Did He Do It?: Judging the Suspect-Protagonist in True Crime Documentaries

by

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Introduction

On December 18th 2015, the true crime documentary series *Making a Murderer* was released on Netflix. Within 35 days, each episode had been viewed a staggering 19.3 million times (Lynch). By January 8th 2016, A White House petition demanding that the series’ subjects be exonerated garnered 129,000 signatures. Barack Obama’s administration could no longer ignore the large public outcry and addressed the petition head-on, stating that the President unfortunately did not have the authority to pardon state prisoners (Victor). That a work of entertainment achieved such success and made its way into the national conversation speaks to its undeniably high cultural impact. *Making a Murderer* contributed, in conjunction with the 2014 podcast *Serial* and HBO’s 2015 television series *The Jinx: The Life and Deaths of Robert Durst* before it, to a boom of true crime documentaries in mainstream entertainment. With their high-profile arrival onto the scene, they carried the power to redefine viewer expectations and formal attributes of a genre that had been in formation since the 1988 film *The Thin Blue Line*.

This thesis therefore focuses on true crime documentary as a genre: how did it get established, what are its conventions, how have they evolved in recent years, and where is it heading in the future? These questions come at a time of increased popularity for true crime documentary, both in its rhythm of production and accrued consumption. It is a sub-genre of documentary that has only recently been consolidated in the public consciousness. As a result, there is renewed interest and a retroactive reconsideration of older works that may have influenced today’s hits, such as *The Thin Blue Line, The*
Staircase or Paradise Lost: The Child Murders at Robin Hood Hills. An exploration of how these true crime documentaries all speak to one another, the conventions they might share, and how they build off of precedent would therefore serve as a timely endeavor to understand the formation and evolution of a genre.

Furthermore, their cultural impact demands an explication of their success by way of an analysis of storytelling patterns that cue the viewer into a gripping narrative. These true crime documentaries often engage the viewer into conversations that spill into the real-world. Beyond the petition for Making a Murderer, The Thin Blue Line is famous for being directly responsible for the release from death row of its subject Randall Adams. Paradise Lost “inspired a movement” (Grow) of viewers outraged by the conviction of the three teenagers at the center of the film. Viewers of The Staircase actively debated theories on message boards (Marsh 7). Finally, Robert Durst, the figure at the heart of The Jinx, was arrested the day before its finale aired, in urgent timing according to the authorities (Hamilton). The point is, the kind of engagement that true crime documentaries create for their viewers is an extremely active one. They offer an inherent mystery narrative right from their initial premise to hook the viewer, who becomes tasked with considering the innocence of the central suspect(s). To construct or deconstruct a person’s innocence, the filmmakers construct their portrait. The presentation of their story is what allows for judgement of character, driving our active participation in the narrative. This level of engagement appears to be a unique appeal of the genre, demanding closer analysis of its storytelling techniques.

True crime documentaries are not anything new, their place as a mainstream genre is. This thesis proposes a close examination of its evolution in viewer
expectations, formal attributes, and narrative construction in an attempt to shine light on its success.

**Review of the literature**

Most of the literature on the subject of true crime documentaries does not consider the genre as a whole. The groundbreaking techniques used to craft the innocence of *The Thin Blue Line*’s main subject have already been ardently studied. Recently, some academics have looked into the rise of true crime documentaries such as *Making a Murderer* and *The Jinx*, but they often characterize it as a new phenomenon. There appears to be little discussion of a through-line between all these works, and therefore little comparison or analysis of the genre’s evolution over time.

*The Thin Blue Line* is a landmark in documentary filmmaking, so needless to say, there exists an abundance of academic discussion of its techniques that sway the viewer’s opinion of its subject. These articles suggest form of analysis that can be usefully applied to a discussion of later films. In “Errol Morris’ Construction of Innocence in the Thin Blue Line”, Renée R. Curry details the many cinematic devices used to construct the innocence of Randall Adams, the suspect at the heart of the film. With “verbal monologues”, “newspaper graphics”, “reenactments”, and “key psychological images and sound effects” (Curry 154), the filmmaker tells the story of the night of the murder in a way that emphasizes inconsistencies in testimonies and evidence, creating doubt as to the suspect’s guilt. Morris lets Adams talk plainly to the viewer, portraying him as “a simple man” who still tries to comprehend how he got convicted, causing the viewer to “immediately experience Randall Adams as an
innocent of the world’s dark side and its warnings” (Curry 156). Furthermore, she notices how Morris tears down the idea of ‘common sense’ repeated by the investigators through a detailed revision of the events of the night of the murder. Finally, Morris constantly displays extreme close-ups of “the raw material” of newspaper clippings in order to show us “how they are constructed”, in the end cueing us to realize that “they do not reveal a human” (Curry 164). Over the course of her 14 pages, Curry analyzes how The Thin Blue Line engages the viewer into an active experience of judging the suspect at the heart of the narrative.

In “Memory Without Mirrors”, Linda Williams focuses on the ways Morris goes about representing past truth in The Thin Blue Line. She argues that the film is significant because it relies not on the reliability and objectivity of the image, but instead exposes truth by “picking at the scabs of lies which have covered over the inaccessible event” (Williams 15). By finding traces of the past “in repetition and resistances, in the present”, Morris works to persuade the viewer of a version of the past in which suspect Randall Adams is innocent. The filmmaker’s obtrusive staging of competing narratives allows for an indirect revelation of truth in ways that do not depend on capturing the event on camera.

These academic discussions of Morris’ film raise questions about the genre that deserve to be expanded to true crime documentaries beyond The Thin Blue Line. Curry’s analysis of the cinematic techniques that create doubt in the viewer’s mind as to the suspect’s guilt can be applied to later works. A comparison might reveal differences in approaches; for example, The Jinx: The Life and Deaths of Robert Durst works to persuade the viewer of the suspect’s guilt, not his innocence. How might these
techniques be appropriated for that effect? Furthermore, how might these devices be affected by applying them to a long-form storytelling format? Similar questions can arise from Williams’ piece. She argues that the viewer is acutely aware of “the documentarian’s role in constructing and staging these competing narratives” (Williams 12); some true crime documentaries, like Capturing the Friedmans, attempt to obfuscate this role as a selling point. That film largely depends on the objectivity of the image, through archival home videos, to represent part truth. How do Williams’ main points about the filmmaker reshaping the narrative apply here, in a case when it is purposefully less obvious? Much ink has been spilled about Morris’ seminal film. Another thesis on his film, at this point, would be redundant. Testing later true crime documentaries to see if they contain the same traits as critics have found in earlier ones would provide a greater understanding of the genre.

Most academic writing that focuses on “true crime documentary” as a yet appears to remain somewhat limited in their selection of works. In “Making a genre: the case of the contemporary true crime documentary”, Stella Bruzzi notes that “there has been a veritable explosion in the number of trial and crime documentaries” and that “ultimately this heterogeneous series of individual texts loosely constitute a genre” (Bruzzi 249). Despite any initial agreement, she only looks at the contemporary true crime documentary, not making any links to works older than fifteen years. This is a position many academics have taken. Brett Phillips in his thesis “You want it all to happen now!”: The Jinx, The Imposter, and Re-Enacting the Digital Thriller in True Crime Documentaries focuses on the emulation of the thriller genre in the true crime documentary. He too only considers works from the last 15 years, beginning with
Capturing the Friedmans. Philipps is not preoccupied with the evolution of the genre, rapidly giving his own definition of true crime documentary in the introduction. He writes that they are “stories told after an actual traumatic crime or acts of violence in America or by Americans”, with “talking-head interviews, voiceover narration, and dramatic reenactments”, that “almost always explicitly foreground the American criminal justice system” and are “often rhetorically motivated to convict or exonerate a suspect or criminal or to tell a compelling story about a past legal case” (Phillips 2). The work he has applied to his documentaries of interest, then, is useful to transpose to other documentaries. For example, reenactments in The Jinx “suggest its central figure's dishonesty” (Phillips 11). In The Imposter, they delegitimize “the point of view of an admitted criminal and liar”. These are valid observations on the function of techniques often found in true crime documentary. Still, they place too much emphasis on recent documentaries that employ such a technique. Phillips does not concern himself with older works (such as The Thin Blue Line) or works without reenactments (such as Making a Murderer). Limiting oneself to the study of a particular subset of true crime documentaries does not allow for examination of the genre’s evolution. Academic writing on that subject appears to be lacking.

Bruzzi does write an analysis of the genre’s evolution, although only in recent times, but she provides an example of how to trace a through-line in a series of works. Looking at The Staircase, she concerns herself with the issue of the viewer’s consideration of the series’ suspect, Michael Peterson. While she claims that it is “neither entirely possible to ‘read’ Peterson’s performance nor to detect de Lestrade’s implicit bias” (Bruzzi 254), she notices that the director’s belief in his innocence
“emerge stylistically through his deployment of hand-held, follow-the subject cinematography.” Given that the series “ostensibly favors Peterson as we get to know that side of the case much better” (Bruzzi 251) on a narrative level, it is clear that the filmmaker, like Morris the obtrusive documentarian, shapes the story to sway towards a belief of innocence. However, the tension comes from watching Peterson’s performance, which “could be read one of two ways, either implying guilt (because he is just too cool and controlled) or resonating with the innocence of a man who has nothing to hide” (Bruzzi 253). The challenge becomes for the viewer to decipher his behavior; in the end, “we, the audience-jury, is left doubting where truth and authenticity in this case reside” (Bruzzi 255). Bruzzi then offers a comparison with the way *The Jinx: The Life and Deaths of Robert Durst* lets the viewer perceive its subject. According to her, it is the series’ reenactments that give us “the opportunity to listen to Robert Durst and make our minds up about what happened” (Bruzzi 270). She has looked at two different true crime documentaries, found a commonality in how they engage the viewer, and put the two in conversation, looking at how they achieve the same goal. That is a useful framework to consider and expand to more works.

Finally, some literature looks at the kind of responses that the genre creates through its active participation. In “Murder, They Wrote”, Laura Marsh talks about the prominence of fan theories and their erasure of tragedy, explaining how “rather than dwelling on the nature of the crimes themselves or on loss, or pointing to problems with the justice system, people are swapping their own explanations of what happened” (Marsh 7-8). The gripping narratives distance the viewer from the real-life events and into a rabbit hole of detective work, making crime seem as “entertainment and justice
as a spectator sport” (Marsh 8). After critiquing the intrusiveness of *Serial* and *Jinx* fans into the private lives of those affected by tragedy, Marsh seeks to find positive example in the genre. She singles out *Making a Murderer* for not treating “the discussion of a murder as an intellectual game” and instead capturing “the profound injustice of the criminal justice system” (Marsh 10). Her piece is a reflection on audience reaction to true crime documentaries, offering a critique of toxic fandom and the narrative structures that encourage them. While my thesis is more closely focused on the works themselves, it is useful to remember the ways in which the genre engages the viewer into real-world action. Applying Marsh’s critique of unfortunate repercussions to an analysis of true crime documentaries that actively circumvent this problem, such as *The Keepers*, will reveal how newer works might mark an evolution for the genre.

The existing literature on true crime documentaries either focuses on one particular work or limits itself to a subset of the genre. The ambition of my thesis, then, is to tackle the evolution from 1988’s *The Thin Blue Line* all the way to last year’s *The Keepers*. I will exclude any non-visual media, such as the podcast *Serial*, but the transition of the genre’s storytelling techniques from film to television series is a change worth studying. Not all true crime documentaries obey the same formal attribute, so it is worth expanding the conversation across various works in an attempt to understand a common goal. The genre’s preoccupation with giving the viewer an active participatory experience of judging the subject has been highlighted in earlier pieces. I will now explore how this narrative mode varies across works to achieve different goals, such as focusing on the uncertainty of the past in *Capturing the
Friedmans, playing sympathy games with an untrustworthy figure in *The Imposter* or *The Jinx*, and creating pathos for those affected by tragedy in *Paradise Lost* or *The Keepers*. All these works belong to one genre and as such, follow a certain number of conventions, but they provide variations in how they operate, marking small evolutions.

**Questioning Genre**

To tackle the genre of true crime documentary, we must first define what constitutes a genre. Borrowing from Scott Higgins’ class on the action film, a working definition would be “a reservoir of familiar conventions that filmmakers can draw on while making films and audiences can draw on when trying to make sense of a film” (Higgins "1/23/17 Notes from Action and Adventure Class"). This declaration implies that filmmakers are influenced by precedent in order to create something new. For example, someone making a zombie film today would be aware of the conventions from Romero’s *Night of the Living Dead*, such as the establishment of a slow-moving cannibal threat that can only be defeated by destroying its brain. Edgar Wright’s *Shaun of the Dead* was able to draw on this familiarity to create a comedic spin on the formula, because its audience already knew the basic terms of a zombie film. This framework can be applied to true crime documentary. There exists a number of familiar conventions, such as the juxtaposition of conflicting testimonies to instigate doubt about the validity of the subject’s claims, that filmmakers draw on. Viewers can make sense of works by understanding that they are tasked with judging the suspect. The genre here is expanded to series as well as films, because the conventions are adapted across formats.
However, genres do not appear out of nowhere; it often takes some time for their conventions to become commonplace. The action film, most notably, was more of a form or tendency in cinema before it coalesced into a proper genre in the late 1970s-1980s (Higgins "1/23/17 Notes from Action and Adventure Class"). I wish to study this evolution in true crime documentary. The audience is aware of its conventions now, and would be able to recognize them if a new work were to drop in their Netflix queue, but it was not always the case. *The Thin Blue Line* was not singled out as a true crime documentary at the time of its release because no other film shared its conventions yet. It is only as more and more films drew upon a same reservoir that they all coalesced into a clearly recognizable genre. Looking at their critical reception at the time of release will help to illuminate which conventions were becoming commonplace.

That is not to say that early true crime documentaries were not drawing from precedent; the genre of true crime existed, only in a different form. First, true crime literature was quite popular by the time *The Thin Blue Line* came out. Truman Capote’s 1966 nonfiction novel *In Cold Blood* was the most famous example of true crime literature. The author told the story of two criminals and their gruesome murders of four people in a small Kansas town. Morris’ film goes in its own direction, choosing to provide mystery over the suspect’s guilt, but it adheres to a certain ostentatious mode of storytelling set in motion by the book; both the hand of the writer and the filmmaker are felt “pushing and pulling and arranging” (Kauffmann 19). The film was additionally compared to a *60 minutes* segment, due to its talking head interview format. The television program, already on the air for twenty years, had established formal
techniques to succinctly tell a story of events told in the past. True crime storytelling did not appear out of nowhere in *The Thin Blue Line* but it drew from antecedents in literature and television programs. It created its own set of conventions that then became part of a familiar reservoir for later filmmakers to draw upon.

**The Argument of the Suspect-Protagonist**

True crime documentary encapsulates a certain number of disparate works, but as a genre, is built on familiar conventions that serve to toy with the viewer’s perception of the central figure at the heart of the narrative. It most often posits a question of guilt around this character, asking us to participate in a jury-like experience as the information slowly unfolds to alter our judgement.

The mystery and uncertainty as to whether or not the main suspect(s) on-screen is guilty serves as the narrative hook. Construction of opinion over his guilt necessitates that the true crime documentary erects a portrait of this individual. This becomes apparent when comparing Ezra Edelman’s documentary *O.J.: Made in America* to its dramatized counterpoint, FX’s *American Crime Story: The People v. O.J. Simpson*. The latter’s narrative focuses on the lawyers dealing with the case and restricts its titular character to a few scenes in order to refrain from delivering a definitive stance on his guilt. The former, on the other hand, spends hours on O.J. himself, building up the reasons for his fame, depicting his charisma and sports glory, and allowing the viewer to become enamored with his personality. Then, it pulls the rug, shattering the image of an icon by revealing his violent and abusive side. This precise, calculated rise and fall in the audience’s perception of the suspect defines the true crime documentary.
While both *O.J.* projects mostly depict readily available information about the case, only the documentary shapes it into a narrative about O.J. Simpson himself. The detailed portrait of his character allows the viewer to form our own opinion about him. Because of the suspect’s central place in the narrative and the play with audience sympathies that the genre offers, he can be defined as the “suspect-protagonist.” He is both the character we follow most closely and the one that cultivates fascination around his mystery.

True crime documentaries differentiate themselves from journalistic reporting, and as such project their storytelling ambitions, providing a gripping narrative with twists and turns that alter the viewer’s judgement of the suspect-protagonist. Such techniques could be called out as manipulation. After all, *Making a Murderer* quite heavily pushes for its central figure’s innocence. The obtrusive, guiding hand of the storyteller is seen throughout the genre. This does not necessarily constitute a negative, but it is a criticism that has not gone unheard among filmmakers. They seem aware of their role in constructing the narrative, alternatively drawing attention to themselves as creators of thrills or obfuscating their presence in an attempt to give their work the appearance of objectivity. Since the viewer can become resistant to the idea of being manipulated, a method to combat this perceived flaw is to give them the illusion of coming to their own conclusion, like in *Paradise Lost* or *Capturing the Friedmans*. On the other side of the spectrum, Errol Morris with *The Thin Blue Line* or Bart Layton with *The Imposter* clearly telegraph their intentions with obtrusive storytelling. Whether the filmmakers are upfront about their manipulation or not, they all work to influence the viewer’s perception of the suspect-protagonist. Different methods can
result in the same narrative goal found across the genre. The reasoning for a manipulation of story structure comes out of a desire to precisely tell a story, not report an event.

Out of this aspiration comes a gradually stronger emphasis on the suspect-protagonist as character in the genre’s evolution. Beyond attempting to persuade the viewer towards a belief of innocence or guilt, filmmakers seek to bring the viewer into an emotional experience. The seek to provoke a reaction, whether it be pathos, fascination, or disgust. For instance, The Thin Blue Line presents Randall Adams as the victim of a poor investigation, focusing on the circumstances that got him convicted. Making a Murderer does that as well, but also delves deep into Steven Avery’s backstory in order to create pathos for the poor figure of a man trapped in a justice system that he cannot comprehend. The difference between both works lies in the degree with which their respective filmmakers explore their suspect-protagonists as characters. The tendency for true crime documentary has been to become more and more inseparable from the story of the individuals at the center of their narratives.

The general framework of true crime documentaries revolves around the figure of the suspect-protagonist and their perceived guilt; however, individual filmmakers may stretch this framework to other forms of protagonists. The main character in The Imposter is not a suspect, but a culprit confessing his crimes to the camera. While that sounds like a return to the meaning of “true crime” from literature and In Cold Blood, the filmmaker still draws from the reservoir of conventions to craft a compelling portrait of this individual. Like previous works in the genre, it uses reenactments, conflicts in testimonies, and creates reveals in a carefully controlled narrative. Most
importantly, it is using these techniques to play with the viewer’s perception of this criminal-protagonist. The filmmaker raises fascination for his acts and alternatively raises or diminishes sympathy for his character. Individual works in the genre can adhere to some conventions of the genre and alter others to tell a true crime documentary from another perspective. More recently, *The Keepers* chose to focus its story from the point of view of those hurt by tragedy, not from the suspect. In the evolution of the genre, I also look at works that stretch its conventions and perhaps signal new directions for true crime documentary.

