

## Guilty Pleasure: A Case Study of True Crime's Resurgence in a Binge Consumption Era

Rachel Tinker

*Strategic Communications*  
*Elon University*

Submitted in partial fulfillment of the requirements in  
an undergraduate senior capstone course in communications

### Abstract

*While the fascination of the true crime genre can be traced to the 16th century, it has grown in widespread popularity in the last three years. This study explored potential causes for why the genre has become popular through a narrative rhetorical analysis of three popular pieces of true crime media – season one of the podcast *Serial*, *The Jinx: The Life and Deaths of Robert Durst*, and *Making a Murderer*. The study found that the true crime genre has grown due to a variety of circumstances, largely because of the resurgence of the binge-consumption era, which allows the audience to get more instant gratification for the program's cliffhangers. It can also be deduced that true crime shows with certain rhetorical consistencies are more likely to take off in today's media landscape.*

### I. Introduction

Humans' bloody fascination with crime and murder has been linked to primitive needs for safety and security, in addition to the desire for certainty and justice.<sup>1</sup> Within the last three years, the "true crime" genre has experienced a cultural revolution of sorts, and can be found across a variety of media platforms, from Netflix and HBO to podcasts and magazines.

True crime, as it is referred to throughout the remainder of this paper, is broadly defined by Oxford Dictionary as "a genre of writing, film, etc., in which real crimes are examined or portrayed."<sup>2</sup> What used to be relegated to a specific corner of media is now stretching into the likes of CBS and NBC; as cable channels like the Oxygen Network focus solely on true crime, it gains additional coverage. True crime has been around for years, so why is it suddenly becoming so popular?

This research examined what makes true crime media popular. Are there consistent traits across the genre? Has the binge-watching era influenced the true crime genre? If so, how? These are important

---

1 Mark Lawson, "Serial Thrillers: Why True Crime Is Popular Culture's Most Wanted," *The Guardian*, December 12, 2015, sec. Culture.

2 "True Crime," *Oxford Living Dictionaries - English* (Oxford University Press, n.d.).

---

**Keywords:** True Crime, Media, Binge Watching, Resurgence, Podcast  
Email: rtinker@elon.edu

---

questions to consider, as true crime reaches a broader audience and influences the content released by media outlets, especially streaming services. By understanding the motivation to watch true crime content, media can continue to develop fresh content that the public will enjoy. Mass media have experienced a rise in the popularity of the true crime genre over the last three years. The public's fascination is due to a variety of psychological circumstances, but the genre's recent resurgence can largely be credited to the binge-consumption era. Some psychological studies regarding people's interest in crime have been conducted; however, there has been limited exploration of what has allowed the content within the genre to continue to rise in popularity. This study examines the reasons for this true crime revolution through a case study of season one of the podcast *Serial*, *The Jinx: The Life and Deaths of Robert Durst* (hereafter referred to as *The Jinx*), and *Making a Murderer*.

## Literature Review

To better understand the modern true crime genre, the history of the genre must be contextualized. It is important to understand the potential psychological motivations behind society's fascination with the macabre, and the media's role in those fascinations. Lastly, to understand how the history and psychology meet *Making A Murderer*, *The Jinx*, and *Serial*, it is important to examine why audiences binge watch and the impact of the binge consumption era on media as a whole.

### *History of True Crime Genre*

The true crime genre has been traced back to the 16th century Europe, as publications of crimes in newspapers and pamphlets skyrocketed.<sup>3</sup> These pamphlets and newspapers were not yet aimed at the masses; they were produced and consumed primarily by literate members of the "artisan class or above" for the ones with disposable income.<sup>4</sup> The true crime genre is said to first have been introduced to the United States by Benjamin Franklin, who published an article in the *Pennsylvania Gazette* in 1734, entitled "The Murder of a Daughter." Franklin, a journalist, described the horrific crime committed like the following: "For that they had not only acted contrary to the particular Laws of all Nations, but had even broken the Universal Laws of Nature."<sup>5</sup> Franklin's description of murder created a strong connection to much of the true crime genre today, as it called into question why people go against human nature and commit heinous acts.

The genre of crime journalism continued to proliferate in the media, as the penny press paved the way for making it a widespread and accessible genre in the 19th century.<sup>6</sup> *The National Police Gazette*, a magazine founded in 1845, told gruesome stories "filled with sex, race baiting, sports, violence and lurid illustrations" and catapulted the penny press into "dizzying new levels of circulation."<sup>7</sup> *The National Police Gazette* became a staple across cities in America, where a copy could be found in almost every barbershop and saloon at the time.<sup>8</sup>

The genre at the time was rather formulaic: The publications "almost always featured grisly cover and title-page illustrations framed by bold fonts proclaiming bold titles about the crime of the century, the horridness of some homicide, the fiendishness of some fiend, the full particulars of some particularly awful assassination, the only copy of some confession, or the freshly uncovered correspondence of some killer."<sup>9</sup> This continued to modernize into the 20<sup>th</sup> century when *The New Yorker* began publishing the Annals of Crime feature in 1936, a feature still published to this day.

---

3 Pamela Burger, "The Bloody History of the True Crime Genre," *JSTOR Daily*, August 24, 2016, <https://daily.jstor.org/bloody-history-of-true-crime-genre/>.

4 Joy Wiltenburg, "True Crime: The Origins of Modern Sensationalism," *The American Historical Review* 109, no. 5 (December 2004): 1377–1404, <https://doi.org/10.1086/530930>.

