paleo-journalism, bound in a suffocating system of constraints and pressure. They are new players of a new game" (Heinderyckx, 2006, p. 236). By this definition, *The Jinx: The Life and Deaths of Robert Durst* may have been the most successful exercise in para-journalism upon its release.

An evaluation of whether *The Jinx* is also true crime may have to wait until it can be assessed against a Theory of True Crime, but it is an intriguing notion that any nonfiction murder narrative text, regardless of whether it is produced by a traditional journalist exploring a different voice, a para-journalist, or a director of a documentary, may rise naturally to the level of true crime once it is no longer weighted down by the strictures of traditional journalistic narratives.

Regardless of its eventual categorization as a nonfiction text, *The Jinx* has been consistently identified by scholars as being part of a new true crime continuum with *Serial*, the first to create a "mass audience for true crime documentaries that explore the ambiguities of one case in depth over a period of episodes" (Marsh, 2016, p. 8). After the success of *Serial* and *The Jinx* "you could almost hear networks scrambling to find new crime stories. Netflix, for example, put up its *Making A Murderer*" (Saraiya, 2016, para. 6). To be fair, in 2005, eight years before Sarah Koenig heard the name Adnan Syed in 2013 (*Serial*, Episode 1, 2014, 00:00:30), and five years before Robert Durst picked up a phone and called Andrew Jarekci in 2010 (Fretts, 2015), two 40-ish Columbia University graduate film students who had been dating for two years were already braving the

Wisconsin winters collecting the 700 hours of footage needed for *Making A Murderer* (Murphy, 2015, para. 4).

Making A Murderer (2015) is the story of Steve Avery, "a man exonerated of rape charges after eighteen years in prison, only to be arrested for murder a few years later" (Marsh, 2016, p. 8), a ten-part Netflix series that "has seemed to hook pretty much everyone who has laid eyes on it" (Tassi, 2016, para. 3).

Laura Ricciardi and Moira Demos: *Making a Murderer*

According to Murphy (2015), *Making A Murderer* by first-time documentarians Laura Ricciardi and Moira Demos, a lawyer and a lighting electrician on television productions and films, respectively, before film school, has been an even bigger success than either *Serial* or *The Jinx* (para. 5). *Making A Murderer*'s subreddit section at reddit.com is bigger than *Serial*'s, and more than a half a million people have signed a Change.org petition to "Free Steven Avery" (Marsh, 2016, p. 8).

After serving eighteen years for a sexual assault of which he was proven innocent, Avery and his borderline mentally retarded nephew Brendan Dassey were accused of raping and killing Teresa Halbach, a young female photographer for AutoTrader magazine (Tassi, 2016, para. 8). Despite Avery's being cleared of his first conviction through DNA evidence, much of *Making A Murderer* attempts to sort out Avery's guilt or innocence on the second murder charge.

Even the very title of Netflix documentary miniseries *Making a Murderer* is somewhat ambiguous. On the one hand, the documentary appears to be an attempt

> to show how the Wisconsin justice system—from vengeful cops and overzealous detectives to manipulative lawyers and biased jurors—could make Steven Avery (the alleged murderer at the centre of it all) into someone who would be found guilty of murder. On the other hand it appears to be an attempt to show how the American justice system—from questionable policing and coercive interrogations to prosecutorial misconduct and media-infected jury pools—could make anyone into someone who would be found guilty of murder. (Gertz, 2015, p. 1)

Making a Murderer is stylistically different from both *Serial* and *The Jinx.* There are no artful re-enactments of grisly deaths, such as in *The Jinx*, and the Netflix series does not rely on a likable narrator such as Sarah Koenig. Instead, *Making a Murderer* employs title cards, interviews, news reports, and hours of courtroom and police interrogation footage to curate the narrative (Murphy, 2015, para. 4). There is also no tidy ending at the conclusion of *Making A Murderer*, with the narrative making no attempt to steer away from "the confusing, largely nonverbal world of real events" (Heyne, 1987, p. 484). Because of that, many people find the hit Netflix series frustrating: "Although it presents a compelling story, it's not tempting to binge on *Making a Murderer*; the episodes are too painful to watch all at once" (Marsh, 2016, p. 10).

Gertz (2016) posited that "trying to determine what is and is not 'a fact' is precisely the problem" remains the greatest challenge for the viewer to understand the subject of the documentary–Avery–and the meta-narrative in the documentary itself (para. 4). Certain realities are indisputable, such as the Avery family's status as social

pariahs in Manitowoc County, Wisconsin. The Averys live in and around their multigenerational family-owned auto graveyard, and according to Steven's first public attorney, this factor defined their place in Manitowoc's cultural landscape as well (*Making a Murderer* Episode 1, 2015, 00:08:01).

> Manitowoc County is working class farmers and the Avery family, they weren't that. They dealt in junk. They had a salvage yard. They lived on Avery Road. They had their own road and stuff. They didn't dress like other people. They didn't have education like other people. They weren't involved in other community activities. I don't think it crossed their mind that they should fit into the community. They fit into the community they had built. And that was enough.

Avery Auto Salvage is an industrial scar across the bucolic, cinematic landscape of Manitowoc County, what Lefebvre (2011) referred to as part of a "taskscape," that is, work histories visible in the earth, "woven along with the life cycles of plants and animals, into the texture of the surface itself" (p. 71). The opening credits of *Making A Murderer* luxuriate in panoramic flocks of Canada geese in formation flying south for the winter against a gray, cloudy sky, and aerial shots of snow-covered, quaint family farms, bare trees, and icy roads, are juxtaposed with the bleak Avery auto graveyard full of rotting cars and busted glass (*Making a Murderer* Episode 1, 2015, 00:01:53).

Later, as Steven Avery's cousin Kim Ducat explains how Manitowoc viewed the Averys as undesirable members of the community, a helicopter sweeps across Manitowoc County in springtime. The montage begins by flying over the clean, sandy beaches of

Lake Michigan in the background, and on to the sky-blue Manitowoc water tower, then the lush, green, leafy residences, before the aerial camera passes slowly over the Avery family compound, with its dilapidated mobile homes surrounded by thousands of deteriorating automobiles stacked in rows, bounded on all sides by geometric fields of life-giving crops (*Making a Murderer* Episode 1, 2015, 00:07:19).

Avery Auto Salvage has its own kind of order, as if it were a cemetery where none of the coffins are buried underground but left to decompose on the grass in the harsh Midwest elements. For Steven Avery, however, it was a child's paradise: "Growing up around all them cars was pretty fun. Tearing them apart, fixing them, running around it in the trails, in the rows of cars" (*Making a Murderer* Episode 1, 2015, 00:08:40). His sister, Laurie, agreed, saying, "The people that were close to Steven knew he was harmless. He was always happy, happy, happy. Always wanted to make other people laugh" (*Making a Murderer* Episode 1, 2015, 00:07:31). But that is not how Steven Avery was seen by the police or the pillars of Manitowoc society. Laurie continued, "I think people on the outside community viewed him as an Avery" (*Making a Murderer* Episode 1, 2015, 00:07:46).

To Pinheiro, Fischer, and Cobianchi (2012), gravediggers around the world report the same ostracizing that the Avery family members describe: in Brazil, "My family does not like my job, and my children suffered prejudice when colleagues knew their father is a gravedigger" (p. 5820). A proud British gravedigger "who feels unique, powerful, privileged and indispensable," nonetheless understands that "'when people need me, they

need me badly, and when the job is done they avoid me'" (Saunders, 1995, p. 4). *Making A Murderer* documents how the Averys were perceived by the community in the "ancient operatic image of the gravedigger as a diabolic, scavenging creature with a spade and dark cloak as seemingly still lingering in the psyche of the modern community . . . In popular culture, gravediggers are still frequently presented as village idiots" (Saunders, 1995, pp. 1-2).

Actually, Steven Avery did suffer from learning disabilities. According to attorney Reesa Evans, Steven "barely functioned" with an I.Q. around 70 and had poor coping skills (*Making a Murderer* Episode 1, 2015, 00:14:30). Avery's difficulty in processing embarrassing comments made about him by another cousin contributed to Avery acting out aggressively toward her in an incident that got him arrested (*Making a Murderer* Episode 1, 2015, 00:14:40). This cousin, who happened to be married to a Manitowoc deputy sheriff, was spreading rumors about Steven that he felt "made me look like I was a no-good person." Later, Avery's physical confrontation of his bad-mouthing cousin created the climate in which Avery was framed for a rape it would take him 18 years to prove he did not commit (*Making a Murderer* Episode 1, 2015, 00:19:30).

Whether it was his low I.Q., his coping skills, or the belief that none of the Averys had a place in the greater Manitowoc community, but only "fit into the community they had built," Steven's behavior put him at risk of not being understood outside of the family auto graveyard. "The disarray and disorder of the auto salvage yard—the marks of accident, contingent breakdown, and so on—display an alternate order"; that is, in

everyday life, humans are driven about by their machines, but amongst the giant piles of broken machines in auto graveyard, "the normal relationship between an active, ordering, controlling technical apparatus and a passive, ordered, controlled human subject is reversed" (Soderman & Carter, 2008, p. 25).

The Averys lived in an "upside down" world where their regard for what Manitowoc rejected extended past the county's less glamorous possessions to its less glamorous people. Because an auto salvage yard "recirculates that which has broken down (the no-longer-mobile is remobilized)," an auto salvage yard is a place of understanding and resurrection, a "home of contingency visually read through the scatter of discarded parts, the fragmented windshield of accident, the endless reminders of breakdown, bad luck, and 'bad breaks,'" situated on acres and acres of second chances (Soderman & Carter, 2008, p. 24). If the Averys' gestalt is both defined by and confined by the toilsome, unsophisticated business of reclamation, then *Making a Murderer* can only be understood fully by experiencing the family's relationship to the earth.

According to Rule, this tactile connection to the landscape of the crime—how it feels, what it smells like, what it tastes like, is mandatory: "I also like to know what are the local foods. Each area has its special food that people like that I've never heard of" (See Appendix). Ricciardi and Demos could never have documented anything regarding the guilt or innocence of Steven Avery using only articles in *The New York Times,* without moving to Manitowoc, without becoming part of the cultural landscape

themselves, because the setting for *Making a Murderer* is not neutral. The landscape represents the divide.

"America is a country that was formed out of the private sector. It was composed at first of privately chartered corporations and proprietorships organized for an overriding purpose, to realize profits off the landscapes of the New World" (Rose, 1989, p. 2), so a primitive business, such as auto salvage, is always a nagging reminder of a community's brutal past, not its aspirations. Auto salvage yards are businesses that a growing rural town was once happy to have, but that same town, later prosperous, cannot wait to get rid of them.