As a final note, the list of documentaries that I look at in this thesis in no way is meant to be exhaustive. Instead, I attempt to focus on enough works that are representative of significant shifts in order to see how the genre has transformed over the decades. This current period is one of major emergence for the genre, and as such popular works like *The Jinx* and *Making a Murderer* have the power to redefine true crime documentary in the public consciousness. Nonetheless, they draw from a reservoir of familiar conventions already established within the genre. From *The Thin Blue Line* on, individual films have sought to alter the prominence of the storyteller to various effects. The jump to television then has provided a solid grip over the viewer throughout a series of episodes, delving deep into the question of the suspect-protagonist. Finally, the genre presents new potential directions by using familiar conventions to tell stories from another perspective. The through-line between all these works is their engrossing portraits of real and puzzling people. Just like their subjects, true crime documentaries are worth taking a closer look at.
In Chapter 1, I take a look at reviews from the time of release of true crime documentaries, beginning with *The Thin Blue Line*. Through an analysis of discourse, I interrogate how the genre came to prominence and how its conventions became recognized as distinctive. Turning towards *Paradise Lost: The Child Murders at Robin Hood Hills, Capturing the Friedmans, The Staircase, The Jinx: The Life and Deaths of Robert Durst*, and finally *Making a Murderer*, I chart the main arguments about true crime documentary’s unique features. I also draw on literature by academics to determine how these features marked a departure from the norm in documentary. The viewer’s active participation in judging the suspect-protagonist, representation of truth in the past, and the role of the filmmaker in shaping the narrative all emerge as major conventions of the genre.

In Chapter 2, I take a close analytical approach to the techniques introduced in *The Thin Blue Line* and at their appropriation by later works as they became part of a reservoir of conventions. The question of truth and its representation, the use of reenactments, the use of conflicting testimony, and the portraits of suspects as main characters are all ideas that filmmakers tackle in their individual works. By looking at *Paradise Lost: The Child Murders at Robin Hood Hills, Capturing the Friedmans, The Imposter*, and *The Jinx: The Life and Deaths of Robert Durst*, I reveal how plot structure and style work together to reveal (or conceal) information on a moment-by-moment basis.

Chapter 3 looks at true crime documentary’s jump to television. *The Staircase, The Jinx: The Life and Deaths of Robert Durst, Making a Murderer, and O.J.: Made in America* are four series that have popularized the genre and its conventions. Long form
storytelling has allowed for an establishment of a basic formula that gives each episode a specific role in the development of its story, creating a rise and fall in sympathy for the suspect-protagonist along the series.

Finally, Chapter 4 is a case study of the series *The Keepers* and how it alters the genre’s formula to tell the story from the perspective of a survivor-protagonist. It aims to create an emotional tale about the survivors of a long-buried crime and those trying to uncover its secrets. There are shocking reversals, breathtaking cliffhangers, and noirish reenactments. In the end, though, the series does not seek to convict those responsible but works as a representation of past pain caused to these people. *The Keepers* is aware of the formula of the genre and deviates from it in significant ways to tell its own story.

The following thesis attempts to present an overview of the true crime documentary genre and its evolution. Now recognized as mainstream, it has developed a number of conventions over the years. To begin my thesis, I will now uncover their emergence and function in narratives centered on suspect-protagonists.
Chapter 1

Rise of a Genre

The true crime documentary is now mainstream. Thanks to the critical and popular successes of *Making a Murderer* and *The Jinx: The Life and Death of Robert Durst* that have led to an increasing production of further works, fans of true crime documentaries are enjoying a full-blown renaissance of the genre. Here’s the problem with this idea of ‘renaissance’, however: when did we accept this concept of true crime documentary as a ‘genre’? Granted, these films are not a recent invention, going back to the 1980s with Errol Morris’ *The Thin Blue Line*. However, while at the time this film was recognized as a ground-breaking documentary, admired for its stylistic and narrative depictions of truth, there was no way it could fit within the pantheon of ‘true crime documentaries’ if such a concept did not exist. It is only recently, with the mainstream success of more recent works, that a reconsideration of what came before has allowed for a public understanding of the genre’s larger narrative and formal conventions. True crime documentary has only crystallized as a full-fledged genre of its own in recent years because there now exists a particular set of expectations attached to it.

If we look at announcements written in the past couple of years for new series within this genre, it becomes apparent that writers are aware of precedent and can therefore draw on their knowledge of past works to inform their expectations. When *The Independent* wrote about an upcoming Netflix series on the disappearance of Madeleine McCann, they explicitly labelled it a “true crime series” (Loughrey),
demonstrating a clear recognition of this work’s place within an established genre. They also referenced Netflix’s previous contributions to the genre and their role in “true crime’s surge in popularity”, writing that “this isn’t the first time that Netflix has dabbled in controversial criminal cases, releasing last year a one-part documentary on Amanda Knox.” These comments attest not only to a larger context of works with similarities in their approach to a specific subject matter, but also to an awareness of the fairly recent emergence of the true crime genre within the arena of mainstream entertainment. A problem of consistency arises, however: our current expectations rely on our understanding of works that nonetheless exist within a wide variation of formal qualities. How do we reconcile all of them under the same umbrella when one might be a 6-episode series heavy on reenactments produced decades after the events took place (such as The Jinx) and another might be a feature film mostly comprised of footage from the trial and produced as it was unfolding (such as Paradise Lost)?

Through an analysis of discourse, we can trace when the true crime documentary became recognized as distinctive. More specifically, by looking at reviews of works that are now reconsidered fundamental in the genre’s creation, from The Thin Blue Line, Paradise Lost: The Child Murders at Robin Hood Hills, Capturing the Friedmans, The Staircase to today’s hits Making a Murderer and The Jinx: The Life and Deaths of Robert Durst, we may look at the specific characteristics critics noticed that later became attributed to the genre. These include an interrogation of innocence through the portrait of an individual and formal strategies to reveal an unfathomable truth in the past, creating a participative role for the viewer. More recent academic discussions of the true crime documentaries illuminate the specific way that
some of these traits function within their individual works, helping to explain their effectiveness and enduring appeal throughout the genre’s evolution. First, as *The Thin Blue Line* and *Paradise Lost* burst onto the scene, critical examinations quickly understood that both films placed the audience into the specific seat of jury, giving them the task of determining the main suspect’s guilt. The filmmakers’ active reconstructions of the past through its ripples into the present raised questions over their sense of objectivity. After *Paradise Lost*’s release, some critics began some comparisons to literary antecedents of true crime. Then, reviews of *Capturing the Friedmans* delineated a paradox of coexisting manipulative structures that twist the viewer’s perception of the principal suspect and raw honesty coming from home video footage that lets the viewer observe and make up their mind. This contradiction highlights the prime appeal for true crime documentary viewers: wanting to be engrossed in a compelling narrative that gives the illusion of choosing one’s own jury verdict. Finally, in the past few years critics noticed a sharp rise in popularity thanks to the characteristically engrossing narrative structures of the genre fitting long-form storytelling and binge-watching habits.

**New Ways of Investigating the Past**

Errol Morris’ *The Thin Blue Line* and Joe Berlinger and Bruce Sinofsky’s *Paradise Lost: The Child Murders at Robin Hood Hills* are both now credited as the antecedents to today’s popular true crime documentary series. Reviews at the time were mostly positive, admiring the unconventional ways in which the filmmakers sought to investigate the past by focusing in the present on the testimonies of those involved.
Both films clearly showed their filmmaker’s authority in the narrative’s unfolding, which raised questions over their apparent objectivity, especially since they sought to challenge the convictions of real-world murder suspects. These concerns are addressed head-on by Morris in an interview with a critic and later by academic Linda Williams, in which they reject the notion that truth can only be captured by an objective image, demonstrating a necessity to explore the figure of the suspect in new ways. *The Thin Blue Line* and *Paradise Lost* were rarely mentioned in comparison at the time as they differ in their style, with the former whole-heartedly rejecting the tenants of cinéma vérité while the latter embraces it. However, they both were noticed for the sense of voyeurism that they offered to the viewer to let them decide their verdict on the suspects at the center of the narrative.

*The Thin Blue Line* has become critically significant due to its obtrusive use of style and shaping of the narrative that permeates the viewer’s perception of Randall Adams, the young man suspected of killing a police officer while pulled over. Following the *Jinx* finale, *Salon* posted an article titled “7 amazing true-crime documentaries to cure your “Jinx” hangover” (Gorenstein), demonstrating a clear link between recent success and a swell of interest in past work. At number one was Errol Morris’ film *The Thin Blue Line*. Similarly, “10 essential true crime documentaries” (Ralph) included *The Thin Blue Line* as “a pioneer in true crime documentation”, noting that it “explores the role of testimonies, misleading police accounts and police misconduct in the verdict.” Finally, a 2014 *Sight and Sound* article on *The Thin Blue Line* analyzed the film’s techniques, noting that they were used “in a slew of ‘true crime’ documentaries that followed in *The Thin Blue Line*’s wake” (Brooke). Clearly,
in recent years, Errol Morris’ 1988 film has been considered as a foundational text in the genre. At the time, however, while it was considered a ground-breaking documentary, no one considered it to be diverging into a new genre, as there was no common understanding of true crime documentary’s conventions.

If we look at reviews of *The Thin Blue Line* at the time of its release, the words “true crime” are not mentioned; however, critics were quick to notice the effects of a directorial voice shaping the portrayal of past truth. *Truth Not Guaranteed: An Interview with Errol Morris* comments that this is indeed a new and unconventional form of documentary, noting that Errol Morris “injects a personal, unorthodox style into the work” and works as an “offscreen detective who ends up influencing events” (Bates 16). Furthermore, a *Boxoffice* review describes the film in contrast to “the best *60 Minutes* segment ever” (Kozak 79). The comparison to *60 Minutes*, CBS’s famous journalism program featuring three back-to-back interviews which each focused on a different subject, comes from the author’s realization that *The Thin Blue Line* is similarly “devoid of narration” and instead “uses talking heads, dramatic re-enactments and old movie clips to tell the story”. Kozak goes on to write that Morris’ storytelling decisions, “the things he chooses to show, and the way he reveals them”, have a major impact on the viewer’s understanding of the events depicted in the film and their consequences. The hand of the director is therefore strikingly omnipresent in the film’s presentation, presenting a great amount of authority as it, over the course of the runtime, “heavily suggests justice was not done.” Such a decision was highly unusual, placing it “at odds with the technique of the ordinary documentary” with its “strikingly original formal devices” (Variety 13). As evidenced by critics’ surprised (and intrigued)
reactions, the heavy use of stylized sequences as well as the presence of a hand actively
guiding the viewer’s understanding of the past is the first element that makes *The Thin
Blue Line* stand out from traditional documentary.

The significance of Morris’ overt techniques had a substantial impact on the
way documentaries could be told, as noted by academic Linda Williams in her piece
Documentaries were thought of usually abiding by a “voyeuristic objectivity” (Williams 13) with a reliance on cinéma vérité as a way to provide unmediated
evidence. Cinéma vérité refers to the “style in which the film maker is primarily
interested in recording life as it actually is” (Issari 5), lessening as much as possible
“the artist’s rearrangement of what he observed” (Issari 21). In technical terms, this
boils down to letting the camera record the event or person of interest, without much
interference, in an attempt to capture reality as it unfolds. A prime example of this style
would be *Salesman*, the 1969 docu-
mentary which follows a group of salesmen selling
bibles across America. The film is comprised entirely of edited footage of their
attempted sales and daily lives, without any interviews or acknowledgments of the
camera. Williams argues this was a popular amongst documentarians as the image on-
screen could then become a ““mirror with a memory” illustrating the visual truth of
objects, persons and events” (Williams 9). This way of thinking of documentary
filmmaking, however, was heavily decried by Errol Morris. In an interview, he stated
that he aimed to “break with the basic tenants of cinema vérité” (Bates 17), which he
argued places “documentary filmmaking as a sub-species of journalism”, hinting at an
aspiration to rise above the role of a reporter and into that of a skilled storyteller.
Here he distinguishes an intriguing argument about subjectivity: that a heavy use of style does not interfere with a faithful representation of life. Morris, therefore, pushes against the widespread perception that truth can only be represented through unmediated photographic proof. As he puts it, “truth isn’t guaranteed by style or expression.” He rejects the notion that cinéma vérité is the only guarantee of truth because such technique—the filmmaker’s “self-obscuring” (Williams 12) and pursuit of an unmediated representation of the present—cannot capture all truths. For events in the past, we must find truth in its ripples; “traumatic events of the past are not available for representation by any simple or single ‘mirror with a memory.’” Instead, they necessitate the “intrusive manipulation of documentary truth” in order to “reveal some ultimate truths.” Morris aims to uncover what really happened by considering multiple narratives of the night of the murder, from the police officer’s colleague to someone who happened to be driving by. All narratives that are not truth are by definition fictions—to get at the truth, the filmmaker must dispute these fictions and therefore make his authority known to the viewer. *The Thin Blue Line*'s reenactments of conflicting testimonies is a direct challenge to the trustworthiness of the interview subjects, but is an obvious show of hand from the director attempting to bring attention to their details. Thus, the viewer becomes acutely aware of “the documentarian’s role in constructing and staging these competing narratives.”

If we follow Williams’ theory, anti-vérité documentaries, as Morris’ film could be labelled, are “an attempt to overturn this commitment to realistically record ‘life as it is’ in favor of a deeper investigation of how it came to be” (Williams 15). Morris exposes truth by “picking at the scabs of lies which have covered over the inaccessible
event” and finding traces of the past “in repetition and resistances, in the present.” While he insists that he does not “indicate [his] opinion one way or another” and simply lets his subjects “all speak and tell [him] what they believed in their own words” (Bates 17), he juxtaposes each of their deeply subjective versions of the past and, through the discrepancies between their accounts in the present, creates a trustworthy representation of the past in the viewer’s mind. The first reenactments show the police officer’s colleague out of their car and firing her pistol immediately after the murder, but testimony from investigators prompt a new re-enactment which shows this colleague still sitting in the passenger seat drinking a milkshake. Viewing the inconsistency between her account and that of the investigators discredits her perspective, making us wonder if we can trust what else she has to say about that night. In other words, “truth exists for Morris because lies exist” (Williams 13), as they lead the viewer to have “serious questions” about the “reliability” (Bates 17) of the suspect’s conviction. This unconventional mix of subjectivity and objectivity, facts and hypotheses is therefore the defining factor that leads the film away from the journalistic mode Morris strives to avoid. With this ground-breaking approach to documentary storytelling, Errol Morris established himself as a rule-breaker, profoundly altering the ways documentary stories could be told and felt, paving the way for future filmmakers to play with objectivity and the concept of reliability.

One film was not sufficient to constitute an entire genre quite yet, though. That would depend on whether or not other filmmakers would follow in Morris’ footsteps. In 2016, a Rolling Stone article named “‘Paradise Lost’ at 20: How West Memphis Three Doc Influenced the True-Crime Boom” (Grow) made the claim that the 1996
film *Paradise Lost: The Child Murders at Robin Hood Hills* was actually key in the genre’s creation, inspiring a “hands-off storytelling style that can be seen in docuseries like *Making a Murderer*.” Reflecting on their accomplishments, the filmmakers Joe Berlinger and Bruce Sinofsky explain that their “philosophy was to treat the audience like a jury” which they believed is “the best way to persuade someone to your point of view.” This is certainly reminiscent of Morris’ technique of giving the viewer multiple witnesses’ testimonies for them to come to their own conclusions, showing continuity in the genre’s formation.

However, very few reviews brought both *The Thin Blue Line* and *Paradise Lost* together in a discussion due to their different approaches to cinéma vérité. In fact, only a *MacLean’s* review compared the two, and that was only to point out their differences: “unlike the groundbreaking documentary *The Thin Blue Line* (1988), *Paradise Lost* does not reconstruct the crime or pass judgment” (Johnson). Indeed, while Morris tended to avoid the voyeurism of the image, Berlinger and Sinofsky dive headfirst into it, letting the “events unfold as they occurred” and creating a “study of voyeurism.” Most of the film’s footage is comprised of the trials for the three teenage suspects, a sharp departure from the interview and testimony approach. This film relies heavily on cinéma vérité, from which the viewer can observe the suspects, lawyers, and parents involved. The fact that both films are now considered ground-breaking in kickstarting the true crime documentary genre while working from fundamentally opposite directions of the ‘cinema vérité’ versus ‘obtrusive directorial voice’ spectrum demonstrates the breadth of stylistic directions it can take. While both approaches grew common in the genre (the trial cinéma vérité of *Paradise Lost* is seen in *Making a
Murderer and the stylized re-enactments in The Jinx), this suggests that true crime documentary is not limited to a defining formal convention. Instead, we can look at both techniques as different methods reaching the same goal, that of representing truth about events in the past.

Indeed, at the time the film came out, critics noticed a narrative structure intended to push viewers toward a conclusion, even from an observational approach. The New York Times review writes that the filmmakers “heighten some of their drama by withholding certain facts until strategic moments” (Maslin 16), which a The Nation review decried as “manipulative” (Klawans 36), although the critic acknowledges that some questions, namely concerning the role of a teenage suspect, are “left to the viewer to decide.” On that point, Variety praised the “culminating ambiguity” (Cheshire 83) as one of the film’s “strongest, most engrossing elements.” Thus, storytelling techniques that guide (or manipulate) the viewer towards questioning the innocence of a suspect seem to be a major feature that critics noticed immediately when these first two true crime documentaries came out.

The Thin Blue Line and Paradise Lost differ in their presentation but are both remarkable in their goal of finding truth from the past in its ripples into the present. While the former favors flashy reenactments that combine to form a mosaic of inexactitudes, the latter lets us observe those involved in the tragedy. Both strategies are employed towards the same viewer participatory experience of determining the suspect’s guilt. If this experience is the glue that holds these two films together, one could assume that the appeal of detective/jury duty to already be associated with the words “true crime” at the time. Looking at what was referred to as “true crime” books,
However, reveals otherwise, hinting at documentary’s clear divergence from its literary antecedent.

**Connections to Literary Antecedents**

*The Thin Blue Line* was not referred to as “true crime” in reviews because it did not fit the bill; at that point, there were no expectations of the true crime documentary genre for it to meet or even subvert. However, the words “true crime” existed in the cultural lexicon—it just meant something different. By looking at book reviews of the 1966 nonfiction novel *In Cold Blood* by Truman Capote, one of the more successful and influential literary examples of true crime, it becomes apparent that it is more closely associated with journalistic reporting, albeit with stylistic flourishes. There is an appeal of the psychological element and a desire to know why the murderers committed their heinous acts. The big difference is that the novel focuses on culprits, not suspects, which eliminates a participatory jury role for the reader, pointing to true crime documentary’s divergence with its literary antecedent.

Both *Variety* and *The New York Times* mentioned the words ‘true crime’ in their reviews of *Paradise Lost*, something not seen in *The Thin Blue Line* reviews. However, these words do not seem to refer yet to a cinematic genre. Unlike today’s articles on true crime, they do not bring this film in context with other documentaries (apart from *MacLean’s* which makes the point that they are complete opposites.) Today, a critic will inevitably bring up recent documentaries such as *Making a Murderer* or *The Jinx* to discuss what a new work may have in common with past examples of the genre, whereas there is no discussion in any of *Paradise Lost’s* reviews of the conventions the
film might engage in. What they do discuss however is revealing of what was referred to as true crime at the time. *The New York Times* writes that *Paradise Lost* contains “all the elements of true crime reporting at its most bitterly revealing” (Maslin): the word “reporting” implies an association with a journalistic mode, not a cinematic one. This suggests that the film, with its observational approach to storytelling, is more closely aligned with what was assumed to be true crime than *The Thin Blue Line*, whose director blatantly rejected comparisons with journalistic techniques.

