

*Why True Crime Genre Should Not Exist*  
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While crime has always been a significant topic in media coverage, in recent decades, the genre of true crime has become increasingly popular due to its fascinating nature, psychological effects on its audience, and its extreme marketability. Apart from these intrinsic qualities, a further distinguishing factor of the genre is its ability to locate and reveal social crises and tensions within society. Not all crimes that take place receive the narrativizing operations of the genre, but those that are selected for the various forms of broadcast (podcast, documentary, novels, etc.) uniquely express underlying social considerations, whether these are considerations of race, gender, or political orientation. In this sense, the genre functions on both an explicit level and an implicit one.

What makes true crime so fascinating is the element of truth. The events that compose the narrative cannot be argued with. In her work on the subject, Rachel Franks provides a fuller definition of the genre: “true crime presents a narrative about a criminal act, or acts, based on fact, rather than fiction.”[1] Certainly, true crime can bring attention to the brutal murders and sometimes can even bring justice to the victims, but it is also interesting to see the different representations of true crime stories for entertainment. As the true crime genre has become the main source of information about crimes for many Americans, researchers have conducted exploratory experiments regarding the misrepresentation of crime types in mass media and true crime genre, especially the disproportionate focus on violent cases. To analyze these relations, researchers compared data from the FBI’s Uniform Crime Reports (UCR) in 1991 with data produced from the content analysis of the true crime accounts of homicide cases.[2] While official data revealed that homicide cases account for less than one percent of the fourteen million UCR Crime Index offenses committed annually, researchers found more than 80 percent of true crime books and movies discussed homicide cases.[3] When researchers examined race and gender, they also demonstrated that female offenders appear significantly more often in the true crime genre. Simultaneously, both victims and offenders in true crime stories are overwhelmingly likely to be white, young, and from middle or upper class. This representational ratio is at odds with crime statistics revealed through UCR data.[4] Overall, while the true crime stories are real homicide cases, they misrepresent the majority of American crimes and may distort the judgements of the public regarding homicides and other crimes. Therefore, the true crime genre is very influential in the

public's understanding of crime, mainly homicides, while not being able to represent the whole picture.

Addressing the history of the genre, Joy Wiltenburg describes true crime as “the origins of modern sensationalism.”[5] This secondary term was first used as a pejorative term. According to *The Oxford English Dictionary*, “vicious sensationalism...renders so objectionable a large portion of the cheap periodical literature of the day.” *The Philadelphia Inquirer* reported a study that compared estimates of crimes between local residents who watch true crime and those who do not.[6] The study found that “heavy watchers” significantly overestimated crime rates and the statistical likelihood of being a victim. Furthermore, the life decisions of these viewers, including where to live or how to raise their children, were influenced by their perception of crime.[7] As someone who has an obsession for true crime, I recreated this experiment. My own estimate of the crime rates of my neighborhood was significantly higher than the reality. On the other hand, those who had the least exposure to crime content had the most accurate numbers, illustrating how increased consumption of true crime decreased people's objective knowledge about crime rates.[8]

One of the most well-known true crime novels is Truman Capote's *In Cold Blood*, which has generally been considered the pioneer of the modern true crime genre. The story featured a small town in Missouri, Kansas City, where the brutal murder of an entire family shocked the entire country. Certain elements in this murder case, unknown murders during the night, innocent victims (including children), inexplicable intentions, perfectly matched the outlines of a traditional potboiler. Attentive to its novelistic qualities, the details of this true event successfully caught the attention of Truman Capote and his readers. This novel that he produced accurately achieved the “vicious sensationalism” that the Oxford Dictionary took issue with. On top of its literary success, screenwriter Richard Brooks adapted the novel into a movie, accounting for Capote's process of discovering the subject and writing the book. Capote focused on the overwhelmingly violent crimes, engaged the audience with his attention for details, and developed—unconventionally, it must be said—a rather one-sided relationship with one of the murderers, Perry Smith, in order to finish his novel. During his multiple visits to Perry, Capote simply wanted to know one thing: what happened on the night of the murder. He wanted to hear details from Perry and understand the thoughts that went through the minds of the assailants, because he thought that information was marketable and essential to his book. As he remarked during an interview with the *Playboy* magazine, “Here you have the Clutter family on one hand—such the perfect prototype of the good, solid, landed American gentry, as you point out and on the other hand you have (the killers), representing the dangerous psychotic element, empty of compassion or conscience. And these two extremes

mated in the act of murder...[T]he only possible outcome of their convergence was death.”[9] *In Cold Blood* was the start of a whole new genre, and the way Truman Capote told the story had a *Rashomon* effect on the audience. The narrative strategy of the text allowed them see a different side of the story. Nevertheless, modern true crime has become increasingly complicated due to the added elements such as race and gender.