5 Benjamin Franklin, "The Murder of a Daughter," *The Pennsylvania Gazette*, October 24, 1734.

6 Burger, "The Bloody History of the True Crime Genre."

7 Elliott J. Gorn, "The Wicked World: The National Police Gazette and Gilded-Age America," *Media Studies Journal; New York* 6, no. 1 (Winter 1992): xviii.

8 Gene Smith, "The National Police Gazette," *American Heritage*, October 1972.

9 Casey Cep, "The Indispensable Guide to Early American Murder," *The New Yorker*, June 22, 2016.

---

It is evident that crime sells. The phrase “if it bleeds, it leads” continued to echo in the middle of the 20th century, when stories of crime shifted publication to books, rather than just newspapers, which was a direct continuation of the pamphlets popular in the 1700-1800s. In 1966, a story of a murder in Kansas would become a landmark of the true crime genre. This was Truman Capote's blockbuster *In Cold Blood*. Discussing his work, Capote said he selected the topic because “murder was a theme not likely to darken and yellow with time.”<sup>10</sup>

His point seems to hold true, as the genre of true crime is still widespread today, over 50 years later. Capote's work carved the path for successful books such as *The Executioner's Song* by Norman Mailer in 1979 and *The Stranger Beside Me* by Ann Rule in 1980, both of which remain popular.<sup>11</sup>

### ***Psychological Theories of Society's Fascination with the Macabre***

Based on the success of the genre in media of the 17th-20th centuries, it is evident that society has long been infatuated with true crime. Harold Schechter said, “The appetite for tales of real-life murder, the more horrific the better, has been a perennial feature of human society.”<sup>12</sup> What about true crime makes it inherently human?

Humans' fascination with true crime can be tied to the psychological concept of a shadow, developed by Carl Jung. Eric Wilson in *Morbid Curiosities* explains that Jung “maintains that our mental health depends on our shadow, that part of our psyche that harbors our darkest energies, such as melancholia and murderousness. The more we repress the morbid, the more it foment neuroses or psychoses. To achieve wholeness, we must acknowledge our most demonic inclinations.”<sup>13</sup> Jung's theory of the shadow is commonly known as the “dark side,” which consists of primitive emotions and impulses. According to Wilson, it is “whatever we deem evil, inferior or unacceptable and deny in ourselves becomes part of the shadow.”<sup>14</sup> Wilson continued by recalling that renaissance scholars kept skulls on their desks to remind them that life is precious, and that English poet John Keats “believed that the real rose, because it is dying, exudes more beauty than the porcelain.”<sup>15</sup> Our interest in true crime, perhaps, is closely tied to the shadow. By exposing oneself to true crime, one confronts the morbid, rather than repressing it, keeping it in control. “To stare at macabre occurrences,” Wilson concluded, “this can lead to mere insensitivity, gawking for a cheap thrill; or it can result in stunned trauma, muteness before the horror. But in between these two extremes, morbid curiosity can sometimes inspire us to imagine ways to transform life's necessary darkness into luminous vision.”<sup>16</sup>

Scott Bonn in *Why We Love Serial Killers: The Curious Appeal of the World's Most Savage Murderers* found there may be a more human reason to the public's fascination with these gruesome crimes:

The serial killer represents a lurid, complex, and compelling presence on the social landscape. There appears to be an innate human tendency to identify or empathize with all things—whether good or bad—including serial killers. I discovered that serial killers are terrifying and captivating to the public because some of them, such as Ted Bundy, are highly educated, charming, successful, and could easily be a next-door neighbor.<sup>17</sup>

Our need to identify, empathize, and understand others motivates our curiosity. This ties into the concept of the shadow self, as exposing oneself to true crime can make humans recognize the darkness in the world, and thus actively pursue the opposite.

---

10 Quoted in Jordan Foster, “The Truth Is in the Crime,” *Publishers Weekly*, March 30, 2012.

11 Sarah Weinman, “True-Crime Stories: A Centuries-Old Craze from Ben Franklin to Making a Murderer,” *The Guardian*, January 7, 2016, sec. Culture.

12 Quoted in Weinman, “True-Crime Stories,” n.p.

13 Eric Wilson, “The Moral of the Morbid,” *Psychology Today*, November 8, 2011.

14 Stephen Diamond, “Essential Secrets of Psychotherapy: What Is the ‘Shadow’?,” *Psychology Today*, April 20, 2012.

15 Wilson, “The Moral of the Morbid.”

16 Ibid.

17 Scott Bonn, *Why We Love Serial Killers: The Curious Appeal of the World's Most Savage Murderers* (New York, NY: Skyhorse Publishing, 2014).

---

The shadow could be potentially one cause for society's fascination with crime. However, another theory, known as the "just world hypothesis," may reveal the motivations as well. The just world hypothesis states that humans believe the world is fair, so when something happens to someone, good or bad, it is because they deserved it.<sup>18</sup> Though many people would not admit to thinking this, this theory can be attributed to why people can expose themselves to true crime without feeling as though they're more likely to be victimized. Dean Burnett, a journalist at *The Telegraph*, reflected on why humans have such a curiosity about crime, and in particular, murder. Burnett claims that, as humans, we "try to distance ourselves from the victim by focusing on how we are different to them. Watching others who aren't us experience terrible things could consolidate our belief that they definitely won't happen to us."<sup>19</sup>

Beyond the innate fascination with the macabre, how true crime is depicted in the media may also be psychologically impactful when it comes to finding the cause of fascination in today's society. Bonn's research revealed that "our fascination has something to do with the glamorized and sensationalized manner in which serial killers are presented in the news and entertainment media."<sup>20</sup>

Fictionalized versions of crime stories have some close ties to those that are of a true crime nature. In particular, they may share the same motivations for piquing human interest. David Schmid examined serial killers in popular culture in *Natural Born Celebrities: Serial Killers in American Culture*. Schmid claims that fictional stories of serial killers are "nearly always premised on a person's ability to identify with the serial killer in the sense of learning to think like him, coming to see the world through his eyes. This type of identification is often presented in these films as dangerous because it can lead to the violent cancellation of one's own identity; but only in this way, these films suggest, can the serial killer be apprehended."<sup>21</sup> The same concept can be examined in many true crime documentaries, such as *Making a Murderer* and *The Jinx*.