Looking at reviews of the book most closely associated with true crime at the time, Truman Capote’s 1966 nonfiction novel *In Cold Blood*, described as “a 343-page true crime chronicle” (Kauffmann 19), further demonstrates a literary correlation with journalistic reporting. The best-seller tells the story of four 1959 gruesome murders in a small Kansas town, for which Truman approached the two culprits in jail in order to get accurate details to recount to his readership. Critics are clear about which story is being told here, as the novel is a “intricately circumstantial account of the Clutter murder, its causes and aftermath” (Dupee 3), pointing to a focus on how the murderers operated, not on the question on whether or not they committed the crime. The appeal comes from the morbidity, not the mystery. It is effective precisely because “it reports, without much novelistic comment or simplification, what one is persuaded really and horribly happened” (Dupee 3), not because it raises questions about what happened, a direction *The Thin Blue Line* and *Paradise Lost* would delve into. Furthermore, the focus on the culprits does not seem so intense as it is with the suspects in those films, as one critic points out that “we do get fairly clear pictures of the two murderers, but this is surely minimal in so long a book; and the portraits, though extended, are not
The portrait of suspects is necessary for the viewer to decipher their level of guilt in the films observed; this characteristic seems to be documentary’s contribution to true crime, implemented in order to further a mystery narrative absent in literature.

Dupee’s comment that the author “reports” the story is part of a larger consensus among other critics, confirming true crime’s association with journalism. In fact, the challenge of a “novelist” such as Capote tackling the “job of factual reporting” (Nichols 8) is described as his impetus for writing the book, clearly showing that his writing was inspired by the journalistic mode. However, the notion that he might bring his skills over to create something worthy is still called a “theory” (Nichols 8), as some critics remain unsure that In Cold Blood displays enough intrigue to form the basis of a nonfiction book. It is decried as an “amplified magazine crime feature” (Kauffmann 20) whose “height is rarely higher than that of good journalism and often falls below it” (Kauffmann 23), highlighting the difficulty of distinguishing Capote’s narration from a basic form of reporting from which it is inspired (something Morris would later avoid at all cost.)

Nonetheless, Capote’s arrangement of the narrative is what puts him closest to Morris, Berlanti, and Sinofski’s mode of storytelling which guides the audience throughout. Kauffmann, the same critic who decries Capote’s journalistic style, highlights his “cinematic” techniques of “intercutting of different story strands, intense close-ups, flashbacks, traveling shots, back-ground detail” (Kauffmann 19), something he would admire if not for the observation that “the hand of the maker is always felt, pushing and pulling and arranging.” The active reshaping of the narrative therefore
appears to be a shared criticism and the main characteristic later picked up by documentary. Morris was clear about his own obtrusiveness as a filmmaker, and Berlinger and Sinofski were similarly accused of manipulating the audience through their reveal of information.

*The Thin Blue Line* and *Paradise Lost* both exist in continuity with the literary antecedent of true crime, commonly associated with Capote’s *True Blood*. While such nonfiction novels focused on what happened during the crime, the cinematic genre will ask questions surrounding its circumstances. The culprit in the book becomes the suspect in the film, priming the viewer to decipher their level of guilt. However, the main characteristic picked up by documentary is the obvious role played by the storyteller in guiding the viewer. The degree of manipulation is already something picked up by critics by the time *Paradise Lost*, and it is often seen as a negative. Once the viewer becomes aware of being manipulated, it might in turn make it harder to do so. The obfuscation of manipulation therefore becomes a focus of the true crime documentary genre, as seen in 2003’s *Capturing the Friedmans*.

**Shocks, twists, and observation**

Andrew Jarecki’s film *Capturing the Friedmans* explores accusations of pedophilia against computer teacher Arnold Friedman, who becomes the narrative’s central suspect. The viewer, once again, is tasked with figuring out whether or not he is guilty. Like previous filmmakers, Jarecki is not shy about shaping the narrative, delivering shocks and twists, in order to sway the viewer one way or another. However, the filmmaker builds trust with the audience by letting them observe archive home
videos of the Friedman family unit disintegrating, shouting and screaming from their incomprehension following the allegations. Looking at reviews by critics but also Internet comments from casual viewers reveals that the filmmaker has succeeded in gaining their trust. Jarecki’s pursuit of truth therefore seems to exist in a balance of both extremes: he will shape the narrative in order to create shocking reversals to shift audience sympathies, but he will also rely on “the objectivity of the image” (Williams 10). Unlike The Thin Blue Line, there are no re-enactments or other stylized elements; the past is only exposed in the present through both interviews and home videos (which work as a form of cinéma vérité.) Capturing the Friedmans is therefore closer to Paradise Lost than The Thin Blue Line in its method for representing past truth, but all three films were recognized by critics for their strikingly unconventional attempts at doing so through the portraits of their suspects.

Some critics such as Paul Arthur, in his review “True Confessions, Sort Of: Capturing the Friedmans and the Dilemma of Theatrical Documentary” lamented Jarecki’s tendency to construct “grossly manipulative dramatic structures” (Arthur 5) in order to “pump the dramatic quotient.” He described Capturing the Friedmans’ “pattern of establishing, then undermining, the credibility of various witness” (Arthur 6) as a “truly coy mechanism” whose goal is to “induce a shift in viewer sympathies or conclusions.” This description fits within the running thread of all these films thus far which is a narrative structure intended to guide the viewer towards a questioning of innocence or guilt. His comment that the film “doles out its information in a manner to build suspense and provide ‘shocking’ revelations” is reminiscent of The New York Times’ assessment that Paradise Lost heightens “some of their drama by withholding
certain facts until strategic moments” (Maslin 16). While this blatant manipulation of the narrative can form the basis of criticisms for some, others praised its effectiveness. Author Thomas Austin rounded up Internet comments on the film’s website in his book *Watching the World* in order to get a idea of its reception among casual filmgoers. For the most part, they attributed the many revelations and twists to the film’s success, as it was “akin to a great drama or thriller” (Austin 91) or that it “kept playing with my head as to which side I was leaning towards.” These online reviewers do not accuse these techniques of being manipulative or guiding them towards one conclusion. Instead, they see them as tools that make the viewer reconsider what was previously believed to be true. At this point in the development of true crime documentary, the visible and active role of the filmmaker as storyteller is a commonly recognized feature of the genre, already turning it into one of its conventions.

*Capturing the Friedmans*’ shocks and reversals are so plentiful that they serve to counteract one another and undermine previous beliefs. Therefore, while the director’s hand in creating these twists is obvious, the whiplash caused by their frequency makes it hard for the viewer to effectively pick a side of guilt or innocence. This strategic ambiguity allows the film to approach a degree of veracity. The film’s structure is reminiscent of Morris’ own strategy of juxtaposing multiple contradicting testimonies to expose lies and mistruths. However, no account ultimately rises above the others thanks to Jarecki’s carefully timed delivery of new information that may hurt or strengthen each party in turn. The viewer learns both that student testimonies were done under hypnosis, undermining their credibility and pushing for Friedman’s innocence, and that he told his son’s lawyer that he was getting sexually aroused by a
little boy next to them, making him look guilty. If the filmmaker seems not to favor an opinion regarding Friedman’s guilt, he more easily appears objective, not pushing his view onto the viewer despite his complete manipulation of the narrative. This combination of an artificial, thriller-like construction for an ambiguous, true-to-life pursuit of truth proved immensely popular for the public and critics, as seen in Internet comments on the film’s website such as “thank you for allowing the viewer room to form our own opinions” or “I love how no judgment was made by the filmmakers and that you are open to assume what you think happened” (Austin 98). Even Paul Arthur, with his distaste for the film’s approach to truth, had to concede in his review that he was in the minority, writing that for the most part, “Jarecki is applauded for his ‘taste and restraint’, his ‘judicious pacing’, his ‘good grace to probe for answers while not allowing his camera to be intrusive’” (Arthur 7).

Another element highlighted in reviews is the film’s proximity to the family and subjects of accusation, specifically a “focus on family members exposed to public scrutiny” (Austin 91). Indeed, in the film we have access to a number of home videos that show us the family members as flawed people, which through observation prompts us to form our own opinion of them. Jarecki, in an interview, declared that “you can suddenly start to judge for yourself because you have that primary experience with them” (Austin 96); this technique is what allows him to turn the viewer into the jury, judging the characters themselves. Regarding audience reception, Thomas Austin notes that the “intimate revelations, emotional pain, and family dysfunctions presented in Capturing the Friedmans may have also functioned for some audiences as guarantors of veracity” (Austin 94). The intimacy of the portrait of family members was seen as
an unbiased way of looking at these people in order to decipher their actions. This brings us back to the same argument of how to best access truth: here, we have full access to the reverberations of the past within the family dynamic, revealing some hidden truths.

Manipulation in *Capturing the Friedmans* is both an obvious feature, presented for the excitement of shocks and revelations, and obfuscated by the raw emotion provided by home videos. Jarecki combines a tightly controlled narrative and unmediated photographic proof of life as it was for the Friedmans to shape our perception of the family, and specifically Arnold. The constant shift of sympathies create ambiguity for the viewer, hiding the filmmaker’s opinion on the matter and giving them the illusion of making up their own mind. The jury participatory experience is therefore enriched, further cementing it as a major feature of the genre. While this audience reaction contributed to *Capturing the Friedmans*’ success in the summer of 2003, true crime documentary was yet to become the behemoth that it is now. Filmmakers of today’s popular series took inspiration from the strategy of previous films in the genre, doubling down on the viewer’s jury role in order to entice them into watching hours of content and create buzz around their central mystery.

The Genre Takes Off:

**A Successful Marriage with the Binge-Watch Structure**

The true crime documentary genre only really hit the mainstream when it adapted itself on television series such as *The Staircase, Making a Murderer*, and *The Jinx: The Life and Deaths of Robert Durst*. Looking at reviews, it becomes clear that
the success is due to long-form storytelling’s ability to keep the viewer’s attention over the course of several episodes by creating a deeply addicting mystery. Again, this mystery follows the question of the suspect’s guilt, who more than ever is put front and center for a longer duration, cultivating a strong personality around him.

Stella Bruzzi’s article “Making a genre: the case of the contemporary true crime documentary” considers that the current boom is “bookended by The Staircase from 2004 (the genre’s touchstone or foundational text) and Making a Murderer from 2015” (Bruzzi 250), contextualizing both works in a timeline. Furthermore, a Vulture article titled “The Staircase is a Compelling Companion Piece to Making a Murderer” retroactively makes the case for the series’ similarities with the more popular recent Netflix hit. The reasons for comparing the two are the ease with which one can for “binge-watch” either series thanks to their blend of “shocking twists with the fascinating tedium of the courtroom” (Moser "The Staircase Is a Compelling Companion Piece to Making a Murderer"). The Staircase’s elongated narrative structure is therefore highlighted for the twists and turns it develops to create an addictive experience for the viewer. Reviews at the time confirmed the binge-worthy aspect of the series, with Variety claiming that “the details were so riveting that it became impossible not to hang on for the entire eight episodes” (Dempsey) and TelevisionWeek pointing out its many “twists and turns” (Jensen). This narrative construction was built into the series, which was pitched with the promise that “once someone saw the first episode, they were hooked.” This strategy created a deeply intriguing work of television for critics, as seen by the response in the reviews above, but also proved to be a hit with viewers, causing never-before seen success for
Sundance Channel, the network airing the series. Its president enthusiastically revealed that “the following the series has developed was unlike anything Sundance Channel presented before, much of it based on ravenous word of mouth.” We can therefore conclude that *The Staircase*’s popularity with average viewers as well as the financial gain it generated for the network have played a crucial role in expanding true crime documentary conventions into the mainstream spotlight.

Reviews of Jarecki’s *The Jinx: The Life and Deaths of Robert Durst* praised its addictive narrative structure and the engrossing presence of its main subject, Robert Durst, highlighting the mystery around the suspect as the reason for the series’ success. A reviewer pointed out that “the appeal of shows about unsolved crimes is that they tap into the inner detective many fancy themselves to be” (Souza). This detective or jury role for the viewer is in line with previous assessments of true crime documentaries, confirming continuity within the genre’s establishment. Here, this strategy is even more dependent upon the series’ portrait of its suspect, whom “it makes the subject of a compelling character study” and is “presented as an extremely suspicious character” (Paskin). Durst therefore becomes the main character for us to observe and question, as the “documentary asks you to do nothing so much as to try to scratch the surface of what is going on in Robert Durst’s mind” (Fiendberg) and “scan Durst's face for clues as to whether he is lying” (Souza). The reason for the genre’s popularity becomes apparent in the viewer’s participative role in judging a complex character. Conversations debating the person’s guilt and innocence have in fact only become louder thanks to the fact that “you can now also postmortem it all on social media” (Souza).
Similarly, reviews for *Making a Murderer* inevitably bring up the binge-worthy factor of the series and the viewer’s intense questioning of suspect-protagonist Steven Avery’s innocence. *The Wrap* warns that “it’s hard to hit pause on “Making a Murderer” once it’s rolling through the queue” (Dowling) and *Variety* affirms that “once reeled into the twisted web that is “Making a Murderer”, the temptation will be to binge on it until the bitter end” (Lowry 114). Behind this quality lies a burning desire to thoroughly examine the events that lead to Avery’s conviction, as “the corruption, abuse of power and questions raised about a lower class citizen with a questionable past are brought forward at every turn” (Dowling). The filmmakers of the series, like Morris, utilize the strong emotional response of disbelief and/or anger at the failures of the judicial system to engage the viewer, entrapping them into a binge-worthy narrative. *Making a Murderer*, like other true crime documentaries, is first and foremost a portrait of its main suspect, as we learn about “Avery’s past, his family, and mountains of evidence” (Modell). While he “is painted as a fun-loving, low-IQ troublemaker who doesn’t seem to have a truly violent side”, the viewer must wrestle with the central question of his guilt, watching as “the filmmakers constantly pit [the series’] personalities against each other” (Kohn), creating a veritable “did-he-do-it.” Critics point out their doubts about Avery, as they question whether he is “the victim of corrupt authorities, a cold-blooded psychopath, or both” (Kohn). The resulting ambiguity, once again, “encourages binge-viewing with purpose.”

*The Staircase, Making a Murderer, and The Jinx: The Life and Deaths of Robert Durst* share in common a narrative with twists and turns, carefully manipulated by their filmmakers just like previous true crime films in this chapter, that when elongated
across several episodes, create addiction for the viewer. These series therefore become popular thanks to their ability to be binge-watched. At the center of these narratives lies the central mystery of the suspect; the viewer leans closer in order to answer the question of whether or not he committed the crime. True crime documentary’s success comes from the pull of these characters and their engrossing presence.

**Conclusion**

The true crime documentary undeniably exists as a mainstream genre. While many past works can be considered as part of the genre today, their recognition as such is recent due to its newfound success and popularity. Different authors may consider different works as the foundational text that kickstarted the true crime documentary. This chapter has been an attempt to find the common link between all of them, seeing what characteristics were noticed at the time by critics and may have contributed to the emergence of an entirely new genre. Though they are not bound by a single stylistic aesthetic, true crime documentaries have historically been defined by the obtrusiveness of their filmmakers, either stylistically or narratively. Character subjectivity may be shown, details left out until a crucial moment… these works attempt to uncover the past by questioning almost every detail in the present. Perhaps most importantly, the viewer is the jury, the detective, the one tasked with finding the truth, a weighty duty with the potential to right the wrongs of a past injustice. For this, the audience is pushed to lean forward and decipher the clues left on-screen. The biggest clue, of course, is the suspect at the center of the documentary, a figure of endless intrigue and mystery, depicted in an in-depth portrait of character. These characteristics apply to all these
works, creating a base understanding of where the genre came from and why it became so popular. While we can highlight the through-line between all these authors’ arguments, it is still worth looking at the films themselves to analyze their techniques and explore their commonalities. The evolution from *The Thin Blue Line* to later works such as *Paradise Lost, Capturing the Friedmans, The Imposter*, and *The Jinx: The Life and Deaths of Robert Durst* is marked by a gradual emphasis on the suspect’s portrait in the narrative.
Chapter 2

A Thin Blue Through-Line:

Observing the Suspect-Protagonist Since Morris

The previous chapter explored how the true crime documentary genre slowly gained traction in critical and popular circles around films and series that followed in the footsteps of Errol Morris’ *The Thin Blue Line*. Many of these works are distinguished by their ‘jurification’ process, or the placement of the viewer in the active participatory of determining the suspect-protagonist’s guilt. It is now useful to take an in-depth look at how exactly the techniques of narration first introduced in that film are still in effect in subsequent true crime documentaries—and to what end. Narrative structures pitting conflicting testimonies and delaying information for maximum impact, the placement of the suspect as the main protagonist, and the use of reenactments to create a subjective perception of past events are all common elements of the genre that debuted in *The Thin Blue Line*. An attempt to establish a through-line between Morris’ film and *Paradise Lost: The Child Murders at Robin Hood Hills*, *Capturing the Friedmans*, *The Imposter*, and more recently *The Jinx: The Life and Deaths of Robert Durst* will reveal how plot structure and style work together to reveal (or conceal) information on a moment-by-moment basis. Individual filmmakers latched themselves onto a particular technique from *The Thin Blue Line* and manipulated it to fit their storytelling approach in order to rework and perhaps complicate its original
effect. As the genre evolved, a gradually greater emphasis appeared on the protagonist as a character and on the emotional stakes of the case.

**Conflicts Crafted in Editing**

The way information is delivered to the viewer has the power to profoundly affect their perception of the suspect on a moment-by-moment basis, playing into their experience of jurification. This is an aspect that *The Thin Blue Line* innovated on, using editing and scene order to create conflicting testimonies. The range of narration afforded to the viewer can work to undermine the credibility of witnesses or suspects speaking, ultimately sowing doubt in the verdict of guilt or innocence. Morris’ film edits testimonies to construct the innocence of its central suspect, making the viewer’s final verdict fairly unambiguously easy to reach. Later works will draw on this technique to complicate our perception of their suspects, building a fascination for mysterious characters to decipher. *Paradise Lost* and *Capturing the Friedmans* craft conflicts in editing not only for evidence-based arguments but also to detail human conflict, heightening the emotional stakes of passing judgment on the suspects. *The Imposter* alters the formula of the true crime documentary by not having a suspect but a confirmed criminal as main character, however it applies the genre’s technique of edited contradictions to display two different perspectives in parallel; that of the culprit and those hurt by him. This serves to demonstrate his power of persuasion, centering the narrative around his personality and actions. Finally, *The Jinx* creates a build-up to the words of its main suspect Robert Durst, creating anticipation for his explanations.
for what has been said about him previously, once again crafting a fascination around the personality of the central suspect.

*The Thin Blue Line* carefully manipulated its narrative structure to emphasize the conflicting nature of various testimonies recapping the same event, creating shocking twists and exposing the fabrication of lies to the viewer. Editing therefore played a substantial role in shaping the narrative and in what has been dubbed the “construction of innocence” (Curry 153) of suspect Randall Adams, convicted of killing a police officer. The viewer’s understanding of what went down on the night that the police officer was shot relies primarily on interviews of various people’s testimonies. It is the careful arrangement of their words against one another that breeds incompatibility and therefore doubt about the legitimacy of Adam’s conviction. For example, one of the key witnesses who identified Adams during the trial, Mrs. Miller, in an interview gives her own account of that fateful night about 42 minutes in. She heavily incriminates Adams by declaring she got a “good look” at him. Immediately after the viewer is given this piece of information, the film cuts to a lawyer who details how the information Miller had given during the trial about her whereabouts that day turned out to be inaccurate. We learn she was not at her job because she had been fired for stealing, adding another shade of dishonesty to her personality. To further discredit her, we then hear from a lawyer who received a call from an acquaintance of Miller’s who proclaimed that she “had never told the truth in her life.” The effect is clear: at first the director lets the viewer listen to her story in whole, allowing for trust. He immediately destroys this trust as he pulls the rug from under the viewer, in effect exposing that the many blocks that comprise the Jenga tower of evidence against
Adams are fraudulent, removing them one by one until said tower crumbles to the ground.