In Manitowoc, the sexual assault on Penny Beernsten as she jogged along Lake Michigan while attending a family outing, highlighted this contrast between businesses of the past and businesses of the future to a tragic degree. "The Beernstens owned several enterprises. They were popular and occupied a central place in town. Tom Beernsten was described as one of the best things to happen to Manitowoc in the past decade. The Beernstens were clearly people of substance in the community" (*Making a Murderer* Episode 1, 2015, 00:26:04). It was important that the county atone for what had happened by resolving the investigation quickly. The sheriff told Steven Avery, "I got you now" (*Making a Murderer* Episode 1, 2015, 00:23:59). As his attorney recollected, "This is not only a violent sexual assault, it's a violent sexual assault of someone who is a leader of the community, a shining example of what Manitowoc would want its citizens to be" (*Making a Murderer* Episode 1, 2015, 00:25:46).

Even though there was not "one iota of physical evidence" linking Steven Avery to the crime (*Making a Murderer* Episode 1, 2015, 00:28:20), and despite 22 alibi witnesses testifying that he was nowhere near the assault at the time, after several Manitowoc County Sheriff's deputies conspired to get the victim to identify Steven as her attacker, the "community believed he did it, though, because he was an Avery" (*Making a Murderer* Episode 1, 2015, 00:26:45). The judge chose Beernsten's "absolutely positive" identification as the sole criterion for conviction. "Penny Beernsten was everything that Steven wasn't: smart, educated, extremely well-to-do, church-going lady and business owner involved in community affairs" (*Making a Murderer* Episode 1, 2015, 00:32:50). Yet, after forensic DNA evidence testing became sophisticated enough to prove his innocence, eighteen years of prison time later, Avery was a free man. His freedom, however, would be short-lived.

The ten-part *Making A Murderer* begins with Avery's return to the family compound directly from prison. As the home video camera displays the time, "4:09PM 9/11/2003," the viewer hears what sounds like one of Steven's cousin's voices saying, "Hear they come up the road . . . eighteen years" (*Making a Murderer* Episode 1, 2015, 00:00:10). Surrounded by media, the homecoming crowd is jubilant as Steven pulls off Avery Road into the parking lot of the family business. There is joy, relief, and a sense of vindication. Then Steven's cousin remembers what she told him that day: "Be careful . . . Manitowoc County is not done with you. They are not even close to being finished with you" (*Making a Murderer* Episode 1, 2015, 00:01:34).

Over the course of the first season of *Making a Murderer* (the second one is in production), the viewer will come to understand how prescient a comment that is —"Manitowoc County is not done with you." Just days before Steven Avery was going to receive millions of dollars in restitution from Manitowoc County for his false conviction, another woman, Teresa Halbach, is attacked and murdered, with the Manitowoc County Sheriff's deputies finding her car in Steven's graveyard and her car keys in his trailer home. Regarding the second crime, "The series asks not whether Steven Avery committed the murder, but rather whether the investigation and trial were conducted properly" (Marsh, 2016, p. 10). After a new trial was granted for Adnan Syed, hopes were raised higher for Netflix fans, "but for those who think Avery should be free, there's been no such catharsis" (Rice, 2016, p. 20).

Without an appropriate channel to release a rising sense of injustice, viewers and online hackers came after law enforcement and legal officials in Manitowoc County: "It's telling that many viewers turned to acts of vigilantism after seeing the show" (Marsh, 2016, p. 11). Regardless, Ricciardi and Demos have no regrets, because they "feel like they achieved something by providing viewers with a rare and unfettered glimpse at what it's like to enter the criminal-justice system" (Rice, 2016, p. 20).

If there was a consolation prize for the justice-minded, the parajournalism of Ricciardi and Demos appeared to instigate the overturning of the conviction of Avery's nephew, Brendan Dassey, who seemed to have been caught up unwittingly in the investigation of Halbach's murder. To fans of true crime, the power of narrative to act as

a check and balance on the criminal trials of Syed, Durst, and Dassey "represents a meaningful achievement on the part of the true-crime genre," but D'Addario (2016) argued "that doesn't mean *Making a Murderer* did anything right" (p. 1). While it might feel "satisfyingly like a piece of the universe clicking into place" D'Addario (2016) concluded, it "says little for the show as a show other than that it found a good subject in its story's background" (p. 1).

It should be underscored that effective narrative on any platform is forever linked to our human ability to perceive what is just. In the case of *Making a Murderer*, in light of Avery's first sentence and the overturning of Dassey's conviction, the question could be fairly asked whether the show marks a triumph of the true crime text of Ricciardi and Demos, however flawed, over the "based on a true story" crime fictions of Manitowoc County law enforcement. Gertz (2016) noted:

> The idea that justice relies on story-telling is not new. From *The Iliad* to *The Trial,* from Cain and Abel to Batman and Superman, we have used narratives to shape our ideas of what is just and unjust, deserved and undeserved, pardonable and punishable. However, what *Making a Murderer* helps reveal is the discomfort and anxiety that comes from having to confront what it means to have a justice system built on narratives on top of narratives on top of narratives. (para. 11)

To better understand the difference between true crime, crime reporting, and "based on a true story" fictions, a Theory of True Crime is quite necessary. Through this exploratory study of these ten texts, continuities must be sought, similarities must be

identified, and dissimilarities must be revealed, helping to codify how a Theory of True Crime could function. Having acknowledged the historical, peripatetic relationship between true crime and other nonfiction narratives, marking off the qualitative terrain of a Theory of True Crime begins with the assumption that "literary nonfiction and fiction are fundamentally different, despite their resemblances in structure or technique, and that this difference must be recognized by any theory that hopes to do justice to powerful nonfiction narratives" (Heyne, 1987, p. 480).

Chapter 4: Developing a Theory of True Crime

Introduction

Prior to this exploratory study, if the existing literature regarding true crime had proven anything, it was that in the taxonomy of narratology, true crime resides within the typology of nonfiction storytelling. Due to the lack of serious scholarship on true crime as a narrative form up to this point, however, there is no objective measurement of the genre's characteristics or its relationship to other crime-centered genres beyond that. This study analyzed ten well-known texts (or lesser-known texts by well-known authors) that have been associated with true crime, although not always self-described as true crime. Of the ten texts chosen, all were written and published in the U.S., three were magazine articles, three were books, three were video productions, and one was a podcast. Of the three books, the researcher discussed two that were made into full-length movies. Those productions were analyzed with regard to their original iteration as books, and also as true crime texts in their own right.

This exploratory study does not seek to analyze the texts to determine what is "good" or "bad" true crime, but focuses instead on the common elements evident or absent from the samples. In doing so, the purpose is to find a criterion flexible enough to include true crime in its various multi-platform permutations over time—a criterion that is non-pejorative.

An analogy to the hoped-for clarity of the true crime genre might be the sparkling wine industry. Champagne is a popular form of sparkling wine that is grown in the unique

chalky soil of the French province of Champagne—a wine that is regulated by international treaty (Knoll, 1970, p. 309). All champagnes are sparkling wines, but not all sparkling wines are champagne. Bubbly wines fermented from grapes similar to the varietals grown in Champagne have been produced in the U.S. since 1842, but they are not champagnes (Robertson, 2008, p. 19). Miller High Life may call itself "The Champagne of Beers," but that does not make it champagne, either. In short, many products called champagne or wine may not be made from grapes at all—may not even be made from grape juices—and although they may "sparkle," they could not be classified even as sparkling wines.

The scholarly assumption with which this investigation started was that if a Theory of True Crime were developed, some texts that had been labeled as true crime at one time might not belong to this literary category, some artifacts that would resist the association with true crime would be, and a few of the best-known vintage texts would be confirmed as the "champagnes" of true crime. The research questions restated below were designed to separate true crime from ordinary crime reporting, and true crime from other forms of nonfiction narratives, as well as isolate the common characteristics of true crime, and then use those patterns to develop a Theory of True Crime.

RQ1: What are the historical tensions between traditional journalistic crime coverage and the literary/sociological phenomenon known as true crime?

RQ2: What are the defining characteristics of true crime writing, and how does traditional journalistic crime coverage differ from these established true crime characteristics?

RQ3: In light of traditional journalism's usurpation of true crime's narrative motifs and conventions, what would constitute a Theory of True Crime that encompasses multi-platform presentations of the genre?

As a result of the textual analysis, the historical tensions between traditional journalistic crime coverage and the literary/sociological phenomenon known as true crime (R1) were revealed. For example, a more critical review of the "new journalism" of Truman Capote disclosed copious amounts of creative fiction that were not tethered to known investigative journalism techniques. Also, works based on the parajournalism model with which mainstream journalism struggles, such as Laura Ricciardi and Moira Demos' *Making a Murderer*, were embraced by true crime consumers and received four Emmy Awards while first-time para-journalist Andrew Jarecki won two Emmy Awards and a Peabody. By setting aside traditional reporting conventions for a blogger's model of truth seeking, Sarah Koenig also won a Peabody Award, among other accolades.

During the process of interrogating the presumed artifacts of true crime in pursuit of R2, the contrast with traditional journalistic crime coverage revealed many defining characteristics of true crime writing that may or may not be present in all true crime texts at the same time. Usually, true crime is written in a non-neutral literary voice that is rich in color and detail, with an emphasis on geography and ethnography as a frame for the

crime, the victims, and/or the perpetrators. Almost all true crime texts discussed above focused on justice for victims, although who is being defined as a victim may change, and it was common to see a text call for greater action to prevent crime or bring criminals to justice. Even in its earliest years, true crime displayed a fascination with crime science of any type, embracing the publication of gruesome photography and physical evidence. An observable subversive tone is often present that is pro-justice, but may be outside the law, such as street justice or economic justice, or a tone that may not be pro-police or pro-status quo. Another common device of true crime is the use of narratives conveying moral messages to different publics without becoming pedantic, echoing folktales.

Because true crime narratives employ rhetorical techniques more commonly associated with fictional writing, true crime balances on the horns of a dilemma: the more a true crime writer achieves toward creating the feel of a fictional narrative, the more the text risks becoming a fiction itself. In the tension between the demands of fact-based nonfiction and the literary lure of pure fiction, true crime must always be drawn to the pole of verifiable facts and accountable claims.

Given the greater, detailed understanding derived from the exploratory results of research questions 1 and 2, a synthesis of this new qualitative data provides a basic framework for research question 3: "What would constitute a Theory of True Crime that encompasses multi-platform presentations of the genre?"

Findings

Because true crime is structured as fiction, many of Barthes' narrative codifications—such as the Hermeneutic Code (HER), the voice that drives the reader to look for clues about what the text has to say, the Proairetic Code (ACT), which refers to the small actions that builds the tension to a "big reveal" later on, and the Semantic Code (SEM) that involves words that have both a simple meaning and a connotation—are also evident in many of the selected texts. A Theory of True Crime must acknowledge this connection to Barthes' semiological work and to Bakhtin's Theory of the Novel, but ultimately, the presence of these fictional devices in true crime is not exclusive to the genre. Although HER, ACT and SEM, and fictional codes may differentiate true crime texts from most forms of journalism, they cannot separate true crime from crime fiction, and thus they cannot provide the desired "horizon line" that would comprise a Theory of True Crime.