### ***The Impact of the Binge Consumption Era***

Platforms that allow binge consumption are the new normal. A study conducted on behalf of Netflix found that "a majority (73%) defined binge-watching as watching between 2–6 episodes of the same TV show in one sitting."<sup>22</sup> According to Deloitte's 2017 Digital Democracy Survey, "nearly three quarters (73%) of US consumers—and nearly 90% of Millennials and Gen Z—say they have binge-watched video content."<sup>23</sup> In fact, Millennials and Gen Z viewed an average of six episodes, or five hours of content, in a single sitting.<sup>24</sup> As more people abandon cable television for streaming services, content can be created with binge watching in mind. Psychologist Uri Hasson of Princeton University developed the field of neurocinematics, the study of how TV and film interact with the brain. Hasson conducted a study in 2008 that focused on the inter-subject correlation (ISC) across viewers' brains when watching different content. He found that a clip from an Alfred Hitchcock film elicited an ISC of 65 percent across the cortex, the greatest of the four clips he studied.<sup>25</sup> Jordan Gaines Lewis explained in *Psychology Today* that "Hitchcock was a master of orchestrating everything: what you're watching, what you're thinking, how you're feeling, and what you predict will come next. In similar ways, modern-day TV writers and directors engage viewers worldwide with the flash-forwards of *Lost*; the gruesome action of *Game of Thrones*; and the eerie exchanges between *Breaking Bad*'s Gus Fring and Walter White."<sup>26</sup> Viewers are looking to be fully immersed in the content they're viewing, increasing the popularity of binge-watching.

---

18 Claire Andre and Manuel Velazquez, "The Just World Theory," Santa Clara University, November 13, 2015. <https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/the-just-world-theory/>.

19 Dean Burnett, "James Foley's Murder, and the Psychology of Our Fascination with the Gruesome," *The Telegraph* (London), August 20, 2014, sec. World.

20 Bonn, *Why We Love Serial Killers: The Curious Appeal of the World's Most Savage Murderers*.

21 David Schmid, "Serial Murder in American Popular Culture," in *Natural Born Celebrities: Serial Killers in American Culture* (University of Chicago Press, 2006), 112.

22 "Netflix Declares Binge Watching Is the New Normal," Netflix Media Center, December 13, 2013, <https://media.netflix.com/en/press-releases/netflix-declares-binge-watching-is-the-new-normal-migration-1>.

23 Kevin Westcott, Scott Lippstreu, and David Cutbill, "Digital Democracy Survey: Eleventh Edition" (Deloitte, 2017).

24 Ibid

25 Jordan Gaines Lewis, "Why We're Wired to Binge-Watch TV," *Psychology Today*, March 14, 2011.

26 Ibid.

---

Cultural anthropologist Grant McCracken concluded that “we’re actually craving the long narratives that today’s best television series can provide. Instead of dealing with our life’s stresses by zoning out, we’d rather become engrossed in an entirely different world.”<sup>27</sup> Together, content is being generated with binge-consumption in mind, and it is typically watched that way. This need to fully engross oneself in something so different, and the ability to do that via binge-watching, may allude to why true crime is becoming so popular to binge.

As one can tell from the extensive history of the genre, interest in true crime is nothing new. The binge consumption era is changing the way all media, and true crime, in particular, are produced and viewed. Traditionally, nonfiction series have been a staple of public television, but now, with large amounts of viewership switching over to on-demand services like Netflix, documentary series have become more popular. Sam Adams, a reporter for *Rolling Stone*, examined how *Making a Murderer* has changed how true crime documentaries are made. “Where a series like *The Civil War* is authoritative in its scope, *Making a Murderer* goes deep instead of broad, exploiting the inherent drama of a murder investigation and subsequent criminal trials,” Adams said.<sup>28</sup> Binge viewership allows content to dive deeper and explore more than has been traditionally shown on television.

This study sought to connect the dots left by the literature review. After a long history of true crime existing in the media, along with a potential psychological predisposition to be fascinated by the macabre, why now, in an era of cord cutters and binge-watching content, is true crime becoming popular among the masses? Based on the literature review, two research questions were developed:

*RQ1: What about true crime media makes them popular? Are there consistent traits across the genre?*

*RQ2: Has the binge-watching era influenced the true crime genre? If so, how?*

### III. Methods

This study utilizes a case study of season one of the podcast *Serial*, HBO’s *The Jinx*, and Netflix’s *Making a Murderer*. These three are critically acclaimed within the genre of true crime and have been acknowledged as potential causes in the rebirth of the genre.<sup>29</sup> In his review of *Making a Murderer*, *New York Times* Television Critic Mike Hale said, “the serious long-form true-crime documentary is the glam genre of the moment, coming off the success of HBO’s six-episode *The Jinx* and the eight-and-a-half-hour podcast, ‘Serial.’”<sup>30</sup> The cause of true crime becoming a “glam genre” may be understood as this case study is paired with the literature review. This case study utilizes elements of a narrative rhetorical analysis. This is done by reviewing each episode of the show in succession and examining rhetorical elements such as the setting, subject or characters, and causal relations. These were chosen as the main elements to examine because of the need to identify, empathize and understand others as explained by Scott Bonn.<sup>31</sup>

The objective of this case study, through a rhetorical lens, is to pinpoint what features of these shows make them as popular as they are, and examine if there are consistent traits across them, despite being produced by different companies. By analyzing the rhetoric in a narrative way, connections can be made across these shows that reveal more details about the motivations of the producers and the “cult-like” following that these series have developed.