In *Paradise Lost*, edited conflicts are also used on a logical level, leveling testimonies and evidence from the prosecution versus the defense in the courtroom against one another in order to sow doubt in the suspect’s guilt. The film deals with the trial of three teenage outcasts with a penchant for Satanism and Metallica, accused of murdering three young boys in the woods. Editing speeches from opposing attorneys together changes the way we interpret their words, potentially challenging their statements. At the beginning of the section focusing on the trial for the first teenager, Jessie, the opening statements from both lawyers are intercut in a decidedly non-linear fashion, crafting a back-and-forth of arguments. We are first exposed to this trial with the prosecutor declaring that the defendant will be proven guilty based in part on his confession, then cut to the defense lawyer arguing that said confession is factually incorrect and results from faulty interrogation techniques, then back to the prosecutor saying that there is sufficient proof to ask the jury to return a guilty verdict. By interrupting the prosecutor’s statement with a rebuttal from the defense concerning a key piece of evidence, the filmmakers allow the defense lawyer to instantly address what was presented as sound evidence to the jury. They challenge the prosecutor’s argument in a way that was not possible in the courtroom, diminishing his credibility. While their arguments are already conflicting in nature, editing, like in *The Thin Blue Line*, interjects an immediacy by which the viewer processes them, engaging them in this mental puzzle. Our viewing experience here is focused on judging the evidence
and the professionals evaluating it, creating of an intellectual puzzle with many pieces to ponder.

*Paradise Lost* also uses this editing technique to convey emotional conflict, creating pathos and tragedy on both sides (for the family of the victims as well as the suspects) that gives the film an appearance of objectivity. The documentary does distinguish between its more evidence and argument-based trial sequences in which lawyers argue between themselves and those that focus primarily on how the families of victims and suspects are coping with this difficult moment. This marks an evolution of *The Thin Blue Line*’s technique of crafting conflict through editing. It is used here to form an emotional backbone to the film, and also to explain the important role played by scapegoating in the trial by showing us the power of anger and tragedy. By showing the extent to which the town has been hurt by the horrific murders, the filmmakers demonstrate the ease with which the necessity for blame can fall on some odd-looking gothic teenagers. 28 minutes into the runtime the film intercuts a scene featuring Mark Byers, the father of one of the victims, with one of Jessie’s family. The former is an emotionally charged moment in which the father leads his local congregation into prayer, demonstrating how everyone rallies around him in a difficult moment. The latter is a scene of Jessie’s family cooking a barbecue in their backyard and being warned by their attorney not to talk to anyone about the case. Not only is the footage interspersed with each other, but audio from the father’s mournful singing also plays over images of the suspect’s family preparing the meal together, further highlighting their difference in reaction to the tragedy and crafting an opposition between the two communities. The editing makes this divide apparent, explicitly showing the coming
together of a town led by a hurt and angry man against the self-isolation of a family attempting to go on with their lives. This breeds a narrative conflict, though not of evidence and contradicting testimonies like we have seen so far, but of emotions (grief and anger versus denial.) Seeing their divide develop helps to foreground the emotion and blind rage that can overcome reason, making the viewer question if Jessie was pursued simply because the town needed to find a suspect quickly, cueing us to doubt his conviction.

This establishment of human conflict is used to form ambiguity for the suspect’s perceived innocence. Following one pathos-filled scene with another from the opposite point of view cues us to feel pity for both, and therefore conflicted in the judgment we are tasked to make. Unlike The Thin Blue Line which strongly pushes the viewer towards believing the suspect, Paradise Lost constantly reminds us of the high stakes of this decision, making it harder to fully trust one side or another. Take for instance the scene at the 34-minute mark in which Jessie calls his girlfriend from prison, which serves to create sympathy for the couple and extract pathos from their inability to reunite. The conversation we hear is tinged with despair at their situation, but the girlfriend laughs and blushes at his immature yet sweet remarks. Such a contrast drives home the point that these are still kids, giving them an air of innocence that is contrasted with the grimness of their situation. The scene’s conclusion, with Jessie alone in his cell staring outwards, further pushes pathos for this young man whose air of childlike innocence has been presented to us. It would be easy to say this scene manipulates the audience onto the suspect’s side, but the filmmakers wish to muddle the water by pushing pathos for the other camp as well. They expand the range of narration to make
us question whose side we might actually be on. We immediately cut to a heart-wrenching scene of the victim’s father at his son’s grave on Christmas morning. Again, editing from one side to the other reinforces the conflict between these opposing people. Moreover, whatever pity we might have just felt for Jessie in his scene is instantly undermined by the pain on display caused to the victim’s family. We are therefore reminded of the intense personal stakes in determining his guilt, making it much harder to do so. The resulting feeling is one of extreme ambiguity, in the sense that even though the film may argue in its trial and evidence-based segments for the wrongful conviction of these boys, it strongly pushes for the idea of ‘seeing both sides’ in these emotionally charged moments.

The viewer’s experience of whiplash between intense pity for the defendant and the victim’s family then covers their bases for questions regarding objectivity; we are less likely to feel manipulated one way or another if we get to experience the pain from both sides. As the filmmakers themselves explained, “the best way to persuade somebody to your point of view is to have this unbiased approach, where you let the audience weigh the information” in an experience which appears “more emotional and much more active” (Grow). The appearance of objectivity is greatly important to ultimately convince the viewer, and these editing techniques that offer a sense of pity for all sides become crucial in achieving that goal. In *The Thin Blue Line*, cutting between two directly contradicting characters created doubt in the legitimacy of those being interviewed, pushing the viewer towards one point of view. In *Paradise Lost*, this cutting is used to contrast the pain of two opposing camps, seemingly complicating the viewer’s task of delivering their jury verdict in these crucial moments, while still
being pushed by the filmmakers towards one side (doubt in the teenagers’ conviction). The goal in constructing the suspect’s innocence by expanding the range of narration through editing, then, remains the same, despite the latter film’s desire to work in a subtler way.

*Capturing the Friedmans* evolves even more towards ambiguity, as contradictions through editing serve to cast doubt on suspected pedophile Arnold Friedman’s guilt, but many of them serve to expose his family’s attempts to defend him at all costs, giving weight to the possibility of his guilt. The film pits contradicting lies, exaggerations, or misconstructions against one another to complicate the viewer’s task of figuring out who might be telling the truth. In this film the goal becomes not so much to convince the viewer towards a belief of guilt or innocence, unlike *The Thin Blue Line* or even *Paradise Lost*. It is precisely the viewer’s inability to determine what is true or false that becomes the major draw of this film, as seen in its reviews that praised it for how it “kept playing with my head as to which side I was leaning towards” (Austin 91). On one side, there are enough edited contradictions to raise doubt about Arnold’s guilt. At the 27-minute mark, an anonymous former student of Arnold Friedman details to the camera how he and his son would rape children during class, complete with intimidation tactics, such as waiving knives in the classroom. Another student immediately refutes this story on camera, remembering the classes as generally pleasant. He is followed by an anonymous student who further diminishes the credibility of the first student, claiming that he “never saw anything remotely like child molestation or child abuse.” The effect is clear and reminiscent of the tactic used in *The Thin Blue Line*; the first testimony’s direct contradiction with the following two cues
the viewer to doubt its legitimacy. This doubt makes the allegations against Arnold seem like a fabrication, making the case in this instant for a wronged conviction.

When it comes to interviews with the family, however, the answers immediately seem much more biased, twisting the cut-and-dry effects of this technique into something less evident. It exposes a conflict within the family unit itself: the sons and brother versus the wife. This divide becomes apparent as the family members contradict and attack each other in conflicting statements. At the 44-minute mark, Arnold’s wife Elaine describes their dry marriage and awkward sex life. Her sad reality is immediately undercut by her son’s disbelief of this account, as he asks why she never asked for a divorce if it was that bad. The effect here is not to cast doubt on her claims, but instead to show the son’s inability to view Arnold as a bad person. The juxtaposition of their statements displays the lengths he will go to in order to preserve the image he has of him, even if it means turning his mother into the villain. This technique here serves to tell a more personal story, giving the viewer a complex look at a disintegrating family unit trying to hold on to truths they used to take for granted. Editing exposes not lies but people’s refusal to view facts objectively, which in turn serves to cast doubt on the legitimacy of their claims supporting their father, and therefore on Arnold’s innocence. This doubt reinforces uncertainty on the viewer’s part as to their final verdict. Capturing the Friedmans therefore uses this technique to deliver a complex study of suspected pedophile Arnold Friedman and his family. The resulting emotional experience pushes the viewer back and forth between sympathy for the family members whose lives are falling apart and horror at the possibility that Arnold may be guilty, driving the resulting ambiguity as a major guarantor of veracity.
In *The Imposter*, the technique of exploiting contradictions is appropriated to juxtapose two opposite point of views, that of a family being fooled and the one fooling them, in order to emphasize his power of manipulation. The plot revolves around a man names Frederic Bourdain impersonating a missing child’s identity and integrating himself into the unsuspicious family. The film is not playing the usual game of making the viewer decipher if he committed the crime, but focuses instead on how he managed to do so, from his perspective. Nevertheless, the range of narration is expanded to show us the family’s complete lack of awareness, juxtaposing their naïve acceptance with his cunning manoeuvres. For example, 18 minutes into the film both Frederic and the mother recount the phone call he made from Spain impersonating the shelter employee letting her know they found her son. Their interviews are intercut, and the many cutaways to the imposter serve as asides to the viewer, treating us as accomplices in his diabolical plan. This can be done by a simple look into the camera. After the mother recalls getting through to an employee named Jonathan Durant, we cut to a close-up of Frederic, smiling at us and effectively letting us in on the truth. We have here a contradiction of what was just told, just like in *The Thin Blue Line*, but the power of refutation here serves not to expose the lies of the first person but instead to display their lack of information. This massive difference in knowledge between these two characters is therefore amped up through editing, making her seem innocent and naïve and depicting him as an evil genius. The access we get to his story, in which he exposes the truth behind what the mother thinks is happening, aligns us with his character and therefore allows us to become fascinated with him, gripping us into his narrative and goal of deceiving this family.
As we reach the end of the film, the viewer has become so engrossed into the imposter’s point of view that we might start taking his word for granted. Conflicting testimonies regain the goal of making us wonder if a crime has occurred in order to directly demonstrate his manipulation capabilities. Indeed, in the third act Frederic tells the authorities (and the audience) that he suspects the family of covering up their son’s murder—a ludicrous twist that should not be believed coming from the words of a chronic liar. Yet, the filmmaker guides the viewer into seriously considering this possibility as a way to align us with the experience of being fooled by him. An hour and nine minutes into the film, an investigator tells us about her bewilderment at seeing the mother picking Frederic up at the airport after she had called her to warn her this was probably not her son and to let the authorities handle him. We then immediately cut to the mother claiming not to remember this exchange. Two minutes later, the same detective recalls the grandmother laying in her doorstep in panic in order to prevent her from gathering DNA evidence. We then cut to the grandmother failing to remember doing so. This direct contradiction between the accounts of the authorities and the family, combined with the vague, unconvincing excuses of the latter, create a feeling of suspicion. Furthermore, the recency effect privileges the final portrayal we see, which means that whoever gets the final word usually gains most credibility. This is why the sequence ends to a cut back to the detective, claiming she now considered them as “a questionable family”, delivering the final nail in the coffin and persuading the viewer to this theory. In the third act, therefore, the filmmaker repurposes the technique of crafting conflicting testimonies in editing in order to play a psychological trick on the viewer, giving the viewer the experience of being fooled by the trickster imposter.
This alignment with those hurt by his lies is a decidedly more subjective approach of an editing technique commonly seen in true crime documentaries, that increases his narrative power and control over the audience.

*The Jinx: The Life and Deaths of Robert Durst* puts its suspect front and center, allowing him to offer his own version of events to the camera; but the appeal here lies in deciphering his words and mannerisms in relation to previous statements by other interviewees. By attempting to determine his level of trustworthiness, the viewer judges a figure that draws fascinations from his incredulous answers. The suspect-protagonist is introduced as a rich, mysterious man that has somehow been implicated in the deaths and disappearances of three people. Whereas in *The Thin Blue Line*, edited contradictions served to diminish the credibility of the previous interviewee, this series builds up to his responses to claims about his past actions, saving his perspective on the matter for last for its puzzling value. This strategy lets the audience process perplexing response after perplexing response from Durst.

The second episode, “Poor Little Rich Boy”, serves as a perfect example of this construction, both at the macro level of its narrative structure and in its final minutes. A large part of the episode revolves around the night Durst’s ex-wife went missing, as told by her friends and a police detective. Some fundamental facts are placed on the table. Durst had a drink with his neighbor after dropping her off at the train station. She called the dean of medical school in New York the next morning, clearing his name and validating the theory that she ran away voluntarily. Then, testimonies from her friends and well as excerpts from her diary reveal a violent side to this man. They remember looking through his trash and finding that he was throwing out her
belongings as if he knew “she wasn’t coming back”, raising concerns about his possible implication. All the while, the audience is left to wonder what this man that is being talked about has to say for himself. We are given glimpses of his perspective through his written account to the police, but they mostly serve to raise more eyebrows and set up further questions, like his quote about “little marital difficulty.” Finally, Durst responds. His willingness to admit to hitting his wife serves to conjure conflicting feeling for the viewer, in that he becomes a dangerous, violent figure, yet gains trustworthiness from not denying his terrible actions. Far from offering a rebuttal, he not only confirms what Katie’s friends said about his abusive personality, but goes deeper in his recollection. Unlike other true crime documentaries, which use rebuttals to a person’s claims to diminish their credibility, here the suspect’s own reaction to a multitude of previous claims against him gathers the viewer’s attention in order to decipher him.

This sequence ends with a concentrated version of this pattern which emphasizes the strangeness of Durst’s answers, raising questions about his guilt. First, his neighbor reveals to the camera that Durst never came for drinks that night, contradicting the written testimony to the police. We then cut to the police detective in charge of Kathie’s disappearance, admitting that there were some “inconsistencies” in his report. All this builds to a necessary explanation from the man himself, Robert Durst, leaving the viewer to eagerly await his perspective. At this climax of questions and doubts, we cut back to him as he offers a mystifying response, never denying the lie about the neighbor, but offering a suspicious excuse about hoping it would “make everything go away.” Again, the effect of uneasiness works in the intersection of his
openness and seeming candidness to the interview process and the incredulous nature of his claims. Furthermore, the strangeness that emanates from his character lies not only in his words but also in his facial expressions, which is why the camera lingers on him after his answer, offering a beat to consider what he just said and displaying his mannerisms for the viewer to dissect. Instead of jumping right into the next question, we are deliberately treated to four seconds of Durst’s silence as he blinks, ticks nervously, and furtively looks into the camera, making us look closer in an attempt to see if any of his actions might betray him and indicate a possible lie. The goal is to confront the viewer with the individual; we are made to closely observe the suspect as he retells us the story in which he is the main protagonist. By confronting Durst’s version of reality against everyone else’s, the filmmaker enwraps us into the man’s twisted mindset, making us question every single one of his words and actions yet bringing us dangerously close to his worldview.

Expanding the range of narration to those arguing against and for the suspect’s guilt, and creating a clear conflict between both sides by juxtaposing their testimonies through editing, allowed The Thin Blue Line to create doubt around some claims, expose lies, and in the end construct innocence. This resource would become a mainstay of the true crime documentary genre as the viewer’s shifting perception of the suspect became a feature of its storytelling. Paradise Lost and Capturing the Friedmans marked an evolution towards increased ambiguity, intercutting between both sides to sway the viewer towards alternating beliefs of innocence and guilt. Constant reminders of the pain of real people made the viewer’s verdict decision a decidedly weightier one and less clear-cut than in Morris’ film, requiring a thorough analysis of the suspects.
*The Jinx* keeps its focus on Durst, as his responses to previous claims against him become the main attraction, intriguing the viewer with lies and truths. Even without the need to determine whether the suspect is guilty, contradictions crafted in editing are still used to create fascination around the criminal in *The Imposter*.

Placing conflicting perspectives in direct opposition raises the mystery of the suspect, priming the viewer to reach for the truth by analyzing what comes through of his character in a controlled narrative. With the viewer’s active participatory experience of judging the suspect and the increased aura of mystery induced by edited contradictions, true crime documentary centers on a character both suspect and protagonist, the “suspect-protagonist.” The range of narration plays a crucial role in depicting this person; information is delivered in tandem makes the viewer consider two viewpoints, influencing what the viewer learns about him. However, the opposite is just as important, as withholding information until a later, more dramatic reveal can greatly alter our perception of the suspect-protagonist.

**Reveal of Delayed Information**

The manipulation of people’s testimonies in relation to each other for maximum effect ties into a larger trend in true crime documentaries, starting with *The Thin Blue Line*: that of a purposeful withholding of information in order to produce shocking twists. These narrative turns serve to dramatically alter the viewer’s perception of the suspect-protagonist in a single moment, constantly maintaining fresh interest in that character with a timed delivery of new crucial information. In *Paradise Lost: The Child Murders at Robin Hood Hills* and *Capturing the Friedmans*, twists never let the viewer...
settle on one judgement of the suspect, creating an overall impression of complete uncertainty. *The Imposter* uses twists to play a game of sympathy with its central figure, aligning the viewer with him then reinforcing his villainous side by revealing the extent of his villainous actions. Finally, each reveal in *The Jinx: The Life and Deaths of Robert Durst* serves to upend information that came before, using the resulting shock factor to portray Durst as a truly suspicious man. In all of these examples, suppressing information works in the service of creating a compelling portrait of the suspect-protagonist, constantly complicating initial impressions.

In *The Thin Blue Line*, we watch a man named Harris give us his perspective on the night of the crime, until Morris includes a shot in which the subject raises his hands, revealing a detail withheld from the audience until now: he is handcuffed. The filmmaker is cueing us to reconsider his testimony. Whereas we were listening to the words of a fresh-faced young-looking man, we now know that he is a potentially violent person. This produces a twist in the narrative; the viewer may now consider Harris as the guilty party in the police officer’s death, instead of Adams.

This technique reappears in *Paradise Lost*, with additional information providing twists in the investigation of the accused teenagers that make it difficult to determine guilt. At first, the film seriously posits its most serious piece of evidence against the boys, Jessie’s confession admitting to the murders, letting the viewer consider their guilt accordingly. It is only 33 minutes in, in an uninterrupted courtroom segment in which the defense lawyer questions the interrogator responsible for Jessie’s confession, that additional information about the confession arises, raising concerns about its veracity. Knowledge about Jessie’s mental handicap, the lack of training to
interrogate people with mental handicaps, and the techniques used to “invoke a response” casts a new light on what was previously held as commonly accepted information, undermining a strong case for the prosecution. The purpose of suppressing these crucial details until now is to first let the viewer form a first impression of these teenagers based on the knowledge of the confession. This experience would then resemble that of those following the case in the town at the time. As a result, the filmmakers let us comprehend the conditions in which the town turned against the teenagers, by providing limited information to align us with their beliefs. Post-reveal, the credibility of the confession is diminished, cueing the viewer to doubt Jessie’s guilt. However, delaying that crucial information means that we remain aware that the confession remains a piece of evidence with established strong persuasive power. We know and understand why the town has already turned against the teenagers, making their odds of a fair conviction seem slim.