### **Race and the Developments of the Genre**

The OJ Simpson murder trial was one of the most notorious trials in American history. The former football star was accused of murdering his ex-wife, Nicole Brown Simpson, and her friend Ronald Goldman. The trial lasted for 252 days, and Simpson was eventually acquitted by the jury. The reasons why this particularly trial garnered such enormous media attention and popular interest was because, behind the elements of the crime and the defense, a series of pressing contemporary issues existed. These included celebrity, race, gender, class, and justice.

Before the Simpson trial, the LAPD already possessed a notorious reputation for police brutality and racial profiling. Perhaps the most high-profile case to predate the trial was the beating of Rodney King, which had taken place in 1991. Following a highspeed car chase, King, a construction worker, was viciously assaulted by LAPD officers. This and many other incidents terrorized the black community. In the case of King, the trial against the offending officers resulted in their acquittal. At the time of the Simpson murder case, the memory of Rodney King was fresh in the mind of everyone.

The extremely high-profile legal team that represented Simpson was called the “Dream Team.” It included the lead attorney, Johnnie Cochran, Robert Shapiro, F. Lee Bailey, Alan Dershowitz, Robert Kardashian, Shawn Holley, Carl E. Douglas, and Gerald Uelman. On the other hand, the Los Angeles District Attorney’s Office was led by Marcia Clark and Christopher Darden. The defense argued that evidence was mishandled by the LAPD because some members were racist, specifically an officer named Mark Fuhrman, while the prosecutors emphasized the prior domestic violence incidents and the divorce that provided a motive for murder. They also found a “mountain of evidence” that pointed to Simpson as the murder. Countering the prosecution’s evidence, the defense argued that Simpson could not be guilty because the bloody gloves found at the scene were not his. In fact, the defense claimed, the gloves had been planted out of racial animosity. To demonstrate that the gloves were not his, Simpson tried them on in the courtroom. As predicted, they fit him poorly. On October 2, 1995, the jury came back with a verdict. Shockingly, it took less than four hours to return him not guilty. This verdict was extremely controversial. Opinions were mainly divided along racial lines.

Appearing in 2016, twenty-two years after the trial, *The People v. O.J. Simpson* was notably popular and provided a way for many generations to understand the trial. What becomes clear from the depiction of the trial as that matter at stake was not real murder. It was race. Crucially, many African-Americans saw Simpson's acquittal as victory because he was a black man escaping consequences in a legal system that had always favored white people, not because they thought he was innocent. The show failed to make this distinction and focused too much on the polar opposite reactions from whites and blacks for dramatic effects. Additionally, an article by Isabel Wilkerson points out that women were the center of this trial. Nicole Brown Simpson was a white woman and a battered wife; Marcia Clark was the lead prosecutor; the majority of the jury was composed of black females. According to Susan Reverby, a white professor of women's studies at Wellesley College, "This is a story about race and gender and how they intersect. It's about a black man married to a white woman being judged by black women." [10] While black and white women share a collective trauma of sexism, white women were able to identify more with the victim of domestic violence, Nicole Simpson, while to many black women, racism pales in the face of sexism. [11] Denise Cade, a black securities lawyer in Washington, believes Simpson may have had something to do with the murder, but nevertheless felt that the prosecution was flawed: "we have been oppressed for so long that we really do take people back. Maybe this will take him home." [12] Even if Simpson was a wealthy man who did not have ties with the black community, black women still chose to see him as a black man oppressed by the system.

However, regardless of how Simpson was perceived, racism pervaded his case. A black author, Ta-Nehisi Coates, claims that, as a black man, he was offended by the acquittal of Simpson. According to Coates, Simpson he should be the last person to reap benefits from years of racial profiling and police brutality by the LAPD. [13] The lead prosecutor shared the same perspective: "It offended me because he (Johnny Cochran) was using a very serious, for-real issue - racial injustice - in defense of a man who wanted nothing to do with the black community." [14] It is also important to note that Cochran had a history with police brutality himself, which explains his passion and views for the defense. In 1979, Cochran was pulled over in his Rolls-Royce with his two children in the back and had a frightening moment with the LAPD, claiming "it was dehumanizing." [15] At the time, he was already a very successful attorney who devoted his career to racial justice. This experience contributed to his view that even wealthy black men were not immune from racial profiling. In the tv show, this scene was accurately portrayed, which made the audience understand Cochran's insistence on getting an acquittal. Racial equality for African Americans means being treated the same as everyone else; what Simpson accomplished was getting the treatment typically reserved for rich white people. From