---

27 Ibid.

28 Sam Adams, “‘Making a Murderer’ and True Crime in the Binge-Viewing Era,” *Rolling Stone*, January 13, 2016.

29 Weinman, “True-Crime Stories.”

30 Mike Hale, “When DNA Is Not the End of the Story,” *The New York Times*, December 17, 2015, sec. Television.

31 Bonn, *Why We Love Serial Killers: The Curious Appeal of the World’s Most Savage Murderers*.

---

## IV. Findings

The rhetorical analysis of *Serial*, *The Jinx* and *Making a Murderer* examined elements, such as setting, the depiction of the main character, and the depiction of the victim, to answer the first research question. To help answer the second research question, the analysis also examined how the transitions from one episode to another differed across the three works, and to see if the shows' format encourages bingeing the content. These analyses are conducted in chronological order of their release.

### ***Serial Season One***

Season one of the podcast *Serial* centers around the case of a girl named Hae Min Lee, a high school senior who disappeared on January 13, 1999. A month later, her body was found in a park, strangled. Adnan Syed, her ex-boyfriend, was arrested for the crime, and within a year, he was convicted and sentenced to spend the rest of his life in prison. The two were both students at Woodlawn High School in Baltimore, Maryland. The setting was argued throughout the series, as a point of contention regarding the alibis of those potentially involved. Because the setting was a point of argument that drove the story forward, it was hard to determine consistencies in comparison to other true crime works. In the other cases, the setting influenced how people were viewed, as well as social, economic, and historical contexts, but because the setting is broad, ranging from the high school to the scene of the crime, the setting creates less of a frame for the story as it does in the other works.

Featuring young people of diverse backgrounds—high school students in a large city—*Serial* created a unique setting for the story for season one to unfold. It is unknown how this case would have turned out if it involved people of same races, so it unclear how the setting impacted how people saw the characters or interpreted the guilt of Syed. The depictions of these characters were not without controversy. Unlike the other two shows examined in this study, the main characters, both the criminal subject and the victim are non-white. Jay Caspian Kang's article in *The Awl*, "'Serial' and White Reporter Privilege," addressed this controversy of bias in the podcast. "'Sarah Koenig, the journalist telling their story, is white,' Kang writes. 'This, on its face, is not a problem. If *Serial* were a newspaper story or even a traditional magazine feature, the identities of all three could exist alone as facts; the reader could decide how much weight to place on them. But *Serial* is an experiment in two old forms: the weekly radio crime show, and the confessional true-crime narrative, wherein a journalist plays the role of the protagonist. The pretense of objectivity is stripped away: Koenig emerges as the subject as the show's drama revolves not so much around the crime, but rather, her obsessions with it.'"<sup>32</sup>

First, one must examine the main character and the accused in this story, Syed, who was 17 years old at the time of his arrest in 1999. Characterized by *Serial* host Sarah Koenig as "an incredibly likable and well-liked kid," Syed was a popular Pakistani-Muslim student who went behind his parents' back and began to date Lee during their junior year. The prosecution of the case painted the deceit as "proof of bad character, someone who could be a murderer."<sup>33</sup> The tone that *Serial* took with Syed, however, was one motivated by the effort to clear his name. Many of the statements made by the host and Syed himself portrayed him as innocent, if not a victim in this case, at least in the beginning. It was believed that the attorney botched the case, which made way for the audience to continue to empathize for Syed. This need to uncover if such a likeable person could commit such heinous acts, motivates the listener to continue through the series.

In the first episode of *Serial*, Lee, a Korean girl, is described as "smart, and beautiful, and cheerful, and a great athlete. She played field hockey and lacrosse, and she was responsible."<sup>34</sup> Lee is obviously the victim. By discussing the victim in the detail, as done in the first episode, Lee was portrayed as innocent throughout the series. This may motivate the audience to continue listening in hopes of finding justice for the character with whom they can empathize. Together, Lee and Syed were painted as star-crossed lovers of sorts; in fact, Koenig went as far as to describe them as such "on paper, the case was like a Shakespearean mashup—young lovers from different worlds thwarting their families."<sup>35</sup>

---

32 Quoted in Conor Friedersdorf, "The Backlash Against *Serial*—and Why It's Wrong," *The Atlantic*, December 3, 2014.

33 Sarah Koenig, *The Alibi*, *Serial*, October 2, 2014.

34 Ibid.

35 Ibid.

---

The entire season of *Serial* was in search of causal relations and cause-and-effect relationships. The possibility of Syed's exoneration drives the podcast forward; keeping the listener engaged from week to week as new episodes were released. This approach gives listeners greater sympathy for Syed. These sympathies largely stem from how Koenig and others interviewed described Syed. Trying to uncover the motivations behind the killer, and whether or not it was Syed, is one reason the show's fans continue listening week to week. This was significantly different from the other shows studied, interviewing witnesses and trying to clear Syed's name.