However, using Bakhtin's and Barthes' structures as a model for consistent, recognizable patterns in the texts that can be codified on the basis of the frequency of their occurrence in the material, revealing the impact these patterns seem to have on the narrative, is more informative. A Theory of True Crime, then, will appropriate Bakhtin's and Barthes' literary "code" structures to represent the supporting pillars on which a true crime text must be built in two key stages. The first stage is the basic undertaking that seeks to establish whether a story is "true." As previously discussed, the "truth" of the story in true crime is not restricted by the philosophical limitations of traditional

journalism, but by the narrative teleology suggested by Heyne (1987) based on the movement of the narrative between the inward pole—the tidy, self-contained world of fiction—and the outward pole of the "confusing, largely nonverbal world of real events" (p. 484). It is incumbent on the true crime listener/reader/viewer to accept some play in the narrative because no text can be 100% "truthful" (Lehtimaki, 2005, p. 54), but the true crime listener/reader/viewer must be also on guard for a text that has made so many narratological concessions that it has become more fictional and than factual.

Therefore, for the purposes of answering R3 within a fundamental Theory of True Crime, this bipolar movement should be cited as the teleology (TEL) code. The TEL code should be the sole, primary criterion for a text to be considered true crime. If a text does not meet the conditions of the TEL code, then no further investigation of its other elements would be necessary. Of course, a definitive determination of the TEL may take years to assess with confidence. Some texts may present themselves as fact-based, but after investigation and analysis, reveal themselves as dominantly fictive.

A correlative example might be the controversy over the publication of James Frey's *A Million Little Pieces* (2003). After critics scrutinized the "facts" that were presented, *A Million Little Pieces* was recategorized by the publisher from "memoir" to fiction (Roth, 2006, p. 113). The text had existed already in the tension between a "visceral form of credulity and its remarkable implausibility" (Aubry, 2007, p. 155), but, by definition, the story could no longer be considered a "memoir" if the memories were dramatic fabulations.

A TEL code in the Theory of True Crime, then, may require a significant period of time to determine. Despite the initial claims of an author or a producer, research and investigation may prompt a shift in the understanding of the veracity of a text to the point where an artifact thought to be nonfiction is later revealed to be merely "based on a true story"—that is, variants that are ultimately fictional narratives.

Once a narrative has been determined to meet the conditions of the TEL code, there are seven other proposed codes comprising the second-stage of a Theory of True Crime: Justice, Subversive, Crusader, Geographic, Forensic, Vocative, and Folkloric codes. It should be noted that a Theory of True Crime must be flexible because the true crime genre is multi-vocal, and despite its earlier purer origins, is polyglottal in its ability to remain in conversation with its many influences. With that concession emphasized, based on the previous textual analysis, these true crime codes are consistent and evident.

The Justice Code (JUST) represents Ann Rule's demand that the true crime author must be always "victim-centric," and that in a true crime text, justice for the victim be at the heart of the narrative. JUST code arguments may take different forms depending on how the text is mediated, for example, narrated or not narrated, whether the text is visual, aural, or written.

The Subversive Code (SUB) represents the tradition that, to some degree, true crime is a slippery genre, often subversive to the status quo, but not always for the same reasons or on the same side. For example, a true crime text may attempt to seek justice for a victim by arguing for the guilt or innocence of the accused, or for the guilt or

innocence of a justice-seeking mechanism, such the family, police, the courts, or society. The SUB code will be identifiable as the author makes the case for the reader/viewer/ listener to reconsider evidence, introduce new testimony, demand new testing, or expose juridical malfeasance.

At first, the Crusader Code (CRUS) may appear to be a sub-category of the JUST and SUB codes, but, in fact, it represents a separate focus of a text. The editorial position of true crime often rises to the level of a social reformation in which the aim becomes not just the overturning of a specific wrong, but an apotheosis of the masses with regard to new awareness. Many of the best examples of true crime incorporate a "call to action," resulting in social change. A CRUS code might argue for the need for a new state or federal law, or a change in law enforcement regulations that would increase multi-jurisdictional cooperation.

Another commonality in true crime is a Geographic Code (GEO) emphasizing locality in the narrative. Although codified as a necessity for effective true crime by Ann Rule, GEO elevates a detailed description of the scene setting as a frame for events above traditional journalism's basic fulfillment of the "where" of a story. The GEO code represents the reversal that true crime gives to the inverted pyramid's lesser valued category "other info, general description," representing a disruption of proper journalistic form. The GEO code is prominently featured in various nonfiction murder television productions such as the UK's *Murder Maps* (http://www.imdb.com/title/tt5075360/) and *City Confidential* (http://www.imdb.com/title/tt0314994/) in the U.S.

One of the earliest hallmarks of true crime was its promotion of crime science, making a Forensic Code (FOR) a fundamental factor with respect to the visual portrayal of crime narratives, detailing descriptions of crime scenes, autopsies, and scientific methods of crime detection. This "case file" nature of the FOR code true crime texts often interplays with JUST, SUB and CRUS codes by giving the reader/listener/viewer a sensory experience of the crimes in question, thereby enhancing the "sensationalism" of the artifact to some minds, and the "meaning-making of the images themselves" to others (Caple, 2013, p. 10).

The Vocative Code (VOC) is a term borrowed from the Latin noun case pertaining to "emphasis." In Latin, the vocative case differs from the general, neutral, nominative case of a noun; in English, the vocative case of a person, animal, or object is represented grammatically with an exclamation mark, such as, "Sharks!" or "Danger!" The VOC code in a Theory of True Crime represents the shift of the authorial style from an objective, journalistic recitation of facts to an advocacy position. A VOC code could be manifested in various forms such as first-person, a third person, and "as told to" narrative voices. The VOC code is never neutral.

Finally, the Folkloric Code (FOLK) attests to true crime's instructive social function as "really rude fairytales." The FOLK code reveals true crime's tradition in the continuum of "fairytales" to "folktales" that seek to "instruct without teaching"—stories explaining a truth to a public but may not be 100% factual, a common pedagogy in true crime texts. FOLK also honors Rule's observations: true crime stories are often shared by

women as “old wives tales,” that is, coded information that older women share with growing girls to keep them safe.

The word “rude” can be construed to mean “impolite” or “rough,” or both, but in this context, it could also be understood as a cognate of “alternative” in the sense that true crime often tells the same stories as the mainstream news media, but from a different perspective and long past a traditional journalistic time peg. The timelessness of folklore is represented in the FOLK code, especially with regard to how many true crime stories are passed down from generation to generation, and can be tied directly to past folktales, for instructive purposes.

The findings indicate that these eight codes—TEL, JUST, VOC, GEO, FOR, SUB, CRUS, FOLK—may be sufficient predictors to determine whether a given text meets the conditions for true crime. Given the vagaries of true crime texts over time, and especially as true crime artifacts reside various media platforms, it should suffice that if a true crime text checks the TEL code box, and a simple majority (four out of seven) of the predictors, then that artifact would be codified as true crime. Expressed as a mathematical theorem, a Theory of True Crime might look like this: TC = TEL + 4/{JUST, SUB, CRUS, GEO, FOR, VOC, FOLK}.

Analysis

To test that theory, a retrospective analysis of the ten primary texts (and the two subordinate texts) in the same order should indicate whether a Theory of True Crime is a workable paradigm. Dashiell Hammett’s *Who Killed Bob Teal?* is victim-centric,

beginning with the title. Although the reader does not know a lot about Bob Teal other than he was an earnest, smart, well-liked, young college man with great potential as a detective, the narrative satisfies the JUST code interest in bringing his killer to justice. Hammett's blue-collar subversion of the self-protecting white collar industrial hierarchy his Op character faced drives the JUST code with a SUB/CRUS code moralism concerning the hegemony of the wealthy. The text draws little of its understanding about the crime or the criminals from the GEO code, passing on FOR code discussions of crime science for an emphasis on the instinctive and interpersonal techniques of the gumshoe. The accompanying photographs lack any FOR value. The opinionated Continental Op is never short on VOC observations and justifications, yet the narrative never becomes greater than a sum of its parts for FOLK code qualities.

Who Killed Bob Teal? is written in a recognizable "noir" style that predicts its usage in other crime genres, but the lack of verifiable facts, a "fictional" agency, the anonymity or composite nature of "the Old Man," and the mysterious Op himself, preclude an investment by the reader into sure knowledge that this narrative is true. At best, *Who Killed Bob Teal?* seems "based on true story" which is too unreliable to satisfy the TEL code. Therefore, despite having satisfied four of the seven predictors (JUST, SUB, CRUS, VOC), whatever *Who Killed Bob Teal* is, it cannot be confirmed as true crime. Hammett's reputation as a great writer of detective fiction who only half-heartedly dabbled in true crime is safe.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
TEAL	X	X	X	— —	X	X	— —	— —

In the voice of former Sheriff George Long, Jim Thompson's *Secret in the Clay—How an Oklahoma Crime Puzzle was Cracked* begins with an empathetic point-of-view of hardscrabble German-born farmers of Oklahoma, the unique challenges of local farming, and a JUST sympathy for the victim. The credible, straightforward GEO murder narrative is marked by specific place and name details. There appear to be no questionable embellishments to the case for dramatic purposes (TEL). Its pro-police stance, however, lacks SUB characteristics. FOR details about the crime scene and the qualities of Oklahoma soil provide a context for the difficulty of the detection of the murder, but the narrative does not rise much above its linear nature as a police procedural that, for example, would signal a greater call to action for German farmers. The FOLK nature of the narrative is found in the subtle morality of the story that it's dangerous to be too trusting. Because the story is teleologically factual, and satisfies four of the seven predictors (JUST, GEO, FOR, FOLK), based on the Theory of True Crime, *Secret in the Clay—How an Oklahoma Crime Puzzle was Cracked* is a legitimate true crime text.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
CLAY	X	X	X	X	— —	— —	— —	X

Truman Capote's *In Cold Blood* presents a more challenging case to assess. The story almost demands the reader take a CRUS position on the humanity of the death penalty, but the proposed sympathy is in regard to murderers being profiled, not the lives

of the Clutter family. Capote's dimensional treatment of the killers Perry Smith and Richard Hickock's biographies does, indeed, reach "the poetic altitude fiction is capable of reaching" (De Bellis, 1979, p. 520), as Capote aimed, but the narrative is less about JUST for the Clutters as it is an artistic character study of the killers as victims of alcoholic upbringings, damaged egos, and untreated psychopathic impulses.

As an author, Capote himself is never neutral, especially in the heroic VOC decoration of the police procedural and the illustration of the murders, but the SUB of the status quo that he insinuates comes in various elements, such as his disputed account of Perry, the Clutter daughter, of being raped by Hickock. Capote's GEO prose soars during descriptions of the Midwest, Mexico, and life on the road for wanted fugitives. *In Cold Blood*'s violation of the protective sanctity of hearth and home borders on mythic with the book creating its own FOLK both as a narrative and for the folklore that has developed around the book itself.