On the flipside, the filmmakers also construct twists that create evidence against the teenagers, which make it difficult for the viewer to know who to believe. An hour into the film, we learn that a victim’s testicules were found in a jar in Damien’s room (another accused teenager), complete with incriminating fingerprints. After subtly raising the possibility of scapegoating and unfair convictions, the film now delivers a strong, damning blow against the teenagers, or at the very least Damien. While the suspect immediately refutes the accusation, this absolutely shocking new information once again serves to shift our perspective of the case. Delayed information in this film alternatively sways the viewer towards a belief of either innocence or guilt at deliberate moments in the narrative. The end result becomes more ambiguous than in The Thin
Blue Line, reflecting the filmmakers’ strategy of letting “the audience weigh the information” (Grow), to the point of actively pushing us in different directions at various points in the film’s runtime.

Capturing the Friedmans uses this technique for similar effect. When the documentary was released, film critic Paul Arthur took issue with its “grossly manipulative dramatic structures” (Arthur 5) and in particular its doling out of “information in a manner to build suspense and provide ‘shocking’ revelations” (Arthur 6). This technique is utilized in the film to manipulate the viewer, yes, in that it shifts our perception of suspected pedophile Arnold Friedman. The many twists and turns in the narrative again serve to create uncertainty and ambiguity regarding his guilt. On one hand, Jessie’s defense attorney reveals an hour and ten minutes into the film that Arnold wished to sit at a different table during a prison visit because he was reportedly getting excited at the sight of a little boy on a parent’s lap sitting not too far away. The shocking nature of the story, the fact that it goes undisputed, and its late timing in the narrative all serve to conflict with any sympathy the viewer may have built up for the Friedmans after witnessing their slow disintegration from within. The resulting feeling of disgust for this man that we have been observing sways us towards a belief of guilt. On the other hand, an hour and twenty minutes into the film, it is revealed that many of the student testimonies used against Arnold in court were done under hypnosis. One anonymous student’s admission that his memories only appeared after hypnosis is followed by an on-screen text declaration that his testimony led to “35 counts of sodomy”, completely undercutting the credibility of crucial evidence used to convict Arnold. This constant reveal of new information against or in support of the suspect-
protagonist positions him as a mysterious figure that becomes impossible for the viewer to figure out fully. Since the film is primarily concerned with the question of his guilt, the aura of mystery around his character helps to reel the audience in, compelling them to pay close attention and creating a desire to know more.

_The Imposter_ uses this technique to play a game of sympathies with the villainous figure around whom the narrative is centered. Frederic Bourdain is telling his own story, so it makes sense that he decides which information to reveal at the moment of his choosing in order to sway the viewer to his side. Nonetheless, the filmmaker has final power over the protagonist’s words by placing specific story beats in the narrative. Indeed, telling the story from _The Imposter’s_ titular character’s perspective fundamentally alters the way we experience the film, aligning us with his character rather than the ones he hurts. The simple decision to tell the story as a suspenseful “can he get away with this incredible crime?” narrative, instead of developing the mystery of the returning child who gradually doesn’t seem to be who he claims to be, creates stakes for his character, investing the viewer in his goals. Any information from the family as to their true feelings towards this imposter today is delayed until the end of the film, for displaying their anger and hatred towards his despicable acts would clash with viewer alignment as he recounts his tale.

The stories of the many challenges he faced along the way provide the viewer with information that allows for sympathy for the villain. He tells us about having to recognize family members in pictures in order to convince the police that he is indeed the missing child—this works to build suspense as to whether or not he can actually succeed in this difficult task. This episode therefore serves as an audience “check” that
thrillers such as *Double Indemnity* use, in which the villain momentarily faces an obstacle which the viewer wants him to overcome, getting us firmly on his side. Furthermore, he follows this up by revealing his indecision about following through with this plan, about the lack of love during his childhood, and finally talks about how he was almost aborted. These stories serve to humanize him and make the viewer feel for him. The placement of this information, as he is about to go home with “his” family, is therefore crucially important in that it diminishes the impact of his horribly selfish act. The information the imposter chooses to dole out, combined with its timing, is carefully construed to bring the viewer to his side, making the story all about him.

The film is playing a game of sympathy, so the filmmaker finally reveals information that reinforce his role as a villain. The reveal of the imposter’s true name, background, and that he is wanted by Interpol for faking dozens of other identities only happens in the last act. His admission that he never cared for the family’s well-being near the end of the film is a stark reminder of his ruthlessness, going against the carefully constructed image of an antihero who may feel remorse. We also learn that he continued to call families after his arrest, pretending to know information about missing children, informing the viewer that he will commit these crimes not for survival, but sometimes just for the fun of it. These shocking twists are all saved for the end, and expose his true villainous personality only after the viewer has sided with him for most of the narrative. The reveal of the monster behind the protagonist makes for a chilling conclusion, and again makes us reconsider his immense persuasive power used against his victims.
Finally, *The Jinx* proves the effective power of twists in the true crime documentary genre, with its now-famous ending scene. Its final reveal upends everything that came before it, contradicting all of Durst’s previous claims to innocence and overshadowing any and all other evidence against him. During its six-episode run, the series carefully doles out information in a manner built to constantly raise doubts around Robert Durst’s maintained innocence. In the final minutes, the suspect-protagonist, after denying evidence that links his handwriting to that of the suspected killer, excuses himself to the bathroom, and, with his microphone still on, unknowingly reveals that he is “caught” and that he “killed them all, of course.” This is a major bombshell, and the filmmaker is fully aware of it, exploiting it to its fullest potential. He plays this audio over footage of the lights in the interview room shutting down and lets this reveal act as the closing moment for the entire documentary. These decisions point to an acknowledgement of the strength of the shock value of this information previously hidden to all. In other words, this “hot mic” incident serves for Jarecki as the true crime documentary equivalent of a “mic drop”, providing an argument so compelling against Durst that he feels confident enough to present it as his closing statement for the audience-jury.

One can point to the similitude between this auditory statement and the one found in *The Thin Blue Line*’s ending, in which we hear the audio of Harris telling Morris that there is no way Adams is guilty of the police officer murder, providing a reveal that allows the film to end on a decisive note establishing the protagonist’s legal and moral standing. *The Jinx*’s ending, however, doubles down on the growing appeal of an up-close examination of the suspect-protagonist, in that it draws on our
fascination and curiosity around what Durst might say regarding the crimes he is accused of. Therein lies the true power of giving him the series’ final words, as it serves as a fitting conclusion to the viewer’s participatory experience centered around this man, providing the audience with the necessary end piece in the series-long puzzle of deciphering his every word and mannerism.

Delayed reveals, shocking twists, and manipulated narratives are therefore ingrained in the true crime documentary, serving to influence our perception of key players. These conventions are retooled by filmmakers to engage the viewer into compelling tales of the suspect-protagonist’s story, providing mystery, pathos, ambiguity, and intense fascination to their character. True crime documentaries often concern themselves with stories told in the past, and must find appropriate techniques to tell them in convincing fashion. Beyond rearranging the narrative to keep it engaging, filmmakers since Morris have wrestled with how to best represent the past.

Depictions of the Past

Reenactments in *The Thin Blue Line* have had a significant influence on the true crime documentary genre, regardless of whether or not other works choose to employ them. What Morris did was find a way to represent the past that can no longer be captured today, in order to bring the viewer into the narrative’s crucial events. *The Imposter* uses reenactments to align us with the perspective of the suspect-protagonist as he engrosses us in his tale. *The Jinx* employs them to engross the viewer into the head-spinning lies of its subject, constructing him as a shadowy figure not to be trusted. Other films such as *Capturing the Friedmans* rely instead on archival home videos to
depict lost innocence that is forever left in the past, in order to create pathos for the family at the center of the family.

Morris was insistent that subjective depictions of events did not compromise the film’s claim to a faithful representation of reality, as he deemed an observation of people’s different perceptions of reality crucial to determining what is fabrication and what is not. The sequences are notable for their hyper-stylized qualities, such as slow motion, silhouetted actors, or cinematic camera angles that betray their artificiality, painstakingly set up by a film noir influenced director—not a documentarian who managed to capture the event as it happened. Artificiality is the point; these sequences are singled out as different, and the goal is not to fool the audience into convincing them that what they see is true. Instead, the cinematic mode helps to enhance the viewer’s perception of these different people’s stories, engaging us in the central murder mystery but also making us focus on the discrepancies between stories through a repetition of similar but not quite identical visual depictions of the same event.

This is a device that is not universally used by true crime documentary filmmakers, but it is nonetheless found fairly frequently that it is worth discussing its treatment in subsequent works. For example, Bart Layton’s *The Imposter* fittingly uses reenactments to immerse the viewer into the titular character’s story, explicitly aligning us with his experience and subtly pushing his trustworthiness. The director exploits their cinematic potential in order to craft thrilling and suspenseful sequences that depict the single perspective of the imposter. Reenactments are restricted to his story alone; there are none to be found for the events told by the family he fooled. We only get to see his side. To the opposite effect of Morris’s film, the filmmaker here quickly closes
the gap between reality and its on-screen depiction. The reenactments only begin when Bourdain is first introduced, establishing a link to his story. This connection is further solidified when the actor portraying him in the reenactment lip-syncs to his words. The device often serves to visually confirm what he describes; when he mentions police officers looking at him nervously, we observe exactly that. The message is clear: what we see and what we hear are one and the same, and we accept him as our guide into the film’s events.

That is not quite enough to identify with him yet; for that, film form in these reenactments completely aligns us with his emotional state. As he enters a children’s center, for example, we get POV shots of other children looking straight at him, providing the viewer with the experience of being observed and feeling alienated from the group. The moment he tells us about the authorities asking for his fingerprints, his actor looks up in panic, the music stops, and the camera pushes in; the reenactment responds to his story, and film form takes over to emphasize his feeling of anxiety. Finally, POV shots of maps in the room illustrate his thought process of pretending to come from the United States. That level of connection between viewer and storyteller is achieved through the continued reenactment of his story. With our visual immersion in his reality, our understanding of him, and our emotional alignment with him, Frederic gains our trust, making us susceptible to his manipulation. While their deployment might seem drastically different than in *The Thin Blue Line*, at their root reenactments in both films serve to display subjective versions of past events in order to then make us confront that constructed reality. In *The Imposter*, reenactments are
tightly linked to the protagonist as storyteller and character, demonstrating an emphasis around the figure of the criminal.

The device has its detractors, for sure. Recently, Richard Brody from the New Yorker wrote a piece entitled “Why Reenactments Never Work”, taking a jab against The Jinx in particular. The problem for him is not that these reenactments cheat the audience’s trust, but that they are rather useless, acting as “visual wallpaper” and a “facile illustration” (Brody). He is a much stronger believer in the “belief in testimony, the credibility of accounts, and the use of spoken narratives”, which he praises the director Andrew Jarecki to be “finely attuned to.” He believes that the stylized reenactments diminish the filmmaker’s credibility, as he seems frustrated by the fact that “there’s no distinction between Jarecki’s depiction of past events and his found records of past events.” The device does more than look pretty or seek to blur the line between reality and representation. First of all, reenactments again are highly stylized, using slow motion and tracking shots to approximate a cinematic look. This seems to be a necessary component of the technique, for it is precisely its distinction from the real that gives it its evocative power. The ability to strongly project a particular image comes to the forefront in a striking example from the second episode, which recounts the last day that Durst’s ex-wife was seen. After hearing the testimony he gave the police in which he claimed to drive her to the train station, a reenactment shot displays the legs of a woman stepping onto a train, clearly meant to illustrate the version of the story in which she left for New York. When we learn at the end of the episode that he had been lying about many details from that night, however, the same shot inside the train replays, only without anyone stepping in. By playing these two similar yet
distinctly different cinematic shots, Jarecki makes the viewer focus on the woman’s absence, highlighting the untrustworthiness of the suspect-protagonist and creating a chilling, somber image that can only be hinted at through the use of this device. Her visual disappearance on-screen emphasizes the mystery angle and the lack of knowledge caused by Durst’s lies. The past’s depiction through reenactment serves to highlight what remains unknown, creating further suspicion for Durst.

True crime documentaries that choose not to use reenactments still find other ways for past representations of events. Jarecki in *Capturing the Friedmans* used archival home videos to display the slow disintegration of the central family unit in order to emotionally affect the viewer, exposing us to the difficult memories of its members that remain engraved on tape. Watching the wholesome Friedmans gather for a Thanksgiving meal on a home video from before Arnold’s arrest brings us to a happiness that we know to exist only in the past, emphasizing their tragic downfall. This portal into the past allows the filmmaker to depict the erasure of love that is caused by crimes and mysteries, making us witness the loss of something sacred. The documentation of family fights, shouting matches, and sons turning against their mother gains a personal lens through the nature of its provenance—shot by a Friedman who provides commentary throughout. The viewer is therefore allowed access into the family’s past in a way that is strikingly raw and unfiltered for the creation of pathos.

This purpose of representing a past that is gone forever is actually also seen in *The Imposter*. While we witness Bourdain’s story through reenactments, we get access to the past of the family he fooled through their home videos. The film’s first images are a tape of Nicholas Barclay, the missing boy, from before the tragedy of his
disappearance, again serving to display a lost innocence. As the family members remember him, it is videotapes, and not reenactments, that depict the boy living with the family. Bourdain’s arrival at the airport for their first meeting is shown from the perspective of the family. Here we have access to their videotape of him getting off the plane, providing the viewer with their experience and their intense emotion of seeing their son again after they believed him to be dead. Of course, there is an uncanny feeling to watching this footage due to our knowledge of the boy’s true identity. This knowledge about his deception precisely plays against their joy and naivety on display in the home video. The personal viewpoint of the camera points out the wrongness of his actions, as we witness his intrusion into this poor family and are left powerless to react to this horrific event that is unfolding in front of us, in the past. The film aligns us with its protagonist telling his story through reenactments, but it also emphasizes the emotional stakes of the tragedy by providing the family’s perspective in the recordings of their past.

In true crime documentaries, different methods may be employed to depict a past that is no longer accessible. Reenactments, through their distinct artificiality, telegraph their apparent divergence from the real and as such provide an image of the past that may be altered. These alterations are in the service of subjectivity. Increasingly, this subjectivity is used to get in the head of the suspect-protagonist and provide his perspective, one that may not always be trusted. On the flipside, home videos are utilized for a more earnest depiction of the past, and through the credibility of raw material, remind the viewer of the real emotional stakes of the crime. Overall,
the purpose of these depictions is to draw attention to the actions of the suspect-protagonist in the past, interrogating their nature and effect.

**Conclusion**

True crime documentaries don’t necessarily have a single look or follow a single structure. What they do share is a fascination with depicting events surrounding a mystery in the past, and increasingly, with the suspect protagonist at the center of the case. The conventions they share—edited contradictions, delayed reveals, reenactments, or home videos—are modified and appropriated for the specific story at play. narration in true crime documentaries plays with a range of different perspectives that provide information at specific times in order to keep the viewer on their toes and intrigued by the mystery of the suspect-protagonist. Conflicts crafted in editing serve to expand the range of narration across perspectives that offer the viewer reason to doubt a subject’s claims. The increased suspicion encourages the viewer to continue and decipher the suspect-protagonist, driving the story around him. Furthermore, the manipulation of the narrative and the reveal of crucial information serves to create shocking twists that fundamentally alter the viewer’s perception of the main subject. These bring the viewer into a back-and-forth of sympathies for the suspect-protagonist, an experience that in itself becomes an appeal of the genre. Some works use these twists to create a sense of objectivity, giving the viewer the illusion of coming to their own conclusion about the character. Finally, depictions of the past serve to align the viewer with a subjective perspective, reinforcing the untrustworthy nature of a villainous suspect-protagonist or offering a reminder of the tragedy of the crime. As the genre
evolved, true crime documentary increasingly focused on telling the story of the suspect-protagonist, asking the viewer for close observation. The conventions delineated above have only become more popular thanks to the genre’s recent boom. This recent popularity coincides with true crime documentary’s jump to television, which contains some continuity but also some adjustments to these conventions.
Chapter 3

Seriality in True Crime Documentary:

Finding Success and Cultural Relevancy in the Binge-Watching Era

Looking back on his film Paradise Lost: The Child Murders at Robin Hood Hills 20 years after its release, filmmaker Joe Berlinger reflected that “had there been Netflix when [he] made Paradise Lost, it could have been chopped up into a great, eight-part binge-watch series” (Grow). This admission points to a larger growing trend of true crime documentaries today that has irrefutably contributed to their newfound success. Series such as The Staircase, The Jinx: The Life and Deaths of Robert Durst, Making a Murderer, and O.J.: Made in America have managed to become significant works of television with a lasting cultural impression in part due to their multi-episodic structure. Long-form storytelling has allowed the genre to repeat a basic formula that gives each episode a specific role in the development of its story, creating a rise and fall in sympathy for the suspect-protagonist across the runtime. Each series establishes a central mystery, then delves into single strands of the story in individual episodes that contain moments of big reveals. The ample runtime allows for a deeper dive into the details of the case and the story of the suspect-protagonist, gripping the viewer into a narrative that encourages binge-watching. The more substantive portrait comes as a result of a formula that first creates intrigue about the character, brings the viewer to his side, then gives reason to doubt him, and finally doubles down on a belief of either
guilt or innocence. This complex path of feelings towards the suspect-protagonist offers continual growth in the narrative, a series of changes that keeps the viewer intrigued as to the next development.

**Applying Television Structure**

If we wish to talk about the current wave of true crime documentaries on our small screens, we first need to address the basic structure of television series that they may adopt. We tend to think about television on the SSEM scale—with each significant development happening on the Series, Season, Episode, and finally Moment levels (Longenecker). There may be different storylines affecting different levels at any time during a TV show’s runtime; if we take the example of *Stranger Things*, think of the mystery of the Upside Down as the greater mythology of the series, the search for the missing boy Will acts as the main storyline for Season 1, Hopper’s investigation regarding the boy’s body that has recently surfaced as one of the fourth’s episode individual plots, and Eleven flipping over a van with her mind is a “moment” designed to impress and stay with the viewer. A quick look at these true crime documentary series will confirm that they abide to this line of thinking.

Each will contain a single mystery to drive their entire runtime; “was Michael Peterson’s wife’s fall down the stairs an accident or a murder?” for *The Staircase*, “did Steven Avery murder Teresa Halbach?” for *Making a Murderer*, “is Robert Durst guilty of any of the murders he has been accused of?” for *The Jinx*; finally, “is OJ guilty?” for *OJ: Made in America*. These are the larger questions that hook the viewers in, settling the audience participatory function of judging the suspect-protagonist that
will run through all the episodes. Looking closer, however, individual episodes tend to focus on a single strand of the story. The third episode of *The Staircase* focuses on a past accident in Peterson’s life, while the fifth is all about the weak links in the prosecution’s case. For *Making a Murderer*, the third episode tackles the circumstances around Avery’s nephew Brendan Dassey’s taped confession, and the seventh portrays the investigation into a possible tampering of the crime scene and evidence. The second episode of *The Jinx* recaps Durst’s first wife’s mysterious disappearance, its fourth tells the story of his 2003 trial in Texas. Finally, the first episode of *OJ: Made in America* centers on Simpson’s early sports and film career, the third on the discovery of the bodies and ensuing chase, and the fourth is entirely dedicated to the “trial of the century.”