Listeners cling to the possibility of exoneration, or clear evidence of guilt, and neither is ever quite found. The narrative storyline and the lack of closure has made *Serial* a smash hit around the world. It kept listeners on the edge of their seats, trying to find justification either way in the case. This is best shown in the final episode of the first season, when Koenig expressed that there would be "a smattering of new information, a review of old information cast under a different light and an ending."<sup>36</sup>

Though the episodes of the series were released weekly, the podcast format is easy to listen to in succession. The format of the show encouraged this, as each episode would end with a sneak peek of what was to come later in the season. This teaser kept the listener on edge and listeners easily find satisfaction from listening to the next episode.

### ***The Jinx***

*The Jinx* story began in 2001 in Galveston, Texas, where the body of Morris Black was found in the Galveston Bay, but the vast majority of the story takes place in New York City in the early 1980s with the investigation of the disappearance of Robert Durst's wife, Kathie. *The Jinx* was set up in a narrative format that captured historical evidence, modern interviews, and reenactments to paint the scene for the viewer. Unlike many true-crime stories, it is not a question of whether Durst committed the 2001 murder of Black, but whether it was his only crime. The strong forensic evidence in the first episode established credibility with the viewer. Because of the timeline for when the show was produced and the alleged crimes committed, the setting did not have as significant an impact on the show, as other series studied. The crimes chronicled by *The Jinx* took place over a span of nearly 20 years, across multiple state lines.

When examining rhetoric surrounding the main character, Robert Durst, similarities were found with *Making a Murderer*, despite the two men coming from distinctly different backgrounds. Durst came from a wealthy New York real estate family but was somewhat estranged from his relatives. The guilt of Durst, a misunderstood loner, is never in question throughout the mini-series; instead, what is uncovered is his background, in his own words through interviews, that may have led him to commit such crimes. His mother killed herself as Durst watched at the age of only seven.<sup>37</sup> Many other unfortunate events are outlined as a part of Durst's life; however, none of them are used by the producer to push an agenda for his innocence.

Durst exemplifies odd behavior from the beginning, hiding his identity by cross-dressing as a deaf and mute woman while living in Galveston.<sup>38</sup> This was very different from the rhetoric used in the other shows examined, as unfortunate events are commonly used to establish pathos and evoke sympathy from the audience. This sets *The Jinx* apart from other true crime shows because it is the eccentricity of the character, Durst, and his own words, that keeps people watching, not his potential innocence. *The Jinx* instead paints a complicated picture and connects the dots that may have led Durst to commit such crimes. Viewers watch as he digs himself in a hole through his own words that eventually leads to him being arrested for first-degree murder the day before the finale aired.<sup>39</sup>

*The Jinx* does not spend as much time focused on the victims of Durst as other true crime shows typically do. This is potentially due to the fact that there were multiple victims, and because the show existed more to find an explanation for Durst's behavior than to exonerate him. This is significantly different than the other two shows studied and the show does not have many similarities in structure to *Serial* or *Making a*

---

36 Sarah Koenig, *What We Know*, *Serial*, December 17, 2014.

37 Andrew Jarecki, "Poor Little Rich Boy," *The Jinx: The Life and Deaths of Robert Durst* (HBO, February 15, 2015).

38 Andrew Jarecki, "A Body in the Bay," *The Jinx: The Life and Deaths of Robert Durst* (HBO, February 8, 2015).

39 Andrew Jarecki, "What the Hell Did I Do?," *The Jinx: The Life and Deaths of Robert Durst* (HBO, March 15, 2015).

---

*Murderer*. The narrative format rhetorically drives the direction of the series and does not allow for as much time to be spent on the victims alone. Instead, whenever the victims are discussed, it is typically shown in relation to Durst and the roles they played in each other's lives.

The entire mini-series of *The Jinx* is focused more on the cause-and-effect relationships of Durst's upbringing, and how it led him to commit murder three times. The focus is on human action, specifically of Durst, along with other incidences in his life that created the man highlighted in the show. Events in *The Jinx* are largely caused by human action and intervention. The most significant break in the case surrounded a handwriting match on an anonymous tip letter sent to the Los Angeles Police Department and letters Durst had previously sent to his friend Susan Berman. *The Jinx* utilized contemporary interviews and reenactments to put together a six-episode mini-series with a strong narrative driving it. This narrative highlighted the contradictions in Durst's actions and words. *The Jinx* was also special because it aired as Durst was on trial. What was uncovered on the show aided in his conviction, in particular, an off-camera statement made into a hot microphone during the final interview where Durst said to himself, "What the hell did I do? Killed them all, of course."<sup>40</sup>

*The Jinx* comes to a definitive close with Durst being arrested on first-degree murder charges the day before the finale aired. Many elements of *The Jinx* were polar opposites of *Serial* and *Making a Murderer*, and that is potentially what made it successful. Rather than trying to clear Durst's name, the show follows the journey of trying to gather evidence to lead to an arrest. This show supports the "just world theory" and shows that in the end, Durst is arrested for his crimes.

*The Jinx*, like *Serial*, was released weekly by HBO. Like many docu-series, each episode ends with a cliffhanger. Once *The Jinx* was no longer airing on television, HBO made all episodes available to viewers on other platforms, such as HBO Go. Because of the cliffhanger endings and the ease of watching episodes in succession, it is likely that the ability to binge *The Jinx* aided in its popularity after airing.