Judging the book on this paradigm alone, *In Cold Blood* could be assessed as having satisfied five or six of the seven criteria for true crime, but ultimately, the book fails as true crime due to its teleology (TEL). Although early on Capote was given the benefit of the doubt on the accuracy of his claim that every word of the book was true "beginning to end," even his own concession later that 90 percent of it was accurate—and "who cares about the other ten percent?" (De Bellis, 1979, 531)—the text does not stand up to literary and historical investigation. The contrived scenes, the invented, stylized dialogue, the lack of substantiating notes, or documentation, and the extensive revisions

limit *In Cold Blood* to being excellent crime fiction that is "based on a true story." The book may represent an elegant work of "pulp fiction," but it is not a true crime artifact.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
BLOOD	X	X	X	X	——	——	X	——

Based on the article's photos, its specificity, and Ann Rule's reputation as a meticulous reporter of true crime, her first magazine story, "Baffling Murder of the Washington Lumber Tycoon," has few, if any, TEL embellishments. Drawn on the colorful GEO backdrop of picturesque Twisp, Washington, the narrative is victim-centric from the title to the closing paragraph. Without becoming a JUST panegyric, Rule lauds the murdered man for his generosity in life and the blow to the community in his death. As a standard-fare police procedural, Rule provides an over-the-shoulder view of the detectives as they solved what seemed like a motiveless crime, but the overview is without SUB criticism, except concerning the victim's good-for-nothing nephew. Nothing about the text suggests a greater mission against ne'er-do-well relatives (CRUS). The FOLK moral of the story is traced to either the claim that even the Virgin Mary is capable of cruel behavior (Tatar, 2003, p. 5), or, as the investigating sheriff put it, "Sometimes you just can't figure the way things turn out" (Stack, 1969, p. 34), or both.

Even before offering her "cops in the coffee shop" musings, Rule's law-and-order tone gave away any reportorial objectivity—a point of view consistent with her early work. In later years, Rule's status with law enforcement might have emboldened her to look more critically at how cases are sometimes mishandled or even bungled. But despite

any trace of SUB in this text, “Baffling Murder of the Washington Lumber Tycoon” is pure true crime.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
TYCOO	X	X	X	X	——	——	X	X

Helter Skelter is a candid assessment of a crime that almost went unsolved or legally resolved (TEL). From its VOC criticism of the Los Angeles Police Department that borders on polemical, to its authoritative inside look at the prosecution, detailed forensic procedures, and crime photographs, to its relentless JUST victim-focused pursuits, its “hometown boy” GEO perspective on the relationship of the topography of Southern California to the crimes, and its CRUS reformist approach to the legal system that “names names” like an investigative reporter—*Helter Skelter* set the bar for all true crime books to follow.

Perhaps surprisingly, the same could be said of the old fashioned docudrama sharing the same name. Despite a few concessions with regard to the names of some principal characters, the addition of some narrative material from the Vincent Bugliosi character, and the telescoping of the narrative to fit time constraints, *Helter Skelter* (1976) remains significantly faithful to the book and a remarkable artifact of true crime that can stand on its own. On camera, the real crimes locations are used, as well as the actual places where the Manson Family lived, and where police officials made their arrests. The docudrama is completed by its own therapeutic, “sensemaking” warnings that attempt to restore safety and health to a public wanting to understand. Additionally, both works

attach the narrative to a larger FOLK understanding about the nature of evil and the desire for power. As a book and a movie, *Helter Skelter* exemplifies true crime.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
HELTER	X	X	X	X	X	X	X	X

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
H/ MOVIE	X	X	X	X	X	X	X	X

If *Helter Skelter* is the prototype of true crime as an instrument of justice (JUST), Rule's *The Stranger Beside Me* stands as the modern archetype. Unusual for its voice as a friend of the killer, as opposed to the victim or a member of law enforcement, Rule's highly credible source material predates her assignment to the case. As a decades-long resident of the Northwest, Rule's GEO use of scene and setting as a contextual story frame reflects the detail of a woman who visited those streets, parks, and campuses before they became crime scenes. As a studied crime scene investigator, Rule has an eye for FOR detail as well as a unique ability to interpret autopsy material that almost makes the photos in *The Stranger Beside Me* irrelevant. Subtly, more through CRUS transportation theory than dictum, Rule chides the flagrancy with which some young women approach personal safety. The main FOLK message, however, still resonates: What do we really know about the people sitting next to us, our neighbors next door? Rule often ruminates on the evil that had been residing behind the mask of somebody she thought of as a close friend and how she could have been so blind.

Because she had a preexisting personal relationship with "the stranger at the very vortex of an ever-spreading police probe," Rule is initially less supportive of law enforcement in the ways it pursued serial killer Ted Bundy, prosecuted him, and then allowed him to escape (SUB). Unlike Capote, however, Rule never loses sight of justice for Bundy's victims even when she wonders whether he is a serial killer. Like *Helter Skelter*, *The Stranger Beside Me* is undoubtedly true crime.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
BESIDE	X	X	X	X	X	X	X	X

But unlike *Helter Skelter* (1976), the credibility of *Ann Rule Presents: The Stranger Beside Me*, is undermined by poor writing, poor directing, poor acting, and seemingly too influenced by commercial interests to be any more than a television movie with a bankable title that is "based on a true story." The movie's set pieces are generic sound stages, the location shoots lack authenticity and context, and the movie spends a disproportionate amount of its limited time on uneven dialogue between Hollywood actors too close to each other's ages, and too old for their parts. Based on the book, and this researcher's conversations with Ann Rule, the movie is not true crime because it is barely true at all.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
B/ MOVIE	X	X	— —	X	— —	— —	— —	— —

Riding the wave of popularity of true crime publishing, NBC's *Dateline: To Catch a Predator* has often been linked to the genre, but not usually as a flattering reference. Because of the hidden cameras, the records of online sexting, and the admissions of the would-be predators, there is little doubt that these crimes committed in real time are actual (TEL). There is also a clearly stated CRUS against online predators that begins with the title of the spin-off—a FOLK mission of good versus evil so alarming that, at very least, it isolated the latest media folk devils.

A GEO aspect of the show is present because of the descriptions of the communities where these stings take place and the distances these would-be predators appear willing to drive to satisfy their lust. Nothing about the locations is informative to the narrative; however, in fact, it is the infinite, pathetic, creepy, sameness of these men, regardless of city or state, that ties the narrative together. Also, because these men are only *would-be* predators because there no actual victims, it is difficult to argue that the narrative is victim-centric at all. Three different groups take turns occupying the center age of *Dateline: To Catch a Predator*: the deluded men, the television team including the online fantasy producers, and law enforcement doing the cleanup. *Dateline: To Catch a Predator* can never tell the story of the victims, because there are only cyber-figments. That said, *Dateline: To Catch a Predator* is built on a strong FOR platform of investigatory computer forensics involving screen names, websites, hidden identities, and actual biographical information.

Regarding the objectivity and journalistic integrity of host Chris Hansen, the record indicates that despite how the show was promoted, Hansen himself goes to great lengths to maintain neutrality in his questions and his emotional energy. Despite being face to face with the perpetrators, Hansen never escalates the situation with righteous blatant moral outrage that is common in true crime. Instead, Hansen engages the would-be abusers intellectually, almost antiseptically, in light of what they came into the house to do.

This neutrality may have as much to do with the involvement of various police jurisdictions and concerns over whether Hansen's conduct could, in some way, get these individuals acquitted. This neutrality and lack of editorial bias may also explain why *Dateline: To Catch a Predator* also exhibits no subversion about police, prosecutors, or society. As a result, although *Dateline: To Catch a Predator* is definitely a nonfiction crime narrative text of some type, but with only three of the seven second-stage codes, it is not true crime.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
CATCH	––	––	––	X	––	X	X	X

One of the defining characteristics of *Serial* is Sarah Koenig's voice, both literally and rhetorically. Koenig muses about journalistic objectivity, but more as a device than an operating principle, Koenig is fair, but she is never VOC neutral. Her personal curiosity drives this text from the beginning, making it a CRUS to get Adnan Syed's conviction—one well-documented and attested through the court record and the news media—back in

the public eye. In this, Koenig walks a careful line about victimhood. Even while advocating for a reconsideration of Syed's conviction, Koenig never abandons the narrative of Hae Min Lee (JUST), the girl he is accused of killing. The theoretic proposal is: has there been one victim or two? Koenig's reinvestigation was not just SUB, but became mainstream pop culture in how public pressure from a podcast series forced prosecutors to reopen this long-adjudicated case.

Besides detailed discussions of FOR evidence including electronic trails of phone calls and texts, much of the investigation of his point required field investigation and field recording of Koenig and her producers. The GEO focus between the topography of the woods where the victim was found, the parking lot from where an important phone call was made, and Woodlawn High School in Baltimore attended by the principles in the inquiry, related the crime to the geography ably in the way that effective true crime can.

There emerges a twofold FOLK element. The first one is of the modern kind: the crusading female journalist of Howard Hawks' *The Front Page* or the original reluctant hero model of Ben Hecht and Charles MacArthur's Broadway play with Koenig in the role of Hildy Johnson. The second is an American tale: the misunderstood immigrant versus the overzealous prosecutor. Thus far into the narrative, Koenig's writing is too self-focused to connect to anything much larger than the premise: just how reliable are memories? Still, *Serial* exceeds the elements necessary in a Theory of True Crime.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
SERIAL	X	X	X	X	X	X	——	X

In Andrew Jarecki's *The Jinx: The Life and Deaths of Robert Durst*, Durst is a modern-day Bluebeard (FOLK), one of the 17th century folktales collected by Charles Perrault. Bluebeard, like Durst, is a rich aristocrat who is suspected of killing and dispensing of the women in his life. That said, Kathy Durst's family is well-represented in the series, so that the viewer never forgets the anguish of her loss (JUST). Jarecki himself does not develop the characteristics of a crime-fighter until later in the series (CRUS, VOC), but then the show delivers on its promise of justice. The fugitive history of Durst-on-the-run is almost an American travelogue, a detailed GEO context that frames Durst's crimes beginning with his childhood home in Scarsdale, New York, where his mother committed suicide by jumping headfirst off the roof of the family mansion, the idyllic health food store he owned and ran with Kathy in Vermont, his lake home in South Salem, New York, and Manhattan where he and his family ran a real estate empire.

The biggest criticism of *The Jinx* is that, at first, Jarecki appears fairly sympathetic to Durst—just two rich white men having a conversation—but then Jarecki cloaks his true intentions behind this "I just want to understand you" facade in the belief that he can do a better job of bringing this killer to justice than the police (SUB). Unbeknownst to Durst, Jarecki establishes a relationship with law enforcement and prosecutors, but withholds the FOR crucial evidence he discovered until after he arranges an on-camera ambush of Durst, an act that ultimately does not subvert justice, but skirts it.