What this attempt to distinguish different storylines between individual episodes reveals is that filmmakers are acutely aware that they cannot deliver a single continual slog of footage, but instead must find a way to structure a grand amount of story for the viewer to watch, pause, and then pick up again. This allows the viewer to sit down and immerse themselves in a particular thread of the story, and then later focus on another separate one that nonetheless remains connected to the overall mystery, providing an easily digestible way to consume hours of content. The viewer gradually advances in the investigation of the mystery, looking at small strands that then come back to impact the story at large.

This way of thinking may seem obvious to anyone who has watched television shows, but applying it here demonstrates that these true crime series do appear to operate by the same basic rules. If we go along further in our SSEM system, we can delineate specific “moments” that mark the viewer. These are often the most talked-
about, ‘buzzy’ segments that create word-of-mouth for these pieces and has allowed the genre to reach its height of popularity. That alone is worth noting because that is a function of the moment, and here we see the genre using this convention to its own advantage. Think of the sudden discovery of the blow poke (the alleged murder weapon) in Peterson’s garage in The Staircase; of a tampered vial of blood in Making a Murderer; or O.J. trying on the murder glove in OJ: Made in America. These are moments that are constructed to stick with you, surprise you, and create a lasting image in a short amount of time. For this function, they are carefully placed across the episodes, within the structure of the series, to intermittently pick up interest in the mystery with new developments.

Many of these moments serve as major twists in the narrative, in continuity with conventions of true crime documentary in film. Here, they continue to reveal information that shockingly alter our understanding of the character. Striking examples include the discovery that Michael Peterson was already involved in another woman’s lethal fall down the stairs and Robert Durst’s admission that he lied about accompanying his wife to the train station. However, long-form storytelling provides ample possibilities as to when to deliver these twists. Since their narrative is constructed over the span of multiple episodes, these true crime documentaries can reveal shocking information right as one episode ends. The genre can adapt its tools to fit its form as it understands the value of twists to create something intrinsic to television: cliffhangers. These are utilized to leave the viewer asking questions that can only be resolves by watching the next episode, engaging them further in the narrative.
Cliffhangers, of course, are a common fixture of long-form storytelling, going all the way back to sound serials in the 1930s. Arriving at the very conclusion of an episode, they would feature the hero in a scenario of certain death, creating the “all is lost” moment (Higgins *Matinee Melodrama Playing with Formula in the Sound Serial* 76). The task of the viewer, then, would be to figure out what happens next and how the hero gets out of that situation. This serves to create suspense, raising “our interest in some future uncertainty” and delaying “closure, drawing out our anticipation” (Higgins *Matinee Melodrama Playing with Formula in the Sound Serial* 80), prompting us to search for a solution. As true crime documentary appropriates cliffhangers, it obviously does not leave its characters in life or death melodramatic scenarios, but it too leaves the audience asking many questions. For instance: what will a shocking reveal about the case mean for the suspect-protagonist? Cliffhangers offer a point of no return. This applies here too, with evidence that seems to completely exonerate or doom the main character at the end of an episode. However, the viewer is not given closure. We do not know yet the ramifications of the twist; the resulting suspense comes from the anticipation of not knowing if the reveal can in fact bring justice to the fate of the suspect-protagonist.

Perhaps the most memorable moment in all of *Making a Murderer* was in the final moments of the episode “Indefensible.” After the defense lawyers consider the possibility of Steven Avery’s blood being planted at the scene of the crime, they find the police department’s vial of his blood. The syringe cap clearly exhibits a hole, demonstrating that it has been tampered with. This is a shocking revelation that seems to provide proof to their claims of planted evidence and brings doubt to Avery’s guilt
in a major way. The episode ends. The audience is left on this major bombshell that has completely altered their perception of the case, leaving them on their toes. While a similar twist would have no doubt occurred in a feature-length version of *Making a Murderer*, the filmmakers capitalize on the episodic nature of the show to create a memorable ending in order to entice the viewer to keep watching. We are left with pressing questions: how will the authorities react to the evidence? The evidence is so dramatically damning that it seemingly exonerates Avery, but we know this is part of a larger narrative. Therefore, the viewer is aware that there are more details to come, but in this moment, we see no other way out that doesn’t involve Avery’s vindication. Will this reveal succeed in exonerating Avery? If not, we dread what else might bring him down. The cliffhanger raises these questions but draws out their conclusion, leaving the viewer in a state of suspense. Such a big reveal revitalizes the narrative in a way that we no longer know where the story might go; it is so engrossing that we feel compelled to immediately find out what ramifications it might have.

Similarly, the cliffhanger at the end of the 5th episode of *The Jinx*, “Family Values” reveals a letter to a woman from Robert Durst, whose handwriting matches that of the woman’s murderer. In this ‘all is lost’ moment, it seems that Durst cannot come back from this damning evidence. To further create suspense about what Durst will do about this revelation, the episode ends by teasing a confrontation between the suspect-protagonist and the filmmaker, who promises to show him the letter. We are enticed to come back to the narrative as the ramifications of this moment are withheld. The viewer therefore becomes ‘addicted’, necessitating to know more but kept in suspense. True crime documentaries utilize the tool of the cliffhanger to reignite
intrigue around the suspect-protagonist, putting the character in situations of absolutes and asking questions as to their course of action.

These series have adopted the television structure down to its smaller components, but you may have noticed that we cannot fully apply our usual SSEM formula to these series. That is because the two S-es, Series and Season, blur into one here. While there may have been rumblings of *Making a Murderer* Season 2 (White), true crime documentaries on TV usually stay confined to a single season. The central mysteries do not serve to sustain a multi-season arc, but instead are the driving force for an extended yet determinate length of runtime. Television series aim to offer a repetition of similar episodes, with enough variation to keep things interesting for the viewer, hence a natural spread into multiple seasons. TV crime documentaries, on the other hand, are governed not necessarily by a need for repetition. Instead, they search to expand their premise across multiple parts. In this sense, they more closely resemble miniseries, or even single seasons of anthology series. *OJ: Made in America*, for example, covers the same events as the first season of *American Crime Story* in roughly the same number of episodes. Lucy Hay, in her guide for writing miniseries, notes that as a result of their limited nature, they do not need to “lay seeds down for future instalments” (Hay). She analyzes how their limited structure works particularly well for detective narratives, utilizing every episode to focus to advance “closer and closer” in the investigation and take the viewer “one step nearer to the mystery.” This analysis applies for our true crime series: for example, each episode of *The Jinx* brings the viewer more clues and information as to Durst’s past, feeding into our greater understanding and analysis of his character in order to figure out the mystery of his
guilt. These series may subscribe to a truncated SEM structure of television shows, stripping down to a single series storyline and focusing each of their individual episode plotlines on their overarching mystery.

Complicating the matter, however, is that true crime documentary series sometimes aspire to function as movies. Take *O.J.: Made in America*, which was presented and sold as an 8-hour film rather than a miniseries, winning the Academy Award for Best Documentary *Feature*. Its director, Ezra Edelman, clearly and decisively views his work as “an epic film” and told his producer “from the start that [he] wouldn’t make a mini-series” (Buckley). The length of the film, then, is meant to be justified by the in-depth look Edelman takes at the case, and aims not to dilute the impact it may achieve as a film. *O.J.: Made in America*, for all intents and purposes, has been created as a film, as it was “broadcast all in one day, once, with commercials, on ESPN” and played in its entirety for its 2016 Sundance release as well as in proper movie theaters.

Still, there are some problems with denying the film its television components. While it may not register itself officially as a multi-episode series, there is no denying that that was its most popular form of consumption. Indeed, “its box-office results were so negligible that it didn’t even register on movie charts, while its TV ratings were very healthy for a documentary, debuting at 3.4 million viewers on a slow Saturday night for ABC” (Sims). Furthermore, this denomination has given a clear pause to critics, who have gone on to deliberate about its nature in articles such as “Is *O.J.: Made in America* a TV Show or a Movie?” in The Atlantic or “’O.J.: Made in America’: A Documentary Movie or a Mini-Series?” in The New York Times, clearly demonstrating
a recognition of the documentary’s closeness to the structure of limited works on television. On ESPN, *O.J.: Made in America* is available to stream in five distinct parts, resembling a selection of episodes on a streaming service like Netflix.

While these parts last longer than the standard 40 or 60-minute mark of traditional television episodes at over 90 minutes each, they still focus on particular strands of the larger story, fitting into the SEM system. The first episode, about OJ’s rise in popularity, again, tells a vastly different one from the following one about the degradation of his marriage, or later about the Bronco chase and his arrest, or about the trial. They build on one another, focusing on different moments in the case. They strategically end at a concluding point for their specific storyline and entice the viewer to come back with cliffhangers or allusions of what’s to come. For example, the sister of Simpson’s wife concludes the first episode by ominously alluding to something “sad”, teasing the rest of the story. In other words, while the director may prefer that you watch his documentary all at once for maximum effect, he has nonetheless constructed it so you can watch one episode individually and pick up later. There is no denying the episodic television-inspired structure built into *O.J.: Made in America*.

It seems that these true crime documentary series lie somewhere between film and television, not fully at one end of the spectrum or another. A blurring of the lines between mediums is definitely at play here, where one attempts to blend “an episodic structure with the more epic scope of filmmaking” (Sims). The quote from Joe Berlinger is most telling, as he claims he would have made *Paradise Lost* as a “chopped up” film, and not build multiple episodes individually. Again, he points to a belief that these series function just like very long movies that one can watch in multiple sittings.
We must not forget Berlinger’s other part of the quote, which is “binge-watch.” This proclivity to keep on watching multiple episodes, sometimes even all at once, is an integral part of these series’ consumption and identity. After all, many viewers do experience these true crime documentaries as one continuous piece of entertainment. Binge-watching is a relatively new phenomenon and extends to regular TV shows as well, but this particular genre seems to have developed a strong affinity for this form of consumption, building itself as highly addicting in its narrative structure. Even before streaming was a thing back at the beginning of the millennium, *The Staircase* was hyped as the type of show that “once someone saw the first episode, they were hooked” (Jensen), again demonstrating a viewing habit built around a continuous experience. The genre’s close association with binging on television therefore points to a tight structural construction between episodes focused on gripping mysteries.

Finally, another characteristic that these series possess over their feature length counterparts is that they can tackle more of the story surrounding the cases they cover. The flexibility afforded by telling the story over the course of multiple episodes means that its focus can be expanded. The main story remains firmly centered around the suspect-protagonist, however now we get access to a clearer picture of his context. *O.J.: Made in America* is the most glaring example of this technique, as large stretches of its runtime will turn away from O.J. Simpson himself and will cover the history of race relations in Los Angeles in the 1990s, “so we can see how the Simpson case does and doesn’t relate to the cultural forces at work in his trial, and how much he benefited from the confusion that ensued” (Tobias). The two storylines are told in service of one another, since highlighting the social context helps to explain both the public reaction
and the verdict. This also works the other way around, as the series’ producer explains that the case “helps you tell the story” of the role of race and celebrity culture in it (Watercutter). This ambition to tackle a greater picture focused on social issues can be explored through long-form storytelling, giving the viewer more to consider in their perception of the suspect-protagonist.

Writing about *Making a Murderer*, Vulture reviewer Whet Moser remarked that he “found [himself] just as captivated by what Laura Ricciardi and Moira Demos had captured in the peripheral vision of the camera: a detailed portrait of class intersections extending well beyond the courtroom” (Moser "Making a Murderer Is More Than a Compelling Whodunit, It’s an Incisive Portrait of American Social Class"). The series exposes the failures of a justice system that mistreats the poor with Steven Avery as its simple, wide-eyed, blue-collar martyr. It displays his desperate attempts to get good lawyers in a voiceover played over footage of the town’s junkyard, creating an unpleasant portrait of poverty in a small American town. The goal here is to extend the scope beyond the murder case and tell the “tale of social class and provincial small-mindedness, with the middle-class denizens and institutions of Manitowoc County united in scorn against the Avery” (Hale). This greater look at a systemic problem creates pathos for the suspect-protagonist, portraying the justice system as unfair and untrustworthy, cuing the viewer to root for Steven Avery.

*The Staircase* too seems interested in exploring the ramifications of covering a rich author’s attempt to prove his innocence. Near the end of the second episode, we follow Peterson in his car who complains about the racial inequality and class divide that he witnesses not far from where he lives. In his house, the filmmaker shows him
wondering out loud how people who are not wealthy like him could ever afford good lawyers, then coming to the realization that the system is unjust. This footage serves a dual purpose. First, it deals a blow against the justice system which is strongly implicated to fail Michael Peterson as well. Second, it provides a better understanding of the suspect-protagonist in order to endear the viewer to the fact that he seems to care for those who are less fortunate than he is. The stories of the suspect-protagonist and his social context are intrinsically linked, which is why series devote their greater runtime to cover the important stories that are crucial to our understanding of the case and how it was handled.

The aspiration to create an “epic film”, the limited nature of their premises, and the binge-watching habit they inspire bring these true crime documentary series closer to the realm of movies, while their episodic structure, the applicability of the SEM system, and the near-ubiquitous casual home viewing consumption suggest an undeniable belonging to television. More than other forms of serialized entertainment, the lines between television and film have become blurred, but one thing remains clear: filmmakers have adopted long-form storytelling as it helps them expand on the cases they are investigating. They can then delve deep into a greater context and get a closer look at the suspect-protagonist. At the same time, documentary series double down on the participatory aspect viewer experience, involving us with a constant flow of questions and answers that entice us to come back for more information regarding the central mystery. There is a precise method to the way filmmakers bring the viewer into the story of the suspect-protagonist in long-form storytelling, creating a complex path of feelings towards their character.
(De)construction of Innocence Through Long-Form Storytelling

Beyond adhering to the structure of episodic television, true crime documentary has developed its own intrinsic formula that it deploys over the course of the series’ episodes. One of the main appeals of the genre lies in the exploration of the suspect-protagonist and the participatory experience of determining his guilt. With more screen time at their disposal, the filmmakers create a complex path of conflicting feelings for the viewer as they paint their subjects with varying degrees of sympathy. Whether they ultimately push towards a belief guilt or innocence, these series put the audience through a malleable yet discernable trajectory. First, they will begin with an intriguing hook that deliberately delays the whole context of the crimes for at least the first episode. Then, the goal is to get the viewer close to the suspect-protagonist, opening up the possibility for sympathy and a certain degree of trust. Once our association with him has been established, we will be given a number of doubts, just to nudge us enough towards distrust. Finally, the majority remaining of the series will double down on either end of guilt or innocence, chipping ever so slightly at numerous claims and doubts that amount to one damning conclusion. That being said, the epilogue maintains a degree of ambiguity, giving the viewer the illusion of choice as they leave the show and are released from their deep dive into the case. The formula works to create a portrait of the suspect-protagonist that feels substantive, developing rises and drops of viewer sympathy across hours of content to create an engaging personal story as well as complicate the task of judging their character.

The first episode of these series serves as our introduction into the case. Freed from the constraints of telling the story in the limited time of a feature length, most of
these true crime documentaries delay bringing up the crime at all, choosing instead to focus on the life of the suspect-protagonist or building mystery around his figure. In *Making a Murderer*, the crime that Steven Avery is tried for during the rest of the series is the murder of Teresa Halbach. None of that is ever mentioned in the pilot “Eighteen Years Lost.” For the time being, the episode details his backstory, introducing us to Avery as a character and the challenges he faced in his life prior to that event. The first episode of *O.J.: Made in America* also makes no allusion to the world-famous murders, telling the story of O.J.’s rise to fame, as well as historical context of race relations in LA. This delay already is a major departure from the structure of true crime documentary films, who outright present the crime, as seen in all the films cited previously such as *The Thin Blue Line*, *Paradise Lost*, or *Capturing the Friedmans*. Series have much more flexibility in deciding how and when to lay out essential story parts (*The Staircase*, the first one of these to come out, is the exception here as it opts to immediately begin with a television report of Kathleen Peterson’s death.)

What these initial episodes do is deliver much-needed context that alters the viewer’s later outlook on the case. For *Making a Murderer*, learning about the injustice committed against Avery early in his life and seeing the home video footage of his reunion with his family after being released from 18 years of wrongful imprisonment endears us to him as a pitiful, mistreated, and most importantly, innocent man. Detailing the errors in police work that lead to his wrongful conviction introduces the theme of miscarriage of justice that will prevail throughout the rest of the case, cuing the viewer to distrust the prosecution. Perhaps most crucially, getting to know Avery in this episode free from the context of what happens next, allows us to form an opinion
about him, not as a potential murder suspect, but as a simple man who has faced extreme challenges in his life. Similarly, *O.J.: Made In America* purposefully avoids introducing O.J. as a murder suspect so we can understand the mindset around his popularity at the time. These series are constructed as if the viewer was fully unaware of the real-world events that inspired them in order to let them unfold in the most dramatic fashion. Delaying information regarding OJ’s later gruesome crimes allows us to understand him as a charming celebrity first and not view him as the controversial figure he is today.

*The Jinx* does things a little differently, delaying the presentation of the suspect-protagonist and instead giving a partial picture of one of the crimes to be explored in order to draw up intrigue around Durst. The series begins with the discovery of a mutilated body in a lake, instantly prompting questions as to who committed this murder and why. We follow the investigation of detectives, who gradually learn more about the victim’s neighbor who seems to have much to hide. Throughout the episode, we get glimpses of this strange man from afar, primarily from other people’s testimony or blurry security footage. The intended effect is to create an introduction to the suspect-protagonist shrouded in mystery and intrigue, pulling us in with desire to know his story. In the episode’s final minutes, the director finally reveals that he has been in contact with this man, Robert Durst, and that he will be interviewing him, thereby promising the long-awaited context around the body in the series’ opening. *The Jinx* deliberately delays its proper introduction to the suspect-protagonist and the stories of other crimes he may have been involved in, precisely in order to draw interest around Robert Durst and his past.
The flexibility afforded by long form storytelling means that filmmakers can opt to delay crucial information for much longer than they could in a feature film. What they delay specifically varies from director to director, but the overall effect is one that helps build interest in the suspect-protagonist, by creating initial sympathy or intrigue over his figure. While the filmmakers are free to exclude as much as they want for the entirety of the first episode, once that episode ends, the viewer must be given a little taste of what’s to come, in order to entice us to find out what complications befall on the character. For example, *Making a Murderer* avoids the topic of Teresa Halbach’s murder for its first hour, but concludes with an ominous warning that “you have to be careful when bringing a lawsuit against a Sheriff’s Department in a community where you still live, because you could end up getting charged with murder” and a police radio voiceover asking “do we have Steven Avery in custody though?” We are given no more context to any of this, leaving us in the dark as to the nature of the crime in this true crime documentary. Not only does it serve as an effective cliffhanger, raising questions about Avery’s trajectory, but it also marks the end of this chapter in Avery’s life. *The Jinx* as well ends on its promise of Durst’s story, ending with the man staring into the camera, ready to talk. Even *O.J.: Made the America* betrays its seriality as, after retracing the love story between O.J. Simpson and Nicole Brown, her sister ominously declares “they had a real love affair, these two, when they were together, it was just—it was love… and that’s what makes this thing so sad”. Credits roll. Again, we are given no additional details; anyone unaware of the details surrounding the murder would be curious as to what she meant by that. Most tellingly, the documentary does not cover the murders until its third episode, so this quote at the end of the first episode acts as a
reminder of the documentary’s. The questions raised at the end of the first episode mark a transition into the crime story that fundamentally changes the lives of the suspect-protagonist, bringing the viewer into a new engrossing phase of the narrative.