### ***Making A Murderer***

Netflix's *Making a Murderer* tells the story of Steven Avery, who served 18 years in prison on a wrongful conviction of rape and attempted murder convictions before DNA evidence fully exonerated him in 2003. In 2005, Avery was charged with another murder, that of Teresa Halbach and was convicted and sentenced in 2007. The filming of the ten-episode series took place over a period of ten years, capturing as events unfolded from his arrest in 2005 to when the show debuted on Netflix in December 2015.

*Making a Murderer* is set in Manitowoc County, Wisconsin, where most people are farmers by trade; but, the Avery family "dealt in junk," as they owned the local salvage yard and were known for not being well educated.<sup>41</sup> It is described in the first episode, "Eighteen Years Lost," that Avery was seen as a troublemaker by those outside his family, having a previous legal record for burglary, animal cruelty and possession of a firearm on different occasions.<sup>42</sup> This paints an emotional picture for the viewer, and despite his record, viewers continue to root for Avery's success, as he faced many hardships.

The show begins with emotional homecoming footage of Avery released from prison in 2003. Surrounded by his family and loved ones, he is depicted as innocent, as he was exonerated. To echo this innocence and establish pathos with the viewer, Avery expressed "I don't want to be a criminal. I want to be normal."<sup>43</sup> Despite his desire for normalcy, the show captured how Avery was kept from justice on multiple occasions, as he did not even match the original description from the victim. Avery was found guilty and sentenced to 32 years in prison. Knowing he was innocent and would not receive parole, he refused to admit guilt. The tone of *Making a Murderer* reflected Avery's innocence, focusing on the injustices he faced when he was wrongly accused, by interviewing his alibi witnesses and more.

The rhetoric surrounding other characters, specifically the victim, has a significant impact on the tone of the show. Halbach, the woman who disappeared on October 31, 2005, was a freelance photographer with no previous ties to the accused, unlike the victims in *Serial* and *The Jinx*. This made the uncovering of

---

40 Ibid

41 Moira Demos and Laura Ricciardi, "Eighteen Years Lost," *Making A Murderer* (Manitowoc, Wisconsin: Netflix, December 18, 2015).

42 Ibid.

43 Ibid.

---



a potential motive by Avery increasingly difficult. This factor alone enabled the show to push a narrative of Avery's innocence, especially because to his previous wrongful conviction for which he served 18 years in prison. *Making a Murderer* depicted Halbach as an innocent young woman with no enemies, so it was unclear what would have motivated someone to murder her. The show interviews her family and Avery was shown as much as a victim of the justice system as Halbach was of her murder.

In defending Avery's innocence, *Making A Murderer* had the strongest set of causal relations of all three of the shows. After Avery's wrongful conviction, the whole thing seemed suspicious. Some of the most persuasive police evidence came in episode four, "Indefensible," when a taped confession by Avery's nephew, Brendan Dassey, claimed that he watched and assisted in the murder of Halbach.<sup>44</sup> Avery's defense would later claim that this confession was coerced out of Dassey by police. That confession largely leads to the conviction of Avery, despite certain circumstances being unclear. Dassey had some learning disabilities and a low IQ. When paired with the various inconsistencies in his confession, his treatment was treatment by police may have been enough to get him to falsely confess. Dassey was convicted as well based on this confession, but that decision would later be overturned in 2016.<sup>45</sup>

More than two years after the release of *Making a Murderer*, Avery's guilt is still argued among viewers. This show, like *Serial*, did not come to a firm conclusion, but left it up to the audience to decide. *Making a Murderer* relied heavily on the context of the setting and previous arrest of Avery to drive a narrative that he may be innocent. *Making a Murderer* exposed viewers to the various injustices in the United States criminal justice system, but also called into question whether a person can be driven to commit heinous acts because of their experiences. Rhetorically, the show is set up to allow viewers to sympathize with Avery and his nephew because it puts the viewer in their shoes on multiple occasions. This rhetoric is powerful and set the tone for most true crime shows.

*Making A Murderer* was released all at once on the Netflix platform, which was new to the true crime genre at the time. The evolution and growth of the genre from the premiere of *Serial* led to the creation of a show that was released all at once, thus encouraging the audience to binge-watch it. Netflix as a platform encourages this with the auto-play next episode feature. The release of *Making a Murderer* on the Netflix platform created a pathway that would be followed by many other true crime shows over the next two years.

## V. Analysis

Upon examining the shows through a narrative rhetorical lens, an answer emerges to our first research question—What about true crime media makes them popular? Are there consistent traits across the genre? After examining three of the most widespread and popular true crime shows of the last few years, one can identify elements of the genre that keep the audience interested; however, there is not a formula that can be identified within the scope of these three shows. One consistency was that the accused was interviewed in all three shows, providing a unique viewpoint. Different portions of different shows kept the audience interested, but it was largely linked to the setting of the show, the depiction of the accused, the depiction of the victim, and the causal relations established throughout the series. These factors, when met with the innate human fascination with crime, motivate viewers to continue to consume the product and binge consume it when possible. Despite these rhetorical elements being different across the three shows, these factors together create popular true crime content. *Serial* and *Making a Murderer* were fueled largely by trying to find out if someone was wrongfully convicted, while *The Jinx* focused on convicting someone of a series of crimes. Each of the series focused in a different way on the accused, in particular, using rhetoric to push an agenda and satisfy the psychological need of the audience to distance themselves from the accused. That is why characterization of the accused alone was not enough. The accused must be considered within the context of the setting and the victims to get a complete picture of how their life may differ from what happens in the shows.