Uniquely, the rich, historic details and recreations of *The Jinx* blend into a reality show motif positioning the authoritative narrative as both a trip back in time and current events unfolding in front of the viewer's eyes (TEL). Despite an unusual pedigree, *The Jinx: The Life and Deaths of Robert Durst* is a creative artifact of true crime as solid in the first and second stage of this Theory of True Crime as *Helter Skelter*.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
JINX	X	X	X	X	X	X	X	X

Laura Ricciardi and Moira Demos' *Making a Murderer* also has one foot in the past while they were in Manitowoc to document new events as they developed (TEL). With a much smaller budget than *The Jinx*, Ricciardi and Demos achieve a similar hypnotic aesthetic of the bleak piles of rusting autos bleeding through the thick snows of the Wisconsin winters as a tactile, visual GEO metaphor for the exposure of stories that others would rather buried. JUST is satisfied on several levels, such as seeing that the real rapist of Penny Beernsten is imprisoned (SUB), and the man who was accused falsely is freed, and followed the CRUS through the exposure of the law enforcement and judicial officials that more or less conspired to railroad Steven Avery, if only the first time (VOC). Avery's freedom hinged on new developments in FOR testing, and the importance of crime science in establishing guilt or innocence is prominently attested throughout *Making a Murderer*.

There is also a *Count of Monte Cristo* quality to the Steven Avery narrative—an ominous FOLK warning to the viewer about underestimating state authorities. The

sheriffs and prosecutors will never be charged for their willful disregard of the testimony and evidence that Avery was innocent in the original case that put him away for eighteen years the first time; however, the national outrage over their actions is its own justice. Similar to "Daniel in the Lion's Den," or those who chose martyrdom over a false confession, there is something visceral, ancient, or almost biblical about Avery's "David and Goliath" legal battle. If not biblical, it is definitely Kafkaesque. *Making a Murderer* was promoted sometimes as true crime by Netflix, and, based on this Theory of True Crime, it always was.

	JUST	VOC	GEO	FOR	SUB	CRUS	FOLK	TEL
MAKING	X	X	X	X	X	X	X	X

Summary of Findings and Analysis

Of the ten primary texts analyzed, this Theory of True Crime indicates that *Who Killed Bob Teal?*, *In Cold Blood*, and *To Catch a Predator* fail to reach the minimum standard of a true crime text at either the first or second stage. Of the two ancillary texts examined—movies premised on primary texts—the docudrama of *Helter Skelter* (1976) surpassed the second stage conditions, while the *The Stranger Beside Me* made-for-television feature took too many liberties to satisfy even the first stage of a Theory of True Crime.

To the extent that the expression is true that "Once is chance, twice is coincidence, third time is a pattern," some observations made during the textual analysis could be regarded as "red herrings," "dead ends," or, perhaps, "dead herrings." For

example, Hammett and Thompson were both connected to the Communist Party USA or to an appreciation of socialism, but there is no further evidence connecting true crime writing to Karl Marx or any anti-capitalistic tradition inherent in true crime.

As an assessment tool, a two-stage Theory of True Crime successfully tested for the presence of the dominant, consistent characteristics tracked during the textual analysis of the multi-platform true crime artifacts. To return to a previous analogy, a Theory of True Crime was able to separate the sparkling wines from the "alcopops," and from there, highlight which of the sparkling wines can still be savored like a vintage bottle of Dom Perignon.

Further Research

The results of any pilot study are limited by its very exploratory nature. This researcher was challenged to review representative samples in the modern era of true crime literature to develop a Theory of True Crime based on ten well-justified U.S. texts, many of which had international appeal. During the course of the study, two more ancillary artifacts, each related to one of the original ten, were added to test further the validity of the findings. It must be stipulated that if this study had examined only five texts, perhaps fewer comparisons would have resulted in fewer pillars of the true crime architecture. Conversely, perhaps if more texts are examined, more true crime codes would be evident.

Further research could also indicate whether these eight categories are either too broad or too narrow, whether two extant codes could be compressed into one, or that one

concept could be split into different code categories. This "splitting" of existing codes into either sub-categories or new categories altogether could cover more specific ground in future research. In an effort to make a Theory of True Crime as viable as possible, therefore, it is important that other researchers analyzing true crime artifacts apply these findings to other multi-platform texts, and on future platforms as they develop, in order to determine the strengths and weaknesses of these efforts.

For example, one area deserving of additional study might be a further breakdown of the Folkloric code. For the purposes of this examination, (FOLK) was broad enough to address the communication of safety information in narrative form, but "true crime as health communication" was a characteristic that took on greater, specific significance in the work of Ann Rule. At least in the case of Rule's true crime narratives, a "safety sisterhood" was created intentionally to give living women life-saving messages through the voices Rule gave to the dead. Further research is needed to determine to what extent other prominent true crime writers, if any, purposefully acted to protect specific publics against perils through transportive narratives, where other forms of health communication had failed to intervene.

At least, that appears to be the case for true crime in America and the English-speaking world. Little is known about how other cultures perceive their true crime texts; in short, would American true crime be considered an exotic import or an invasive species. Only further study can determine to what extent true crime adapts when introduced to a new culture or makes the new culture adapt to it. Several new approaches

might also inform and modify a Theory of True Crime. In one case, a study of true crime texts native to a foreign country would be productive. These would be artifacts that are indigenous to that culture or nation, as opposed to translations from English-language products, or "remakes" of another country's true crime texts. For example, the form and function of true crime products in the Islamic understanding of justice or mercy.

Correspondingly, another approach might be to study which American true crime products work well in foreign cultures and why. In Japan, for example, "Super Drama TV" is a popular cable channel featuring American cop shows in English, with Japanese subtitles. When asked whether Japanese people enjoyed American crime shows, a professor of English in Nagasaki told this researcher that because of the strict gun control laws in Japan, many Japanese people are fascinated by American murder media. This researcher was unable to locate native Japanese true crime, although Netflix's *Partners in Crime* is a forensic-focused television series produced in Asia that mimics Western true crime science shows such as *Forensic Files* (https://www.netflix.com/watch/80095874).

In another case, Swedish crime fictions and their various interpretations—such as Stieg Larsson's *Millennium* series—have been internationally popular on other media platforms. But further research is needed to determine if that is consistent with Swedish true crime, or whether any Swedish nonfiction murder narratives share any characteristics with Swedish fictional murder narratives.

Also, future international studies could indicate the points of comparison and contrast with U.S. true crime or English-speaking true crime for that matter. Perhaps an

International Theory of True Crime would require new sets of codes distinguishing it from an American Theory of True Crime. Even more intriguing is the possibility that just as the Judeo-Christian Bible influenced true crime, perhaps a similar symbiosis exists between the dominant religious texts in other countries, such as a study to determine if true crime in the Middle East has a Koranic quality, or whether moral lessons from the Vedas or Bhagavad Gita are evident in Hindu/Indian true crime.

Furthermore, for reasons ultimately unknown, true crime is centered almost entirely on the crimes of white perpetrators on white victims. One notable exception is Jack Olsen's true crime book, *Charmer* (1994), the story of George Russell, Jr., a black serial rapist/killer who preyed on white, suburban Seattle women. Interestingly, although Russell was African-American, police maintained he fit their profile of the Caucasian serial killer they were looking for because he "acted white" (Wellborn, 2002, para. 15). If there were true crime magazines published for an African-American market at any point, those titles have yet to be discovered. It is not out of the question that ignoring the black crime experience in the United States was an overt act of racism, but until further research is conducted, it is too speculative to propose a racial condition for a Theory of True Crime. The study of American minority true crime texts, if discovered, also could require a realignment of a Theory of True Crime and the creation of new codes.

Finally, based on previous testimony in this text, true crime fans are likely to bond in dynamic, text-swapping, gender-specific, intergenerational, and like-minded publics both online and in person. But this type of positive interaction based on a mutual love of

true crime does not appear to be shared by all consumers of crime-related artifacts. Heavy viewers of violent television content in general, according to researchers, are more likely to suffer so-called “mean world” syndrome, “where people cannot be trusted, and where most people were just looking out for themselves” (Lowry et al, p. 65). Further research into the differences between these two publics might reveal another, previously unidentified characteristic of true crime that could account for an energized true crime community.

Chapter 5: Discussion and Conclusions

This textual analysis of mass-mediated nonfiction murder narratives originated with a search for the line between the best journalistic practices and true crime. After recognizing that true crime presented some unique problems to scholars because the texts tell a story that is true—but in the manner of one that is not—previous narrative theories by Barthes or Bakhtin were informative but ultimately insufficient in determining definitive code markers for true crime. Similarly, previously discussed journalistic narrative conventions shared some characteristics of true crime, *e.g.* an emphasis on facts, but in different proportion and for contrasting purposes, such as the expediency of the inverted pyramid over the languid narrative style of true crime. Operating under the assumption that true crime was a legitimate, narrative genre unto itself, not a "less than other" form of journalism, this exploratory study of true crime texts has sharpened the focus on the forms and functions of this fact-based, multi-platform style of storytelling. To the extent Wacker (1998) is correct that a theory provides "precise definitions in a specific domain to explain why and how the relationships are logically tied" (pp. 363-364), a working Theory of True Crime has been codified.

As such, by identifying narrative codes that are specific to true crime, a Theory of True Crime also has produced a clearer understanding of the relationship that true crime maintains with other nonfiction storytelling forms. For the first time perhaps, this longstanding but little understood genre now can be located easily in the taxonomy of media forms. A taxon of true crime would follow thusly: As a **class**, true crime exists

under “narrative,” in the **order** of “nonfiction narrative,” in the **family** of “nonfiction crime narrative.” Then, under “nonfiction *crime* narrative,” true crime is of the **genus** “nonfiction *murder* narrative,” and finally, as a distinct **species**, “true crime” (Latin: *crimen veritas*). True crime is related to other literary genres much in the way that labrador retrievers are related to arctic fox.

While critics still may view true crime—with its unique, sensational aesthetic—as something hideous or monstrous, this study underscores that the genre must be recognized as a important species in the narrative ecosystem, with its own DNA, ancient origin, and organic evolution. In a manner of speaking, if true crime were an animal, it might be the duck-billed platypus: a semiaquatic, fur-bearing, web-footed, lactating, egg-laying, river-dweller with a hollow, calcaneus spur on its hind legs that injects potent venom from a secret poison gland. To the uninitiated, a platypus may appear to be equal parts duck, beaver, otter, and snake, but it is not a chimera. A platypus is not “parts” of things. A platypus does not have a “duck bill” any more than a duck has a “platypus bill.” Like the platypus, the features of true crime’s unusual forms are the result of its resilient adaptations to changing environments over time.