Once interest has been solidly generated, true crime documentary series create sympathy for the suspect-protagonist as the viewer gets to know them. The first episode of The Staircase casts Michael Peterson in a largely positive light, letting him tell his version of events. He is the one to lead us through his house; his casual talking directly to the documentary team as he walks creates a proximity with the viewer, letting us feel as if he having a conversation with us. In interviews, he is the one to recap the fateful night of his wife’s death; then, heartfelt testimonies from his sons and daughters attest to his gentle and warm personality. There is very little building against this man and the prosecution is not yet allowed to give their side of the story. Director Jean-Luc de Lestrade purposefully gives us insight to the inner life of a reasonable and likeable Michael Peterson. The episode works to place us on his side from an emotional standpoint with a final interview that shows him getting emotional and teary-eyed at the death of his beloved wife. It also concludes with a practical experiment that demonstrative that it is impossible to hear cries for help from where he was standing at the time of her death. These snippets create trust in his character, placing the viewer on the suspect-protagonist’s side at this point in time.

Making a Murderer similarly works to create pathos around the figure of Steven Avery. Repeatedly we hear his tired voice on the phone playing over images of the family junkyard as he voices his incomprehension and disbelief at what is happening; we see his mother and father talking about their boy knowing he has to be innocent; his
girlfriend Jodi details how she had to end things with him as the police keeps coming after her… We are given emotional cues to relate with him and accentuate the tragedy of the situation. Both The Staircase and Making a Murderer ultimately push the viewer towards a belief of innocence, so the positive initial impressions that they offer the viewer serve to anchor the suspect-protagonist’s likeability so that it can withstand a few doubts down the road.

The Jinx and O.J.: Made in America, on the other hand, cover crimes in which the suspect is believed to be guilty, but they still provide initial sympathy for his character. Durst details his childhood and early life in the second episode “Poor Little Rich Boy”, focusing on the challenges he faced along the way. The suspect-protagonist candidly opens up about witnessing his mother’s suicide at a young age which, coupled with the imagery provided by a stylized reenactment, makes this person who had seemed so strange up till now a little more human to the viewer. We are cued to take pity on him. We learn about his first encounter with his wife Katie, his discomfort at meeting her family, etc. While Durst remains a little eccentric, the viewer gets to understand him somewhat more, and his candidness allows for a degree of trust. Viewer sympathy here serves to give the viewer the impression of a possibility to uncover the enigma that is Robert Durst, pushing us to learn more. As for O.J., we are treated to the charismatic, suave, athletic, and likeable personality that he was. Through archive footage in which he smiles and jokes at the camera, films of his extraordinary accomplishments in the field, glowing and heartfelt personal stories about him from his friends, and commercials in which he fully displays his charisma, we see him as the icon he once was. The filmmaker seeks to make us understand why America was
infatuated with him. Placing the viewer in that perspective gives the viewer an understanding of a time in which seeing OJ as anything less than a great person was mostly unthinkable.

After creating sympathy on the suspect-protagonist, true crime documentary series shine a bad light on him, tarnishing his image to test the viewer’s perception of his character. *The Staircase* quickly begins presenting the shady side of Michael Peterson from the beginning of Episode 2, aptly titled “Secrets and Lies.” His daughter admits in an interview that she does not believe him, and that she “didn’t know him”, introducing the idea of a secret, dark personality beneath the surface. This is reinforced by finally giving voice to the prosecution attorney, who reveals that Peterson never fought in Vietnam like he claimed he did. The goal for this opening is to chip away the trust the audience had built in Michael in the first episode, and make us question what we had previously learned. We are given a possible motive for the murder: he was hiding an affair with a man. Furthermore, the opening of the third episode “A Striking Coincidence” deals another blow to Peterson’s believability, as we learn that he had been involved in another woman’s fall to her death down a flight of stairs. The series as a whole will work to nudge the audience towards a belief of innocence, but it must deliver doubts strong enough in this section that we ultimately feel like we are making our own assessment. In other words, in this part of the documentary, the filmmakers want us to think that he is guilty, so that when they offer rebuttals to these points, we feel like we have come around on our own.

The turn against the suspect-protagonist is visible in *The Jinx* and *O.J.: Made in America*, beginning the downfall of our trust in these characters. By the end of the
former’s second episode, we learn that Durst lied to the police about dropping his wife off at the train station and visiting his neighbor afterwards, firmly marking him as suspicious in our minds. For the latter, O.J. begins a slow descent into become a truly unlikeable protagonist, undermining the charm put on display in previous episodes. In the second episode, we learn all about his abusive personality, hear the terrified calls that his wife Nicole made to 911, and listen to testimonies of friends concerned for her safety. Whatever shred of the ‘nice guy’ image that was previously built is completely torn down by the shocking revelation of what he was really like. These 180-degree turns work to solidify these suspect-protagonists as villains at this point in the narrative. This loss of sympathy is not one that can be easily recovered like for Peterson in *The Staircase*, as they are admissions of despicable acts. The narratives therefore place the viewer against the suspect-protagonist, continuing down that path for the continuation of the series.

In the latter halves of the series, true crime documentary filmmakers double down on creating a favorable or unfavorable image of their suspect-protagonist. After *The Staircase* lays its doubts on Michael Peterson, from the fourth episode until the end, the filmmaker mostly follows his defense team, undermining the prosecution’s arguments at every turn. Emphasis is placed on Peterson as an emotional family man, showing him in moments of weakness or surrounded by his family at dinner, trying to live on with their lives. The lack of balance between the two teams evidently tips the scales in his favor, nudging the viewer towards a belief of innocence. Because Peterson has previously been presented as suspicious, the documentary has gained the appearance of objectivity and thus our trust, which it now uses to persuade us.
For *Making a Murderer*, the turn against the suspect-protagonist is less visible, as the series is often one-sided. While there aren’t many sequences built to construct doubt around Steven, claims for his innocence are built on conjectures made by the defense team regarding planted evidence. That there is no tangible proof to these claims works to create doubt surrounding his innocence, however it is in the accumulation of these claims and coincidences that the filmmakers seek to sway the viewer. The documentary follows the perspective of the defense lawyers and quiet clearly posits itself against the prosecution. By tackling every part of seemingly incriminating evidence and raising questions about the suspicious circumstances in which it were collected or analyzed, the filmmakers create a mosaic of small burning questions surrounding the prosecution’s handling of the case, undermining its perceived credibility in the mind of the viewer. The documentary does not let up on this process, fitting into the formula of doubling down on a specific perspective. The viewer in both series has been involved along a narrative that tirelessly projects its suspect-protagonist in a favorable light, and as a result is cued towards a belief of innocence.

*The Jinx* goes the other way, and fully commits to portraying Robert Durst as suspicious. With his cover-up of his wife’s disappearance in Episode 3; the inclusion of his hot mic moment at the end of Episode 4 in which he admits that he “did not tell the whole truth”; and finally, the incriminating comparison between his handwriting and the killer’s letter to the police, Jarecki gives us reveal after reveal that clearly rails against Durst. This reaches a high in the final episode, in which the filmmaker himself admits to the camera that by this point he no longer believes Durst. His voice of authority makes it abundantly clear as to whom to trust and not to trust. The constructed
suspiciousness of Durst involves the viewer into a desire for definitive evidence of his guilt, something Jarecki builds to with the letter cliffhanger at the end of Episode 5.

*O.J.: Made in America* operates somewhere between the two opposite ends of creating full guilt or full innocence. Generally, these true crime documentaries seek to push the viewer towards the opposite verdict of the one that was returned in real life. This series’ goal differs slightly from others as it is not only about this push, but also to explain how on earth someone who appeared so evidently guilty at the time was found not guilty. It must therefore go into detail around the circumstances of the trial and the stumbles of the prosecution. This is why the series spends so much time on social and racial context of LA in order to explain how he was judged by the jury. Furthermore, reveals of information revolve less around O.J. Simpson himself but around the detectives and forensic experts who handled the evidence, displaying their downfall in the public eye. By demonstrating how people lost trust in the prosecution, the series is effectively giving an explanation as to how the jury proceeded—but it does not endorse this point of view.

For example, the sequence in which OJ Simpson tries on the murder glove is given great weight, but watch as this moment is recounted by the defense lawyer, recalling her sensation of watching a crash in slow motion. She lays on the audience her exasperation at the colleague’s ineptitude and gives a rational explanation for the glove’s shrinking. From her perspective, we understand how this looks bad for the prosecution, but have access to the behind-the-scenes circumstances that lead to it. The series does not necessarily attempt to prove that O.J is guilty, but it demonstrates the problems around the evidence that convinced the jury that he was not guilty. By poking
holes at the verdict, it ultimately leans towards a belief of guilt, in the reverse of *Making a Murderer’s* mode of operation (which demonstrated problems around the evidence that convinced the jury that Avery was guilty). This, of course, is combined with personal anecdotes revealing additional information that stokes doubt about the jury’s objectives, such as a jury member admitting it was “payback for Rodney King”, or doubt about O.J.’s actions, such as a friend recalling how he confided in him about his plan not to take his medicine so that his hands would swell before trying on the glove; a reporter talking about the time he called to detail how he would have done the murders; and finally the story of the armed robbery in Vegas. In its final half, the series continuously portrays OJ Simpson as a highly suspicious individual, whose “not guilty” verdict was a product of various factors but did not depend on the raw strength of the evidence.

Despite this final push, true crime documentaries usually find a note of ambiguity to end on, leaving the viewer with a feeling of choice in determining whether or not the suspect-protagonist is guilty. The series never want to come out and affirm their opinion one way or another, because in the end, it still needs to seem like it was our own decision. *The Staircase* ends with the defense lawyer astounded by the guilty verdict, followed by shots of Peterson’s children staring ahead of them, with a blank expression. It’s a pretty open-ended ending, not offering closure on the mystery of its main character. Instead, it is an invitation for reflection, subtly asking the viewer “what do you think?” *Making a Murderer* ends with a voiceover of Steven Avery promising that he will prove his innocence, which already registers as more hopeful and more determined, but the show makes it clear this is an uphill task. It is not the documentary
that tells us he is innocent, it is up to him to deliver proof and up to us to make that leap. *O.J.: Made in America* ends with landscape shots of a prison, archive footage of a young O.J. Simpson, and a voiceover in which he implores us to “please remember me as a good guy, please.” This appeal leaves the choice up to the viewer in these final moments. *The Jinx* is probably the less ambiguous of the bunch, as it ends on a recording of Durst literally admitting to his crimes, but the series leaves it at that. No follow-up, no comment from the director, nothing. It is up to the audience to decide whether or not to treat this piece of evidence as legitimate or not. That’s part of why this audio is so chilling and effective: the director drops a major bombshell on us without any direction whatsoever, making us feel like it is our responsibility to process it. Giving the viewer the incentive to deliberate the case without flat-out telling them the answer works to make us feel in control, while of course we are using the biased information of the narrative. The filmmakers push us towards their opinion, but give us the illusion of choice to make our decision seem more legitimate in the end.

We see this formula pop up in some form in each of these true crime documentaries. The goal is ultimately to persuade the viewer towards a belief of guilt or innocence while still giving them the illusion of choice. The mysterious beginning will lure them in, making them wonder what tragedy will occur to these characters of interest. A favorable image of this suspect-protagonist will create trust with the viewer, which will then be torn down with a series of doubts. This duality allows the viewer to feel like they are being presented with both sides of the argument, offering the appearance of objectivity. The documentary is then free to double down on guilt or innocence in an attempt to persuade the viewer to its side, while ending on an
ambiguous note for the illusion of choice. This is a formula that has seen success in engaging viewers because it is a well-oiled machine that provides a roller-coaster of emotions and contradicting beliefs. At its heart, this formula is used to tell a story around a central character by creating ups and downs in the viewer’s perception of the suspect-protagonists. The application of this formula to true crime documentary series therefore expands on established conventions of the genre, adapting its characteristic participatory viewer experience to long-form storytelling in an effective way.

**Conclusion**

The genre of true crime documentary has found mainstream success with its recent jump to television. The adherence of *The Staircase*, *The Jinx*, *Making a Murderer*, and *O.J.: Made in America* to episodic storytelling demonstrates their embrace of the format, despite occasional aspirations to be chopped up films. All of them expand their central mystery that revolves around the suspect-protagonist across the series. Individual episodes delve deep into individual strands of the story, illuminating character backstory and social context. On the smaller level, twists and cliffhangers create memorable moments that leave the viewer in suspense as to the fate of the suspect-protagonist, enticing us to keep watching. This tightly controlled narrative makes true crime documentary especially conducive for binge-watching, a popular and addicting way of consuming entertainment, explaining in part its success. These series have not forgotten their origins, adapting the genre’s conventions to long-form storytelling with the development of a narrative formula. True crime documentary films played with viewer perception of the suspect-protagonist by a tight control over
the flow of information. Series expand on this strategy, pushing their information during specific episodes in order to craft a path of audience sympathy across their runtime. The genre is constantly evolving, and can successfully adapt to a new format by keeping in continuity with and reworking its conventions. Filmmakers continually find new ways to boldly stretching viewer expectations, creating works such as Netflix’s *The Keepers*. 
Chapter 4

The Keepers: What Does It Keep, What Does It Change?

By the time Ryan White’s true crime documentary series The Keepers hit Netflix in May 2017, the conventions of the genre had been set in place. A maturation of expectations in the audience’s mind leads the way for variation and experimentation for filmmakers to deliver something new. On its surface presentation, The Keepers resembles many of its predecessors, with its stylized black-and-white reenactments, its murder mystery that grips the viewer’s attention, its interview segments, and its narrative pattern of shocks, twists, and cliffhangers. However, it utilizes these tools to subvert our expectations regarding the story of the suspect-protagonist, and instead tells the harrowing tale of the survivor-protagonists pitted against the suspect-antagonist, focusing on the tragedy of the crime first and foremost. The psychological game of jurification, which makes us decide whether the suspect is guilty or not, becomes lessened while greater emphasis is placed on the search and need of proof for said suspect’s guilt. The push and pull provided by jurification is replaced by a strong resistance from an overwhelming system pushing against the survivor-protagonists. Doubts regarding the validity of the claims, then, remain crucial to the narrative but are now integrated into the set of momentous obstacles in their way. Finally, the genre staple of reenactments here utilizes their hyper-stylization to represent inaccessible and repressed memories from the perspective of the survivor-protagonists, aligning us with their perspective as we embark on this grueling story firmly on their side.
Tragedy in True Crime Documentary

Without a doubt, the tragedy of the true crime has always been an unavoidable staple of the genre, but is usually treated as a secondary concern. *The Keepers* marks its tragedy as its primary focus, highlighting an overlooked and often criticized aspect of the genre by focusing on the often-forgotten perspective of those affected by tragedy. Such a decision demonstrates deliberate change and a desire to alter the narrative of the true crime documentary. By bringing attention to the story of individuals often relegated to the background, the series challenges genre conventions and subverts viewer expectations to craft an emotionally poignant story.

The unavoidability of tragedy in true crime is due to the fact that it deals with actual crimes that have affected real people in negative ways. While filmmakers may have attempted to explore its consequences by giving us glimpses of the grieving family’s perspective, the victim often ends up as not much more a construct that engenders the mystery narrative. This is certainly true of *The Thin Blue Line*, in which we revisit the murder of the police officer over and over with attention to small details that help lead a logical investigation of this consequential event: the emphasis is not on the emotional state of the situation, but rather on its factual reality. How it happened becomes more important than what happened to the victim. We learn all about the suspect’s backstory, as well as smaller characters such as witnesses and attorneys, whereas barely information is disclosed about the slain police officer, demonstrating that his story is inconsequential to the story being told.

Later true crime documentaries will incorporate the family’s perspectives into the narrative, such as *Paradise Lost* or even *Making a Murderer*. In the latter, we have
access to footage of the victim’s father asking for justice and publicly condemning the accused teenagers. In the former, we often cut back to footage of the brother at the courthouse commenting on the latest developments. These glimpses become essential to remind us of the stakes of the criminal case, and that we should take the task of determining guilt seriously, given that real people were hurt. Especially in *Paradise Lost*, the added empathy for the family contributes to the push and pull essential to jurification, as it provides the viewer with the sensation of objectivity. This feeling of pity always works in service of the greater story of the suspect-protagonist.

Beyond empathy, filmmakers may attempt to reinforce the tragedy of the situation by pointedly giving the viewer glimpses of the graphic and violent nature of the crime. *Paradise Lost* begins with gruesome footage of the nude corpses of the young children in the forest without any sort of a warning, shocking the viewer and disgusting them into a strong desire to find out who perpetrated such atrocities. Similarly, in part 4 of *O.J.: Made in America*, director Ezra Edelman chooses to display crime scene photographs of the knife wounds on Nicole Simpson’s neck—a graphic image to be sure. According to him, the power of these images “makes a viewer — to me — focus on exactly what happened and what he might have done” (Plante). In both cases, reminders of the crime’s brutality serve to lessen the idea that the audience’s participatory experience is a psychological game, and instead help to emphasize the unfortunate reality of the situation by making sure we do not forget the stakes.

This is the problem that some critics have with true crime documentaries; the toxic fandom that becomes preoccupied with the game, the theories, and the desire to play detective, which all happen when tragedy recedes to the background of the
audience’s jurification. In “Murder, They Wrote”, Laura Marsh writes about the conspiracy theories that fans of *The Staircase* came up with after the series aired, including a bizarre one that involves an owl’s involvement in the death of Peterson’s wife’s death, which she slams as “escapist, offering a mental path away from the questions of brutal murder might raise” (Marsh 7). One of the main appeals of the genre, the viewer’s attempts to figure out who committed the crime, can get out of hand due to a narrative that pushes twists and encourages ardent theorizing from the viewer. By providing a compelling story that seems too unbelievable to be true (and choosing to tell that story in a gripping fashion), a disconnect may occur and some viewers may view these tragedies as “nothing more than compelling stories” (Marsh 9), to the detriment of those affected by them. As a result, “there is not so much of a culture of respect for victims.”

That is not to say that filmmakers have not realized the potential of merging the pathos of tragedy with the gripping narrative of the investigation, but oftentimes the focus of that tragedy switches to the suspect-protagonist who remains front and center. Look at *Capturing the Friedmans*: the film is a devastating look at the crumbling Friedman family unit after their father is accused of pedophilia. When it comes to his students who may have been affected by his actions, doubt overcomes empathy. Because we are supposed to question Arnold Friedman’s guilt, the film does not ask to believe anyone who comes out against him but instead weigh all the information given to us. This is why one student’s gruesome testimony is undercut by others that deny that anything suspicious took place. Any emotion that could have been extracted from that first student fizzes out from the distortion of his voice and the strange lighting that
accentuates his unusual posture and diminishes his credibility. The mind frame of jurification that the film places us in means that the tragedy of molestation is a potential one, whereas the tragedy of the Friedman family is captured on film, and becomes much more tangible. Similarly, Making a Murderer makes a tragic figure out of Steven Avery, a dim-witted Midwestern man living in poverty and preyed upon by a ruthless justice system. Meanwhile, Teresa Halbach, the murdered victim, is barely a character and “her life is represented by a few photos and video clips” (Schulz), functioning as not much more than a plot point. This has led critics to point out an uncomfortable truth about true crime documentaries, as they very often tell stories of violence committed by men against women or children. They deplore the “marginalization of the victims, and their families” while the series “focus on men” (McNamara). The lack of respect for the victims, the tendency to prioritize jurification over empathy, the focus on the suspect-protagonist, and the potential for doubting survivors can make for a disturbing cocktail, especially when ingested by toxic fandoms that, once attached to the man at the center of the story, can go to great depths to demonize the other side. If those are some areas that the genre can be criticized for, perhaps some filmmakers wished to address these concerns and birth a new vision for the genre.