Has the binge-watching era influenced the true crime genre? To answer the second research question, one can look at the evolution of the release of new true crime content over time since the release of

---

44 Moira Demos and Laura Ricciardi, "Indefensible," *Making A Murderer* (Manitowoc, Wisconsin: Netflix, December 18, 2015).

45 Steve Almasy, "'Making a Murderer': Conviction Overturned," CNN, accessed November 10, 2017, <http://www.cnn.com/2016/08/12/us/making-a-murderer-brendan-dassey-conviction-overturned/index.html>.

---

*Making a Murderer*. As each show was produced, the episodes became easier to binge, and as new content was created, more and more true crime content was released all at once on its respective platform.

### **Limitations**

The true crime genre is broad and continues to expand throughout a variety of media. This research was limited to studying three of the most popular true crime shows. By studying these three shows, this study only captured the essence of shows that were popular in 2014 and 2015. Since that time, more true crime shows have emerged, along with entire television networks dedicated to the genre. This allows for further research to be conducted based on a larger sample of true crime content across different platforms. Other research could also be done on the impact of the resurgence of the genre and how it has impacted the way people view crime as a whole, in addition to the way people view the way crime is covered by the media.

## **VI. Conclusion**

This paper sought to identify potential causes for why true crime has become increasingly popular over the last three years. Results indicate that there is no formulaic answer, but rather different elements, when mixed, create popular content for viewers. This experience is enhanced by the binge-consumption era, as it allows the audience to get more instant gratification for the cliffhangers throughout the show. The evolution of the true crime genre has brought shows to where they are today. Evidence shows that there are some consistencies across the shows studied; however, each individually captures an audience due to its unique storytelling nature.

This research provides insights into the future of the true crime genre by identifying the elements that have allowed it to grow in popularity. In today's binge-consumption era, more shows are being created with the intention of watching episodes in immediate succession. In order to keep people hooked, these shows must utilize rhetoric to push the viewer to one side or another, even if the final decision falls to the audience. As the true crime genre continues to expand, producers will need to take into account the rhetoric behind these shows to keep the genre at the level of popularity with the help of *Serial*, *The Jinx*, and *Making a Murderer*.

## **Acknowledgements**

The author is thankful to David Copeland, A. J. Fletcher Professor at Elon University, for his supervision and advice, without which the article could not be published. The author also appreciates numerous reviewers who have helped revise this article.

## **References**

- Adams, Sam. "‘Making a Murderer’ and True Crime in the Binge-Viewing Era." *Rolling Stone*, January 13, 2016. <http://www.rollingstone.com/tv/news/making-a-murderer-and-true-crime-in-the-binge-viewing-era-20160113>.
- Almasy, Steve. "‘Making a Murderer’: Conviction Overturned." CNN. Accessed November 29, 2017. <http://www.cnn.com/2016/08/12/us/making-a-murderer-brendan-dassey-conviction-overturned/index.html>.
- Andre, Claire, and Manuel Velazquez. "The Just World Theory." Santa Clara University, November 13, 2015. <https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/the-just-world-theory/>.
- Bonn, Scott. *Why We Love Serial Killers: The Curious Appeal of the World's Most Savage Murderers*. New York, NY: Skyhorse Publishing, 2014.
-

- Burger, Pamela. "The Bloody History of the True Crime Genre." *JSTOR Daily*, August 24, 2016. <https://daily.jstor.org/bloody-history-of-true-crime-genre/>.
- Burnett, Dean. "James Foley's Murder, and the Psychology of Our Fascination with the Gruesome." *The Telegraph*. August 20, 2014, sec. World. <http://www.telegraph.co.uk/news/worldnews/11045833/James-Foleys-murder-and-the-psychology-of-our-fascination-with-the-gruesome.html>.
- Cep, Casey. "The Indispensable Guide to Early American Murder." *The New Yorker*, June 22, 2016. <https://www.newyorker.com/books/page-turner/the-indispensable-guide-to-early-american-murder>.
- Demos, Moira, and Laura Ricciardi. "Eighteen Years Lost." *Making A Murderer*. Manitowoc, Wisconsin: Netflix, December 18, 2015.
- . "Fighting for Their Lives." *Making A Murderer*. Manitowoc, Wisconsin: Netflix, December 18, 2015.
- . "Framing Defense." *Making A Murderer*. Manitowoc, Wisconsin: Netflix, December 18, 2015.
- . "Indefensible." *Making A Murderer*. Manitowoc, Wisconsin: Netflix, December 18, 2015.
- . "Lack of Humility." *Making A Murderer*. Manitowoc, Wisconsin: Netflix, December 18, 2015.
- . "Plight of the Accused." *Making A Murderer*. Manitowoc, Wisconsin: Netflix, December 18, 2015.
- . "Testing the Evidence." *Making A Murderer*. Manitowoc, Wisconsin: Netflix, December 18, 2015.
- . "The Great Burden." *Making A Murderer*. Manitowoc, Wisconsin: Netflix, December 18, 2015.
- . "The Last Person to See Teresa Alive." *Making A Murderer*. Manitowoc, Wisconsin: Netflix, December 18, 2015.
- . "Turning The Tables." *Making A Murderer*. Manitowoc, Wisconsin, December 18, 2015.
- Diamond, Stephen. "Essential Secrets of Psychotherapy: What Is the 'Shadow'?" *Psychology Today*, April 20, 2012. <http://www.psychologytoday.com/blog/evil-deeds/201204/essential-secrets-psychotherapy-what-is-the-shadow>.
- Franklin, Benjamin. "The Murder of a Daughter." *The Pennsylvania Gazette*, October 24, 1734. <http://www.historycarper.com/1734/10/24/the-murder-of-a-daughter/>.
- Gaines Lewis, Jordan. "Why We're Wired to Binge-Watch TV." *Psychology Today*, March 14, 2011. <http://www.psychologytoday.com/blog/brain-babble/201403/why-were-wired-binge-watch-tv>.
- Gorn, Elliott J. "The Wicked World: The National Police Gazette and Gilded-Age America." *Media Studies Journal*; *New York* 6, no. 1 (Winter 1992): xviii.
- Hale, Mike. "Review: 'Making a Murderer,' True Crime on Netflix." *The New York Times*, December 16, 2015, sec. Television. <https://www.nytimes.com/2015/12/17/arts/television/review-making-a-murderer-true-crime-on-netflix.html>.
- . "When DNA Is Not the End of the Story." *The New York Times*. December 17, 2015, sec. Television.
-