But inasmuch that a working Theory of True Crime codified not just true crime’s form, but also its functions, a review of this textual analysis confirms that some of true crime’s functions have metamorphosed; for example, true crime’s function as health communication that warns of the dangers of certain behaviors. Sexual assault prevention is now a major college health priority on most campuses (Rothman & Silverman, 2007, p.

283), but historically, universities downplayed assaults against women on campus fearing bad public relations, loss of alumni support, or both (Tracy, 2016, para. 17-20). When there is a lack of official safety information, peer-to-peer health communication takes different forms.

According to Rule, "Women can be very naive. Not so much anymore, but back in the day, they really were" (Rule, personal interview, 2015, Appendix). In the 2009 updated edition of *The Stranger Beside Me*: "When I look back, I see how naive I was. I even see how naive I've continued to be in one sense. I still want to save women's lives, but just one more would be important to me" (Rule, 2009, p. xiv). Rule's dedication to "belief change" through the narrative use of mental imagery that caused emotional reactions in the reader predated Green and Brock's (2000) research that identification with a fictional or nonfictional character creates a convergent mental process that expedites behavior modification (p. 703).

Telling stories that warn of danger to female publics has always been a function of true crime, but as society and government take a bigger role in that aspect of health communication, perhaps that aspect of true crime may atrophy or become dormant. This natural process is what evolutionary biologists refer to as "relaxed selection." Relaxed selection occurs when environmental change eliminates or weakens "a source of selection that was formerly important for the maintenance of a particular trait" (Lahti, Johnson, Ajie, Otto, Hendry, Blumstein, Coss, Donohue & Foster, 2009, p. 487).

Relaxed selection may be evident in true crime's former obsession with female criminality. Female criminal deviancy did not occupy "a central position in the field" of criminology until after the Manson Family murders (Smith and Paternoster, 1987, p. 141), yet "how women become murderers" was a primary focus of true crime editorial policy starting in the early 1930s. For example, the same type of qualitative interviews that illuminated the pathways to crime in feminist criminology classics such as Eleanor Miller's *Street Woman* (1986) and Jody Miller's *Getting Played* (2008) were evident in *True Cases of Women in Crime* magazine (Godtland & Hanson, 2013, pp. 128-132), and *Actual Detective: Stories of Women in Crime* with studies such as "Why I Killed my Husband" (Godtland & Hanson, 2013, p. 103). True crime anticipated academic research into female criminality by almost half a century, but as those discussions also have become commonplace in our culture, that function of true crime may have become another useless trait like finger bones in the fins of whales.

Another understudied function of true crime literature is the reported therapeutic effect that crime narratives might have on trauma victims, particularly of sexual or physical assault. Scholarship is scant, but as Browder (2006) stipulated, "By obsessively reading nonfictional narratives in which evil is punished, it is possible that survivors of violence may be finding meaning—the possibility of a happy ending—for their own stories" (p. 940). The appeal to health advocates to use "entertainment education" is obvious; health communication embedded in media products attracts a large voluntary audience, with already popular fictional characters, not "talking heads," discussing issues

which affects behavioral patterns faster than public service campaigns (Maibach & Holtgrave, 1995, pp. 228–232).

The therapeutic effect of true crime may be linked to more than just female victimization, but also incarcerated female victimizers. True crime books tend to be the most popular genre in women's prisons with "waiting lists to read and reread the library's true crime section" (Sweeney, 2010, p. 12). Many black female inmates also use true crime books to engage a cross-racial encounter with white female criminality, and begin to "cultivate actual relationships with people outside prison" (Sweeney, 2010, p. 80). Given that true crime is often dismissed as misogynistic, sadomasochistic, or sensationally violent, although it may seem counterintuitive, it is not difficult to imagine that the triangulation of female victims and victimizers could lead to a new subgenera of true crime.

As a conversation-creating tool, another benefit to society from true crime comes in the creation of broader public discussions of justice. As a double-check for the performance of law enforcement, the harsh spotlight of a popular true crime narrative can challenge police and prosecutors to perform at their best, or reexamine an investigation's shortcomings, as was evident in the case of *Serial*, *The Jinx*, and *Making a Murderer*. True crime, then, often functions in the same role that the Founding Fathers imagined for a free press, as an essential part of a system that would guard democracy against a tyrannical government (Coleman, 1984, p. 243). To the extent that true-crime documentaries have emerged as "an extension of the legal process and as a type of

investigative journalism," *The Jinx* outdid both prosecutors AND *The New York Times*, each of whom had been hounding Robert Durst for years with no luck (Nussbaum, 2015, para. 2). Visually, *The Jinx* was an elegant "noir striptease, flashing revelations one by one—a method with proven appeal to viewers who like to feel both smart and titillated" (para. 2).

But as was demonstrated by a Theory of True Crime, although *The Jinx* exhibited big-budget production values, it was still consistent with the best true crime artifacts of the last century. From the cheap pulp magazines of the 1930s to glossy productions on premium cable and digital channels, mass-mediated true crime narratives have changed in form—and likely will continue to change— but the bottom-line function remains the same: "truths learned from crime stories." At the same time, because the "news industry's classic model (advertising plus circulation equals revenue) no longer suffices to ensure the industry's growth" (Hunter & Van Wassenhove, 2010, p. 3), much of mainstream journalism is being replaced by "churnalism," news factories. with reporters producing up to ten stories a day under financially strained conditions (Davies, 2008, p. 59).

Over the course of the last two decades, formerly prestigious "watchdog" media have relied increasingly on rewritten wire copy and public relations press releases (Davis, 2008, p. 59). In doing so, "churnalism" must take some of the responsibility for the unprecedented growth of "stakeholder media." Defined by Hunter & Van Wassenhove (2010), stakeholder media are news products "driven by partisan or community interests . . . (t)heir role is to serve, reflect and advance those interests, and in the process to defend

and build their communities" (p. 8). From *HuffingtonPost.com* to FoxNews, stakeholder media in the form of social and political agenda-centric print, television, radio, or web-based reporting has disrupted what consumers think of as "objective." To the extent that mainstream news media may have given up the fight for the "middle ground" that protected democratic discourse, when compared to stakeholder media, "churnalism" is only as engaging as its rewritten wire copy and press releases will allow. Because watchdog media watered down its own product to maintain profitability, nobody has done greater damage to the credibility of watchdog media than the current ownership and management has done to themselves (Hunter & Van Wassenhove, 2010, p. 8).

Re-enter true crime: As aging "news factories" retract their roles as investigative watchdogs for the public in favor of churnalism, true crime media that functions as "as a kind of secondary appeals system" (Nussbaum, 2015, para. 3) has filled the void in the imaginations of many nonfiction narrative, news-based consumers. To the extent that Hunter & Van Wassenhove (2010) are correct in asserting stakeholder media serve, reflect, and advance the interests of partisan communities, a Theory of True Crime has revealed a striking similarity between true crime media and stakeholder media: Neither true crime nor stakeholder news purveyors pretend to be objective, both are prone to crusade, each may be subversive to the status quo, and inclined to seek justice in accordance to the radio/television/digital communities to whom they answer.

Furthermore, agenda-driven, community-specific stakeholder media outlets are dismissed by mainstream journalism much in the same pejorative way as true crime. It is

difficult to tell whether Hunter & Van Wassenhove (2010) is referring to stakeholder media or true crime artifacts when they assert, "They are hardly new. On the contrary, they are generally considered the more or less embarrassing legacy of the pre-history of journalism, when official or opposition powers used their captive media to sway or placate public opinion" (p. 8).

Given that true crime is another "prehistoric" form of reportage, then, it follows that the popularity of stakeholder media and true crime products are due, in part, to watchdog media's retreat to a less interesting, but more profitable (temporarily), mass media business market position. Whenever mainstream news outlets play to a lower common denominator for its mass audience, stakeholder media and true crime have "super served" other publics with narratives customized to their interests. Therefore, in a case of history repeating itself, the recent ubiquity of true crime phenomena such as *Serial*, *The Jinx*, and *Making a Murderer*, can be attributed in part to true crime providing the detailed nonfiction murder narratives that mainstream news will not or cannot provide.

Perhaps this is why consumers find true crime stories of justice regardless of where they live. *Serial* was a digital audio series available from a web platform; *The Jinx* was produced independently but found a home on a premium cable channel; *Making a Murderer* was delivered through a subscription digital service, but as previously stipulated, all three impacted the judicial system in a watchdog capacity. In this respect, using Derrida's model, true crime could be viewed as "journalism de-centered" or an

iteration of a news narrative that is void of journalism's financial and narrative restrictions and legacy distribution models, one that is subject to more extensive "freeplay" and able to take root wherever it finds fertile ground.

Based on the past embrace of true crime narratives in mainstream journalism at various times under alternate banners—such as "new journalism" after the runaway success of *In Cold Blood*—it would be anticipated that watchdog and/or mass media might attempt again another grafting of of true crime narratives onto traditional journalism after true crime's recent success. In the historical interplay between the two, journalism has been the one more impacted by the popularity of true crime, while true crime merely trudges on oblivious to journalism's favor.

According *TV Guide* reporter Tim Surrette (2016), to some degree, this has happened already: "This true crime genre is hot, hot, hot! And CBS won't be left behind" (para. 1). As *The Hollywood Reporter* described it, "A day after NBC greenlighted a *Law & Order* true-crime scripted anthology and two days after FX's *American Crime Story* ended its run, CBS is in final negotiations for an untitled unscripted anthology focusing on a different case each season" (Goldberg, 2016, para. 1). The stated structure and intent of CBS' *The Case Of* was to replicate the success of Netflix's *Making a Murderer*, but instead of pursuing truths learned from a lesser known crime over ten episodes, CBS executives opted for a rehash of the familiar JonBenet Ramsey murder case from 1996 with predictable results: Ratings were strong at first, and

then trended down as the episodes went along (http://tvseriesfinale.com/tv-show/the-case-of-jonbonet-ramsey-season-one-ratings/).

Even before it aired, CBS had trimmed its original season-long form to a six-hour run and then to four (Andreeva, 2016, para.1). After *The Case Of* ran, CBS was sued for $750 million by Burke Ramsey, JonBenet's brother, and the suspect that CBS named as her killer. Ramey's lawsuit said that CBS conducted a "sham reinvestigation" of the murder using biased experts and operated from a "preconceived story line" that Ramsey killed his sister and conspired with his parents to cover it up (AP, 2016, para. 7). The lawsuit is still pending as of this writing (2017). CBS has not announced whether there will be a follow-up in *The Case Of* series.

Another former headline-grabbing television series that was also embroiled in a lawsuit, *To Catch a Predator*, was the subject of a 2016 Kickstarter campaign by former host Chris Hansen, formerly of NBC News. More than $90,000 was raised through crowdfunding to bring the controversial show back as a segment on his new syndicated *Crime Watch Daily* (Chammah, 2017, para. 3). Hansen defended the original *To Catch a Predator* and the new segment against criticism from traditional journalism: "If some retired reporter from the Houston Chronicle with his glasses down his nose wants to take me to task, that's fine" (Chammah, 2017, para. 12).