another perspective, the author also points out that the black viewers found the possibility of LAPD framing a black man completely legitimate.[16] On the other hand, activist Danny Bakewell said to an assembled crowd after the Fuhrman tapes went public, “If you can railroad O.J. Simpson with his millions of dollars and his dream team and legal experts, we know what you can do to the average African American and other decent citizens in this country.”[17] While many criticized Cochran for using the “race card”, he successfully created reasonable doubt for the black female dominant jury who believed the possibility of Simpson being framed by the police due the LAPD’s history.

## **Gendering Crime**

Another infamous murder case that concerns gender and appearance is the death of Caylee Anthony, a two-year-old whose remains were found in a bag in a wooded area. The prosecution sought the death penalty against her mother, Casey Anthony, alleging she wanted to escape her parental responsibilities. There are many intriguing factors that contribute to why this case consumed American attention. In 2008 alone, thousands of people were murdered in Florida, but none of those victims received the attention and justice they deserved. Meanwhile, Casey Anthony became a soap opera for America. The question remains: why?

This story began in 2008 when Cindy Anthony, Casey’s mother, called the police in Orlando, Florida to report her granddaughter missing for 31 days. Casey then told the police that Caylee was under the care of a woman named Zenaida Gonzalez, also known as “Zanny.” When Casey lead the police to where Zanny lived, they found only an empty apartment. When the police investigated her job at Universal Studios, they discovered that it was falsified. The two pieces of evidence proved that Zanny was purely fictional. While law enforcement searched for Caylee over the next few months, Casey was indicted by a grand jury in October on seven criminal charges, including capital murder. In December, Caylee’s remains were found in a wooded area near the Anthony home. During the trial, the prosecution alleged that Casey used chloroform on Caylee and suffocated her by putting a piece of duct tape over her mouth and nose. The defense gave a different theory. In their version, Caylee was accidentally drowned in the family pool.[18] On July 5th, 2011, the jury deliberated for just 10 hours and 40 minutes before coming back a verdict of not guilty of first-degree murder, aggravated child abuse, and aggravated manslaughter of a child.[19] Casey Anthony was found guilty of merely four misdemeanor counts of providing false information to law enforcement.[20]

Casey Anthony was young, good looking, white, and middle class. These aspects of her personality grabbed everyone’s attention and made headlines. She was a normal person, a middle-class mom with a cute little girl, to whom the vast majority of

America could relate. The jury sat through the entire trial and found reasonable doubt, whereas the public deemed Casey Anthony a young attractive woman who denied motherhood, partied throughout the 31 days Caylee went missing while failing to report her disappearance, lied multiple times to law enforcement, and interfered with the investigation. The public thought she deserved to be convicted. The role her gender played provides another interesting perspective to the story. One school of thought, the Evil Women Theory, suggests that Anthony would have been convicted of capital murder and faced more serious charges than a man because her crimes violated gender roles, while another school of thought, Chivalry Theory, finds that women are less culpable in criminal court, which aligns with Anthony's lenient sentence.[21]

Although it is impossible for the jury to be completely unbiased, they did have limited access to the outside world. While the prosecution tried again and again to portray Casey Anthony as a cruel mother who wanted to return to a life of partying, as her tattoo ("bella vita"), which she acquired after the disappearance of Caylee indicates, the defense was able to convince the jury that the evidence was purely circumstantial and that there was no direct link tying Anthony to the death of her daughter.[22] There were no witnesses connecting Anthony to the murder, the forensic evidence was weak, the investigators found no traces of DNA or irrefutable signs, and Caylee's body was too decomposed to pinpoint the cause of death.[23] In addition, Jose Baez, the defense lawyer, put a different scenario on the table, which provided the jury enough reasonable doubt to acquit. Nevertheless, following the sensational news headlines, the public jumped to its own conclusion. In his closing statements, Baez reminded the jury, "This case should not be decided for or against anyone because you feel sorry for anyone or are angry at anyone".[24]

Upon further inspection, these cases each garnered more public attention than they should have. As a result of the time and resources committed to these singular cases, countless victims—whose stories could not provide sufficient entertainment—were ignored. Capote and his readers seem more interested in the murderers and the crimes against the innocent victims who were merely accessories to the story. With respect to Casey Anthony, public attention ensured that she would never have a normal life again; her sentence was given by social media long before the verdict when people do not know the absolute truth and probably never will.