- Jarecki, Andrew. "A Body in the Bay." *The Jinx: The Life and Deaths of Robert Durst*. HBO, February 8, 2015.
- . "Family Values." *The Jinx: The Life and Deaths of Robert Durst*. HBO, March 8, 2015.
- . "Poor Little Rich Boy." *The Jinx: The Life and Deaths of Robert Durst*. HBO, February 15, 2015.
- . "The Gangster's Daughter." *The Jinx: The Life and Deaths of Robert Durst*. HBO, February 22, 2015.
- . "The State of Texas vs. Robert Durst." *The Jinx: The Life and Deaths of Robert Durst*. HBO, March 1, 2015.
- . "What the Hell Did I Do?" *The Jinx: The Life and Deaths of Robert Durst*. HBO, March 15, 2015.
- Koenig, Sarah. *Inconsistencies*. Serial, October 15, 2014. <https://serialpodcast.org/season-one/4/inconsistencies>.
- . *Leakin Park*. Serial, October 8, 2014. <https://serialpodcast.org/season-one/3/leakin-park>.
- . *Route Talk*. Serial, October 22, 2014. <https://serialpodcast.org/season-one/5/route-talk>.
- . *Rumors*. Serial, December 10, 2014. <https://serialpodcast.org/season-one/11/rumors>.
- . *The Alibi*. Serial, October 2, 2014. <https://serialpodcast.org/season-one/1/the-alibi>.
- . *The Best Defense Is a Good Defense*. Serial, December 3, 2014. <https://serialpodcast.org/season-one/10/the-best-defense-is-a-good-defense>.
- . *The Breakup*. Serial, October 2, 2014. <https://serialpodcast.org/season-one/2/the-breakup>.
- . *The Case Against Adnan Syed*. Serial, October 29, 2014. <https://serialpodcast.org/season-one/6/the-case-against-adnan-syed>.
- . *The Deal with Jay*. Serial, November 12, 2014. <https://serialpodcast.org/season-one/8/the-deal-with-jay>.
- . *The Opposite of the Prosecution*. Serial, November 5, 2014. <https://serialpodcast.org/season-one/7/the-opposite-of-the-prosecution>.
- . *To Be Suspected*. Serial, November 19, 2014. <https://serialpodcast.org/season-one/9/to-be-suspected>.
- . *What We Know*. Serial, December 17, 2014. <https://serialpodcast.org/season-one/12/what-we-know>.
- Lawson, Mark. "Serial Thrillers: Why True Crime Is Popular Culture's Most Wanted." *The Guardian*, December 12, 2015, sec. Culture. <http://www.theguardian.com/culture/2015/dec/12/serial-thrillers-why-true-is-popular-culture-s-most-wanted>.
- "Netflix Declares Binge Watching Is the New Normal." Netflix Media Center, December 13, 2013. <https://media.netflix.com/en/press-releases/netflix-declares-binge-watching-is-the-new-normal-migration-1>.
- Schmid, David. "Serial Murder in American Popular Culture." In *Natural Born Celebrities: Serial Killers in American Culture*, 112. University of Chicago Press, 2006.
- Smith, Gene. "The National Police Gazette." *American Heritage*, October 1972. <https://www.americanheritage.com/content/national-police-gazette>.
-

"True Crime." *Oxford Living Dictionaries*. Oxford University Press, n.d.

Weinman, Sarah. "True-Crime Stories: A Centuries-Old Craze from Ben Franklin to Making a Murderer." *The Guardian*, January 7, 2016, sec. Culture. <http://www.theguardian.com/culture/2016/jan/07/making-a-murderer-serial-true-crime-genre>.

Westcott, Kevin, Scott Lippstreu, and David Cutbill. "Digital Democracy Survey: Eleventh Edition." Deloitte, 2017. <https://www2.deloitte.com/us/en/pages/technology-media-and-telecommunications/articles/digital-democracy-survey-generational-media-consumption-trends.html>.

Wilson, Eric. "The Moral of the Morbid." *Psychology Today*, November 8, 2011. <https://www.psychologytoday.com/blog/morbid-curiosities/201111/the-moral-the-morbid>.

Wiltburg, Joy. "True Crime: The Origins of Modern Sensationalism." *The American Historical Review* 109, no. 5 (December 2004): 1377–1404. <https://doi.org/10.1086/530930>.