Hansen speaks as somebody inside the watchdog media model, however, not a disruptor. With regard to the 2006 lawsuit that may have been a catalyst for the loss of advertiser support for his NBC show, Hansen believes that *To Catch a Predator* was

unfairly targeted after the suicide death of Kaufman County, Texas, distract attorney Louis Conradt, Jr. (Chammah, 2017):

> There was a settlement in that case, so I'm somewhat limited in what I can say. He didn't show up at the house, the police made the decision to issue a warrant. They went to arrest him. I don't think there is any way he could have known it was Chris Hansen and Dateline outside.
>
> What he did know was that police officers were knocking on his door, and he had child pornography on his computer. He tried to get them off the hard drives, and he couldn't. He knew he'd face 10 years in prison for each image. I don't know if he had a closet life, I don't know what was going on. I'm not judging the guy. (para. 13-14)

Nancy Grace, whose former show also was linked to suicides and corresponding civil suit settlements, left HLN to dedicate herself to her version of "true crime" (Kaplan, 2016, para. 7-13). In the press release for *Crime Online*, Grace was described as an "advocate for victims' rights and one of television's most respected legal analysts." Her new venture was touted as a "new digital true crime platform" that would "focus on amplifying local stories with national appeal as well as cold cases" (https://www.mediabistro.com/jobs/description/353864/managing-editor-crime-online-/). With mostly current, rewritten wire and internet headlines such as "Female passenger allegedly rapes taxi driver at knifepoint," and "Kansas grandmother found decapitated after grandson places frantic 911 call," *Crime Online* appears to aggregate almost blurb-length,

tabloid crime stories onto one website (crimeonline.com). Even if crime narratives are "hot, hot, hot," according to Ann Rule, without a contemplative context, monetizing gory details about somebody's death should never be interpreted to mean the empowerment of victims (Rule, personal interview, 2015).

> I think I showed you could do pretty classy writing in true crime, but you can't just dash stuff off. I look at the shelves at Fred Meyers, and there are a whole bunch of true crime books. Most of them, I pick them up and look at them and I know right away that they don't know what they're doing. They're not giving victims a voice. That's the one thing I wanted to do since I was a little girl, give the victims a voice. (Appendix)

After the many points of difference between the forms and functions of journalism and true crime, it would be only appropriate to end this exploratory study on a shared function. As Edy (1999) argues, to the extent that journalists write the first, rough draft of history, "less attention has been paid to who does the rewrites" (p. 71). Collective memory—"the meaning that a community makes of its past"—the common stories every society needs to bind itself to together, takes on even greater significance as cultures fracture into increasingly smaller self-interested publics (Edy, 1999, p.71). While journalists act as the primary "collective memory agents" for any culture (Meyers, 2007, p. 720), as that information is curated over time to form a national story, both journalists and true crime writers participate in the rewrites.

Combined, mass media forms the canvass on which our national home movies are shared. Without mass communication, there could be no mass culture. In every aspect of a nation's life—war, peace, politics, tragedy, joy, social expansion and retraction—journalism at its best pursues "a social mission to clarify the undecipherable to distant publics . . . moving whole populations from trauma to recovery precisely through questions related to identity" (Zelizer & Allen, 2011, p. 2). The list of subjects on which proper journalism is well suited to accomplish accurate second, third, and fourth drafts of history is long, however, "like all other narrators of the past, journalists work within the constraints of their profession" (Edy, 1999, p. 71). When it comes to murder, and other heinous crimes, this researcher would posit that journalism's detached, quantitative, social-scientific nature prevents it from being an effective agent of collective *emotional* memory.

As this study has confirmed, because publics tend to understand themselves by the various groups to which they relate, the emotional scars of murder emanate outward in concentric circles beginning with the victim(s), the survivors, the families involved, the communities, and all the way to the buildings, the landscape, a nation, and the world. Whatever happens to them, leaves an impression in the soil that lasts for generations. When the collective emotional memory of murder is too complex to be expressed adequately as inverted pyramidal data points, true crime media excels at unpacking nonfiction murder narratives at all these levels. If human beings were robots, perhaps a data-centric expression of a murder narrative would suffice, but going all the way back to

true crime's sensemaking roots as execution sermons needed to bring order to communities in chaos, true crime stories are not constrained by their perceived prurience.

Beginning with the biblical record, human beings have understood themselves through multidimensional crime/punishment narratives that oscillate between equal respect for justice and mercy. As discussed in Chapter One, nonfiction murder narratives have always played an important part in constructing a just society based on consensus. In Chapter Three, the history of mass media producers demonstrated that when judicial and social systems are in stasis, either too harsh or too merciful, true crime storytellers have attempted to catalyze majority opinion into a new equilibrium. Consciously or not, true crime storytellers have imbued their disputatious narratives with themes of justice, geography, and timeless folklore, all the while embracing the damning and exculpating power of objective crime science. True crime resides at this nexus of ancient narratology and modernity. In other words, as a Theory of True Crime has codified, true crime thrives because the genre itself reflects the same qualities that mark our humanness.

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APPENDIX
ANN RULE'S ELITE ORAL HISTORY OF TRUE CRIME

According to her publisher's biography, Ann Stackhouse Rule was born on October 22, 1935, in Lowell, Michigan, but grew up in Ann Arbor. That birthdate would make her 80 in 2015, but several times during the process of arranging the interview, her daughter referenced her age as 83. For the duration of each interview, a cheery Rule was seated (temporarily, she insisted) in a wheelchair with her still faintly red hair and make-up done.

Ann Rule: My experiences as a woman in crime? Uh-oh!

Well, probably from the age of seven, I was fascinated when I visited my grandparents because my grandfather was the sheriff, my uncle was the chief deputy, and my grandma cooked for the prisoners. I was allowed to sit out in the sheriff's office like a little mouse and listen when they brought somebody in to arrest them. This was a small county in Michigan, Mountcalm County.

Occasionally there were sudden deaths. I remember one case where a woman waded into the lake and drowned, and so the discussion was, "Was it suicide? Or was it murder?" I didn't have much say, but I listened. I remember one time when they brought in a box of bones—a complete set of bones—that they found in a sand hill just outside of town. I sat in the office and put them all together.

I started to read true crime magazines when I was eight, in the sheriff's office. I'd say, "I'll just look at the pictures. I won't read." But, of course, I snuck them and read them. Some of the pictures, back in the day, were pretty ugly. I'll give my age away here,

but that was probably 1940. The victims were almost always women, and they were described as beautiful. They had no voice. I noticed that early on. I remember really wild stories about women who had assignations with a minister and one or the other—or both —ended up dead in their lover's hideaway.

True crime magazines seemed like fairytales to me—really rude fairytales. I don't think I saw them as real, as a kid, partially because they had few real photos; they had artwork and drawings, so there were not real victims. It was easy to picture it as fiction, and I think that's the way I did. I wasn't thrilled; I wasn't scared. Basically, I felt like I was getting away with something because my grandpa the sheriff, my uncle the undersheriff, and my aunts did not want me to read them. They said, "Ann, you won't sleep." But I slept fine. I didn't have nightmares, but probably because it seemed like fiction.

I was not a conventional kid. I used to wear weird outfits to school. My dad would sometimes referee, so I would wear his referee shirt that I think had green polka dots on it. I was in love with Frank Sinatra, so I wore bowties. One winter I insisted I wear my rubber boots for shoes all winter long. I just never walked with the flow exactly.

I thought, at that time, that little kids decided what they wanted to be when they grew up, and I kept wondering, "Why would anybody decide to grow up and become a criminal?" I came from a very happy extended family, so I didn't know that for some people, there may not have been a choice. I mean, nobody decides to become a criminal when they grow up; it's just the way that things had worked for them. When I was a

child, the guys were so nice that were in jail. They would throw nickels out the windows, so we could go get ice cream cones. Until my grandpa found out.

So, I have always been interested in three things: How crimes are solved with physical evidence, the life of the criminal, and the life of the victim. Why did they happen to come together? My dad always said, "You can do anything you want." All I wanted to do [was become a policewoman]. From when I was a little girl, I wanted to be involved in criminal justice.

[After moving to Seattle as an adult] I did accomplish that, but in the end, I could not pass the eye test. You had to pass the physical. I could do all the exercises. I had to do push-ups, I had to run up four flights of stairs, I had to do sit-ups—it was pretty tough. You had to have four points to pass, and I had 4.01! I hadn't trained for it, I wasn't in great shape, but I was young. We were questioned by the top cops—the chief and other people—passed that just fine. I loved that job. I loved that job.

First night, I rode with this long time policewoman, and one of the male cars radioed us. They wanted us to come and drink beer with them. And here was I, thinking all cops were upstanding men like my grandpa. A lot of them were flirts, invasive flirts. They were married, but they were hounding me. They didn't have a female detective in there until fifteen years after I was a cop.

I worked sex crimes, but I don't think I solved any of those. Probably the closest I came was when one of my fellow female officers answered a call that seemed innocuous. When she got there, a man covered in blood from head to foot grabbed her arm and said,

“My wife is gone to be Queen of the Cannibals. Won’t you come in?” She was in before she knew it! It was a general alarm, so soon we were all there. She got away okay; the man was psychotic.

Mostly, my partner and I would rescue kids that were being abused. One night I was riding with a real snippy, older cop who wanted to do everything. We got a call that there were two kids in danger in this hotel. Well, we went to this hotel, and it was closed. She said, “It was a prank call.” I insisted on going back and going up to the one room that was rented, and here was this baby girl, practically smothered, lying under a drunk man. With, I remember, French fries all over the bed. So I was right. If we had walked away, that baby probably wouldn’t have survived.

I felt more powerful than not driving around in a police car. I didn’t sign on to be powerful, but it is. At that time, policewomen were not so common, and so people would point and everything seeing a policewoman driving a squad car. And I liked that, yeah.

The only weapons I had were a key to the call box, a badge, and a free bus pass. Women just didn’t have guns then. I had lots of different partners; some I really liked because they were nice to me. Some—we’ll call her “Jean”—were so bossy and, well, talk about wanting power. If we got a radio call, and she was driving, she’d insist on answering it even though I was the one with the free hands. So, she wasn’t fun, but most of them I dearly loved.

I reached my goal, but, in the end, (a year into the job), I could not pass the eye test. I was doing what I always wanted to do and to lose that knowing I could never come

back to it, it just hurt. It was horrible. I could not drive within blocks of the public safety building for a year. It just broke my heart.

I didn't have kids then. I went to the welfare department next [to work]. My area had formerly belonged to a male. It was a very dangerous area. It was a hobo jungle. It was all these shacks that were on the side of the hill next to the Rainier Brewery. I always tried to take somebody with me when I went. This one case, this old fella had this long knife and put it on the table between us. I was there alone. Of course, they were all wanting more money for their welfare.

My husband was a good writer. I tried never to write anything that was in competition with his genre. He was writing the Great American Novel and plays. He won prizes for his plays in a course that he took at the University of Washington. So I started writing "true confessions" and "true detective" pieces, something he would look down his nose at, but would not put me in competition with him. As soon as I began to sell and he hadn't, that was not good for the marriage. I think he was jealous. I spent a lot of time typing his books and tried to keep up with everything: kids, writing, typing his books.

"True confessions" were sort of the "love magazines." *True Confessions* was the title of one, *Real Romances* was another—stories you'd write for lonesome housewives who didn't have much excitement in their life. I wrote a lot of those before I wrote for *True Detective.* My first "true confession" story came after I went to my obstetrician/ gynecologist and I asked, "What could a woman have wrong with her that I could put in

one of my 'true confession' stories?" And he threw up his hands and said, "Have her born without a vagina. Now, get out of here."

I pondered on that. That became the story of a nurse, as I recall, that fell in love with a man who was horribly burned, one of her patients. True confessions were not really true. True crime was true. I was more interested in *True Detective*—and one day there was a vacancy! I remember the editor of *True Detective* called me and left a message with [my five-year-old son] Michael. And Michael told me, "A man called you from New York, and it was something about you writing for his magazine, and I think his number has a "three" in it.

And I shook that child!

Luckily, the editor called back. I think I had applied there before and they didn't have a vacancy. The fella who was writing before me either resigned or died. I had my college degree with a lot of psychology, a lot of criminology and penology. I had probably sent them a resume because that was what I wanted to do.

I couldn't use "Ann Rule" or a feminine name because the readers believed that men were writing these stories. So I chose "Andy Stack." One son is named "Andy" and then "Stack" short for "Stackhouse." With two stories in a magazine, the other would be "Alan Stackhouse," or "Chris Hanson," which was my grandfather's name. For years, nobody knew who Andy Stack was, and that was fine with me because often the killers were back on the street by the time the magazine came out. So here I was, living alone, I was divorced, and I didn't want to be known. I think I was writing as if I was writing

under my own name. No difference writing under a man's name. It was satisfying work. I'd only pick interesting cases, never stories that were too ugly. No torture. It's really hard to write stories about children. So, my curbs were decency and consideration.

If I wrote two stories a week—which I did—I could support us. I got 200 dollars per story and $12.50 per picture. So, I tried to take my own pictures or, as Leslie grew older, have her take the pictures because she was really good at it. I was just churning them out. My territory was from the Canadian border to Eugene, Oregon, and over into Montana. They never raised my rate. That never changed, but if I wrote a story on Monday and sent it in, I'd have a check by the following Monday so I could buy groceries or I could pay the mortgage or whatever we needed.

I had to leave my kids alone when I went down to the police station, and everything under the sun happened from the toilet overflowing to the wind blowing our windows out because we were right above Puget Sound. When I should have been there, I wasn't. That was a tug. Later on, when the police gave me files to take home or police sent me files from all over, that was easier. [The kids] got used to, I hope, to my typing a lot, and I think they realized I was making a living. I still have regrets. One of my sons says that I didn't care about them.

Leslie, did you realize I was making a living?

(Leslie Rule: I think I always appreciated it. I think I was the most supportive of that.)

Yeah, Leslie is more proud of me and grateful than the others.

(Leslie Rule: I was thinking about this. My mom was proud, and she did do a great job, but she got a houseboat one summer. This guy, who was one of the houseboat crowd on Lake Union, he called her, "The Little Red Rape Writer." That was the joke. That's what they called her. He just popped up, and he was so critical, and he just went on and on about how horrible it was that you wrote what you did, but I don't think he even read any of the stories. I do remember your feelings were really hurt. It was within a couple of years after that that she sold *The Stranger Beside Me* and then she started getting accolades.)

I forgot, "The Little Red Rape Writer!" The editors did not see any complication from me being a woman. I remember the editor wrote to me and said, "You know more than any of the male writers," because I had gone back to college to get a two-year degree in crime scene investigation. It was so meaningful to me. I got practically straight A's in courses like "arrest, search and seizure" and "crime scene photography." I was the only woman at that time. Of course, there are tons of them going through that program now.

With every case I wrote up, I learned more. The cops trusted me. To get my stories, I would go into the police department, the main headquarters, after the captain left at 4:45 p.m. He knew I was getting stories, but he didn't want to see me there. So, the police would gather great stories for me to write and allow me into their sanctuary for the night shift because I never burned anybody. That's a secret to being a good crime reporter: you never burn your source. I never took food with me; I just drank their

horrible coffee. Just awful. They made it in the men's bathroom. Once in a while I would take pies down for them. Talk about bribery.

There was a little bit of pressure in the workplace with flirting from the men, which I used to get more stories. I had pretty knees. I'd go down there, all dressed up, with three-inch heels. At that point, I could walk and up down the streets—you had to walk downhill to get to the backdoor of the police department, the main headquarters in the Public Safety Building. I always felt comfortable down there. They knew I was trying to raise four kids on my own.

The editors never touched what I did, not at the detective magazines, anyway. I don't know about any others, but all my stories were strictly true. Absolutely true. The editors wrote the titles. They were all, "Passionate Beauty Suffered Before She Died." I never got to write a headline. That was where the sensation was, not in what I wrote. I'd send it in and they'd print it. They liked it the way it was, a third-person narrative. In most of my stories now, I jump in, but I didn't as Andy Stack. Now, I usually start by explaining how this particular story came to me, and why I decided to write it. Then I'll step out and be third person.

I always tried to place the reader right at the scene—with the victim—but I want the reader to be right there; then I can start from there. I traveled far and wide across the United States and Canada because I want to see what it's like [at the scene]. I want to know what flowers and bushes grow there. I also like to know what are the local foods.

Each area has its special food that people like that I've never heard of. So, I like to be there.

I try not to give away the perpetrator until far, far into the story. They have to be the last person in the world that you would suspect. Some people might say they are split personalities. Some might say they maintain that aura of respectability because they like to fool other people; they're good actors.

[It helps the story if] the victim is younger than some poor old lady who gets attacked—like me. I'm looking for somebody who has their whole life ahead of them because you realize better how much has been robbed of them. That makes them more interesting as a murder victim, but it's awful to say, isn't it? It doesn't matter how old the case is. It could be old-old, as long as it's not solved. That's what I hope to do.

The worst true crime writing, I think, are the stories that come from overseas because you don't know if they're true. I suspect a lot of them are made up of whole cloth. Somebody just wants to tell grisly details and show body pictures. That's not good true crime writing. Writing for *True Detective,* I was always proud of my work. At Johnny's IGA, I was grocery shopping— very carefully—and this lady came by and she had my magazines, a bottle of wine, and a box of chocolate covered cherries. My typical reader! I wanted to say something to her, but I didn't want to destroy the illusion, because that's when I was still Andy Stack.

This one man wrote in, and he said, "I can picture your writers by the way they write. That Andy Stack is hairy-chested, smokes cigars, and kind of looks like *Mannix*."

And my editor said, “Sir, I compliment you on how clever you are!” (even while I am at home with four little kids fighting on top of my typewriter). *That* is Andy Stack.

But I think the magazines were always survival for us. When I sold my first book —and I have now sold 42—then I realized, this was my life’s work. My first book was in August in 1980 (*The Stranger Beside Me*). I was writing for living money from the detective magazines right up until then. I remember having to write several true crime magazine stories ahead, so I had something to live on before this book came out. The readership for the magazines was predominantly male, but the true crime book readers are women. I don’t know how that happened. I’d like to think I had something to do with it.

I still get so many emails and letters from women that say, “I would be dead, except for something I read in one of your books or magazines. I no longer hitchhike,” or, “I read one about a dangerous, possessive husband, and I realized that the fella I am engaged to has all the same traits, so I broke it off.” So, there was this ability to warn people and save lives. I probably have saved more lives than the [deaths] I have had to write about. That’s my goal.

Women can be very naive. Not so much anymore but back in the day, they really were. Another function I see emerging is how many women are aiming for a career like mine, or a career in criminal justice—something with crime—and they’ve been inspired to dig deeper into how we stop crime, how we solve crime. When I started, you didn’t see

that at all. That's gratifying. It worked out not passing that (eye exam), but, boy, that was a painful period.

Being a mother, when I had to write about particularly younger female victims, like in the Green River case (*Green River Running Red,* 2004), when a lot of the girls were getting ready to get out of "the life"—they were baby prostitutes—that was hard. For some of them, [being] at home was more dangerous than to be on the streets. There were some mean mothers involved. So, often I would see girls who were the same age as my girls, and feel really sorry for the victims. But they weren't here, most of them. So, all I could do was speak for them.

I would interview some mothers that were just broken-hearted because their girls were almost out of [prostitution]. Some mothers didn't really care except to ask if I was going to make money out of writing this, and how much were they going to get for this book. I said, "This is how I make my living."

For years I served as a "midway" person for women who did not want to go to the police if they had information on an unsolved case. The Green River Task Force gave me their sheets with their info, and I would fill them out according to the information given to me. Two women came to me and told me about this neighbor who had gotten their husbands to help him drag a rug out of his house—and that was Gary Ridgeway. When I got ready to write the book (*Green River Running Red*), I had boxes and boxes of [papers I had saved], and the first name I came to was Gary Ridgeway. Leslie told me about this man who came to my talks and book signings who looked like Gary Ridgeway. Later, I

bought all the interviews [of Gary Ridgeway] by the sheriff and the county prosecutor. They were for sale. I think they were about $5000—well worth it to me. A lot of them were on CD.

In one interview, Ridgeway is talking to the head of the task force and he said—and it gave me the willies—he said, "I used to go to Ann Rule's talks because I wanted to know how I should act if I get arrested. If I should go to court, how should I act?" It was sort of creepy being his unwitting tutor.

I've written about so many motives for murder. I've run into most of them. Women mostly kill for love, one way or another. They're jealous. They can't let him go. Men tend to kill in the commission of a sexual crime. It's a violent thing. They don't necessarily know their victims, but I think women always do.

Women true crime readers can place themselves right in the middle. I know they think, "That could have been me. I would have gotten away. I would have spotted trouble sooner," or "What would I have done to save my child?" Maybe some of the victims I write about did, and maybe they didn't. I mean, women fear crime more than men. And it's kind of good that we do. You have to have just that little voice in your head that makes you alert to your surroundings. Women are fascinated by crime, but they also want to be prepared.

My books and articles do prepare them. I think I brought the genre forward. I think I showed you could do pretty classy writing in true crime, but you can't just dash stuff off. I look at the shelves at Fred Meyers, and there are a whole bunch of true crime

books. Most of them, I pick them up and look at them and I know right away that they don't know what they're doing. They're not giving victims a voice. That's the one thing I wanted to do since I was a little girl, give the victims a voice.