Remembering the Murder Victim

Whether or not the genre’s problems regarding personal tragedy were the impetus for The Keepers, there is no denying that the series is a natural evolution from those criticisms, as it shies away from creating a jurification process around the figure of the suspect-protagonist and focuses instead on those affected by their actions. The
series tells the story of multiple interconnected crimes: in the 1960s, sister Cathy Cesnik was murdered. Decades later, women from Keough Catholic High School where she worked accused Father Maskell, who also worked there, of molesting them. One could see how this story could have been told à la Capturing the Friedmans, in which the viewer is tasked with figuring out whether the priest is guilty or not. The problem is that this strategy would have placed him front and center throughout, with the survivors receding to the background as auxiliary figures. Even if you had him as the series’ central villainous figure like Robert Durst in The Jinx’s narrative, which introduced its main character as wholly suspicious, the audience would still latch onto the active experience of determining his guilt and as a result focus all their attention on him. The Keepers has the opposite objective of giving the survivors the power of telling the story of the true crime that affected them, not the (presumed) culprit who committed them.

Murderers usually are the ones left to say what happened because their actions literally silence their victims, leaving a vacuum of information for the audience to fill in. A solution to this conundrum is one hinted at previously but never fully expanded on: give a voice to the grieving families and friends. This series runs with this strategy. Immediately after the first opening credits, we are introduced to Gemma Hoskins and Abbie Shaub, students from Keough High School still determined to find out what happened to sister Cathy. This in itself is not necessarily a novelty; after all, The Jinx also featured interviews from friends of Durst’s missing wife telling about their suspicions that led them to go through his trash and find damning clues. In that case, however, it all came back to Durst and the evidence that played into the viewer’s
consideration of him. The friends in *The Jinx* were side players, serving to arrange pieces of information. The women in *The Keepers* are amongst the first we meet, and the series goes to painstaking length to paint them as lovely grandmothers devoted to a cause; in other words, as actual characters. The filmmaker purposefully includes moments completely unnecessary to the plot but designed to endear us to them, such as their extremely polite inquiries at the library or their difficulties working their phones and laptops. Beyond serving to set up an investigation angle that hooks the viewer in with the allure of mystery, these women are our introduction to the crime story. The audience will experience this journey alongside them, aligned with their cause. Their on-screen likability deepens our desire for them to succeed, heightening the stakes and giving a more personal and emotional angle to their investigation.

Gemma, Abbie, and additional former students help to paint a full picture of Sister Cathy, letting the series focus on the murder victim as character. They give a detailed recollection of who she was and most crucially how she affected their lives at Keough High School. A succession of positive descriptions let us know the admiration they carried for her thanks to her caring personality. Students refer to her “way of soothing your soul” or express how exceptional of a nun she was, as she “was the standout beauty of them all, physically beautiful and her spirit was beautiful.” We also hear about her backstory through a former nun who went through training with her, who tells anecdotes of how Sister Cathy would come over to see if she was okay even during the hours when they were told to be silent. Finally, we hear about the intimate connection she shared with Gerry Koob, a man studying to become a priest at the time. He tells us about the love they felt for each other and how he considered giving up his
religious pursuits in order to marry her. Over the course of the first two episodes, the series gives us a series of testimonies and anecdotes that all revolve around the murder victim, creating interest in her character.

Usually, these would be reserved for the suspect-protagonist: the interviews in *Making a Murderer* inform us of Steven Avery’s background and the many challenges he’s faced, whereas we never learn anything about Teresa Halbach other than her profession and her reasons for visiting Avery on that fateful day. For once, we learn (much) more about the murder victim. She is shaped as a real character that has had profound impacts on the people around her. If true crime documentaries traditionally utilize testimonies to detail the mostly negative consequences of the suspect-protagonist’s actions, *The Keepers* subverts the formula to showcase the ripples of positivity created by Sister Cathy. This works to reinforce the tragedy of the loss of a life, as the audience becomes acutely aware of all the good this person was responsible for and now its absence. The resulting mournful tone is a deliberate refusal to gloss over the role played by the victim in the murder mystery, a significant evolution for the true crime documentary.

**Giving Voice to the Survivor-Protagonist**

The protagonist in *The Keepers* is not the murder suspect, but rather we have multiple protagonists. First, we have the women leading the investigation whom we are aligned with. Sister Cathy is a crucial character and we learn about her story, however her silence and the mystery surrounding her disappearance prevent her from becoming a protagonist. At the beginning of the second episode, then, we are introduced to “Jane
Doe” who goes on to become the survivor-protagonist of the series. Her prominent voice in the story allows for a sharp focus on her trauma and conviction for the truth to come out, approaching tragedy from an even more personally affecting perspective.

The prominence of this character who suffered first-hand from the actions of Father Maskell is *The Keepers*’ biggest game-changer in regards to who gets to tell their story in true crime documentary. Prior to her introduction, the series was still on track to follow the standard formula analyzed in Chapter 3, laying the groundwork for an in-depth look into a murder case. The first episode focused on the mystery surrounding the disappearance of Sister Cathy, notably through sequences detailing her whereabouts the last evening she was seen alive and the discovery of her car the next day. The figure of the priest remained absent throughout this episode, and the ending only alluded to a greater conspiracy of a cover-up by influential people in the Church who knew more than they let on, hooking the viewer in with the promise of a greater examination of who may responsible. At this period in the viewer’s watching experience, this series’ introductory phase functions similarly to the first episode of *The Jinx*, which laid out a murder that connects to a suspicious man and also gave us a look at the people investigating him. The main difference, however, lies in the cliffhanger. Both series tease the appearance of a crucial figure that will help to illuminate the details of the case. While *The Jinx* builds to a confrontation with the alleged murderer, promising an examination of the suspect for the viewer to consider his level of guilt, *The Keepers* points to an anonymous woman that has first-hand knowledge about the man responsible.
In the former, we wish to continue watching precisely because of the morbid appeal of observing someone who may have committed unspeakable actions. As a result, they are the ones that get to speak. To get around our curiosity for the suspect, the latter series capitalizes on the investigation angle it has set up in order to create intrigue around the identity of the witness. It pushes us to keep watching with a cliffhanger whose entire premise relies on hearing her story with lines such as “Jane Doe probably knows exactly what happened” and “she has a story to tell, but we never got to hear it.” Instead of wanting to hear the suspect speak, we now wish to hear this witness speak. This series decidedly marks a shift in its person of interest towards the one affected by unspeakable actions.

As the second episode commences, both series introduce us to their person of interest. Robert Durst begins his interview as promised, directly presenting us with his story. *The Keepers* in this moment depicts the meeting with Jean Wehner, AKA Jane Doe. Her very first words are concerned with the circumstances surrounding Sister Cathy’s murder, and she quickly informs us of the reason why it happened: the nun knew about something going on at Keough High School. Jean then declares that “they used her death to keep me quiet.” Cue opening credits. The dramatic nature of her delivery combined with the confident and abrupt pause created by the credits emphasize a new intrigue that revolves around her story to entice the viewer.

Instead of delving deeper into the murder mystery introduced in the previous episode, the series sneakily produced another storyline to follow. This is momentous because it creates a complete shift in focus. The crime at the center of the true crime documentary series—the one we had been promised—is no longer at the foreground.
While the episode goes on to cover Sister Cathy’s life, it does not concern itself anymore with the circumstances around her death. We had been led to believe we would follow a murder mystery, but Jean’s introduction into the narrative undercuts the mystery element. She had previously been built up as an anonymous person in hiding that held all the answers—the quest to find her would drive the search to find out what happened to Sister Cathy. Yet here we are, at the start of Episode 2, Jean has already lost her anonymity. She has presented her face and name to us and is ready to tell us her story. Instead of prolonging the mystery, *The Keepers* makes a conscious choice to deliver a personal story that involves dark moments and contains a murder.

Over the course of the remaining episodes, we learn all that happened to Jean. While a young student at Keough High School, she went to confession and revealed that she had been sexually assaulted by her uncle. As a result, she was then regularly molested and raped by Father Maskell in his office, a powerful and highly respected figure. He would tell her this was necessary for God to forgive her and made threats to keep her quiet. The most disturbing threat comes at the end of the second episode, when Jean reveals that Father Maskell took her to the woods, pointed at Sister Cathy’s cadaver covered in maggots, and told her this is what happens “when you say bad things about people.” Not only was she scared into not talking and drugged so as to make her memories foggy, but the intense trauma made her repress them deeply into her subconscious for decades. It was only in the early 1990s that the memories re-emerged to the surface, a painful experience that forced her to confront her past abuse. She reached out to see if anyone had been through a similar experience, and received a deluge of letters from other survivors at Keough High School inspired to share their
own stories. One other woman, whom she never met, going by the pseudonym of Jane Roe joined the fight to denounce Father Maskell publicly. There was a lawsuit against him, but it turned out to be unsuccessful due to a public casting of doubts over these women’s testimonies. Jean never wished to disclose her identity, which is why she went as “Jane Doe”, and after the failure of the case, she essentially went into hiding. Only now, reinvigorated by the passion of Abbie and Gemma’s movement, she is willing to come into the spotlight and share her story.

Despite the narrative providing shocks, twists, and turns (the reveal at the end of Episode 2 being a particularly jaw-dropping moment) that one would expect from a true crime documentary, this is a story that contains very little doubt about whether or not Father Maskell is guilty. Jean plainly tells us what happened, and she remains a trustworthy figure throughout. The harrowing nature of her testimony encourages audience alignment with her, which means that we are not primed to doubt her. Just like Making a Murderer made its position rather clear on its belief of innocence of Steven Avery, The Keepers does not try to hide whose side it is on. By making Jean its survivor-protagonist and trusting her to tell her story without ever undermining her testimony, it is making a conscious choice to believe her. The series centers less on the mystery around Father Maskell, and instead tells Jean’s story, allowing her to speak through the platform of a riveting true crime documentary. This decision to believe the survivor fits with the theme of being emboldened to speak out and tell the truth.

Doubts and Undermining the Credibility of Survivors
A main characteristic of the true crime documentary has been the swaying of the audience towards a belief of guilt or innocence of the suspect-protagonist. One way to do that has been to create doubts around people’s claims by undermining their credibility. Without a focus on the suspect-protagonist, *The Keepers*’ primary mode of engagement comes instead from providing a drama of proof, in which the survivor-protagonist must convince the world that she is telling the truth. Therefore, the series incorporates the expectations of the genre into the narrative of the survivors speaking out. It subverts the traditional use of doubts around testimonies, demonstrating the ease with which credibility can be reduced and introducing obstacles in the survivor-protagonist’s task.

In its fourth episode, the series presents an old news clip of a screaming woman, apparently remembering the repressed traumatic experience of a gangbang. The newsperson goes on to inform us that these memories are in fact fake, planted in her head by her psychiatrist. This clip serves to demonstrate the fallibility of trusting recovered memories as truth. Its grainy appearance places it in the same context as the news footage covering the lawsuit against Father Maskell from outside the courtroom, showing the prevalence of this debate as it applied to the testimonies of Jane Doe and Jane Roe. The newscaster reminds its audience that the alleged events happened over 29 years ago, a fact which leaves room for skepticism. It is worth noting that it is this exact same skepticism around recovered memories that is featured in *Capturing the Friedmans*.

In that film, students of Arnold Friedman are interviewed regarding accusations of pedophilia against their instructor, but their allegations are undermined by the
information the filmmaker provides that their testimonies were done under hypnosis. An investigative journalist tells us that this process has a high probability of “implanting false memories”, giving us a scientific basis for us to dismiss allegations that result from it. An on-screen reminder of the number of charges against Arnold Friedman that came from one student’s recovered memory pushes the viewer to doubt the validity of the memory, and we get the feeling that the suspect was tried unfairly. The Keepers addresses the exact same debate, but demonstrate how the creation of doubts around recovered memories—the technique the filmmaker uses in Capturing the Friedmans—can be used by the defense team as a weapon to dismiss the testimonies of survivors, aligning the viewer with their intense emotional experience of feeling under attack.

The episode introduces us to Paul McHugh, a giant in the field of psychiatry and the primary figure of skepticism in the debate around recovered memories, who quickly becomes an antagonist in our viewing experience. In footage of one of his speeches, he doubts their scientific validity, calling them “artificial productions.” The series reminds us of his allegiances, however, telling us that he was “always on the church side” and placing his picture within a graphic of the defense team, letting us know that his words held serious power in discrediting the survivor-protagonists. Other interviewed psychiatrists undercut his opinion, telling us that he had a real “blind spot” when it came to the issue, and bring knowledge of new evidence in the field that push the viewer away from doubting the validity of recovered memories, undercutting the claims made by McHugh. Footage of him joking about never meeting unicorns, equivocating that impossibility to meeting people with credible recovered memories,
serve to make him seem unlikeable, non-empathetic, and rude. The filmmaker strongly pushes us towards frustration with this individual who stands in the way of our survivor-protagonists telling their stories. By the end of the episode, a montage of defense lawyers outside the courthouse celebrating to the camera that the lawsuit has been dismissed as they drive home their opinion that the women’s memories could not be trusted build towards a sense of defeat. The filmmaker lets us know that McHugh is directly responsible for this failure, demonstrating the extent of the extremely powerful arm of opposition weaved by the church that successfully created enough doubt around Jane Doe and Jane Roe.

Instead of providing the push-and-pull towards believing the suspect-protagonist like in Capturing the Friedmans, The Keepers aims for the opposite effect of delivering a crushing blow towards the goal of the survivor-protagonist, whom the filmmaker ensures we are aligned with emotionally. For the defense team’s strategy to appear so destructive and cruelly dismissive of these women’s pain, we need to be given enough information to believe their testimonies. For this reason, we view the story unfold from their point of view and learn about the effect these doubts had on them, providing us with their perspective on these challenging moments. This reinforces the fact that they are the protagonists of this story; if we want them to succeed, we will feel the pain caused by an overwhelming blowback. On top of hearing how they were commonly “ridiculed”, “not believed”, and how commonly people said “how terrible these girls were for saying that”, we see newspaper clippings of articles and quotes about how the allegations are fabrications to attack the Church and attempts to get money. Just like Errol Morris created a montage of zoomed-in newspaper articles
around the murder of the police officer pointing “toward the societal construct of the rhetoric being broadcast to the public” (Curry 164), our confrontation with such a deluge of accusatory language that characterizes the women as untrustworthy demonstrates the fierceness of the attacks weaved against them, pushing the viewer towards a sense of pity.

To drive home the harshness of the defense attacking the survivor-protagonists, we then hear these women’s emotional reaction to this raising of doubts. They tell us about the humiliating questioning they were subjected to, and describe in great detail the difficulty they had in proving themselves to the lawyers. When Jean tells us how she “started to feel stupid” due to her inability to provide the answers they were looking for, we are made to feel for her. The filmmaker doubles down on this sense of pity by concluding with her quote comparing that experience to being in Maskell’s office, as once again she “couldn’t do the exact thing that would finally give [her] forgiveness.” That is an excruciatingly terrible thing to hear, as we become acutely aware of how her attempts to free herself of her pain continually weigh her down. The director knows this: the point of delving into these women’s troubles is that it erases whatever doubts are being raised by the opposition. If we get to know just how much they are suffering, then surely we can empathize with them. The realness of their emotions and their conviction then speaks for their truthfulness. The strategy is therefore to align us with their emotional experience to oppose the calculating other side that doubts them. By the point the trial fails, Jean’s admission that she wished she’d never gone through with it because she only managed to bring pain onto herself serves as a grueling reminder of
the lengths she had to go to in order to establish her voice, pushing the viewer towards a support and belief of her endeavors.

*The Keepers* subverts a staple of the true crime documentary genre—the casting of doubts over testimonies—into an emotional experience for the viewer to feel pity for the survivor-protagonist. This is not the only staple that it challenges, as it also utilizes reenactments to further align us with them.

**Reenacting the Dark and Repressed**

The most visually evident aspect of *The Keepers’* belonging to the true crime documentary, other than its interview segments and graphics linking principle characters and places into a web of information, is without a doubt its extensive use of black-and-white stylized reenactments. They serve here to represent the dark unfathomable events that occurred in the survivor-protagonist’s past, depicting a truth that has become somewhat unobtainable due to the repressed nature of the memories.

Reenactments can serve as a key signifier of a true crime documentary. They are not automatically a part of the picture, but they often work particularly well for the genre in that they are a way for the filmmaker to represent events in the past that we no longer have access to, often calling into question our knowledge about the truth depicted in front of us. Their repeated use in *The Thin Blue Line* challenges the multiple conflicting testimonies that they illustrate. Other times, they are used to portray the perspective of villainous suspect-protagonists like in *The Imposter* or *The Jinx*, whom we are meant to be unsure of their trustworthiness. They are not a direct representation.
of truth but rather they call attention to their illustrative lens through heavy stylization, keeping the viewer aware that they serve to provide a unique perspective on the events.

Their employment in *The Keepers* is a reminder that despite the series’ narrative choices that may go counter to the conventions of true crime documentaries, it still strongly signals itself as part of the genre through its visual language. With their black-and-white, slow-motion, shadowy and grainy presentation, they present a feeling of fatalism and menace. In that sense, they align themselves in the film noir-inspired tradition of reenactments seen in *The Thin Blue Line*. Errol Morris in an interview stated that he went after that aesthetic because it gave the depiction of the events in his film a sense of “inexorability, of inevitability” (Bates 17). Just like that film repeats the police officer’s murder to make it appear as an unavoidable event that will trap Randall Adams as a suspect, *The Keepers* repeats certain shots over the course of its episodes. The repetition of the slow-motion shot of a girl walking down a high school hallway, with her back turned to us, illustrates Jean’s arduous experience at Keough. This visual representation offers the viewer a sense of fatalism, that something ominous is happening but nothing can be done to prevent it. Her lack of agency in the narrative is reinforced and put on display, further aligning us with her plight.

The viewer is not meant to challenge the depictions of past events here, as they serve to illustrate a version of the past that the protagonists are still attempting to reach. The hyper-stylized presentation has a specific purpose in that it gives the recollection of the past a slightly unreal look, placing the audience alongside the experience of accessing fuzzy memories. We view Jean’s feet walking in the forest as she discovers Sister Cathy’s corpse, a memory that has been buried deep inside of her for decades.
Its film noir fatalistic look creates a distance between the horrific event and its depiction, making it seem almost dream-like (or nightmare-like). The haze through which we view Jean’s memories serves to illustrate them from her perspective as she recovers them, providing us with the powerlessness and horror that she experienced.

The director is very careful as to whose perspective gets the reenactment treatment, reserving it for those in a position of looking for truth in the past. It is not simply an on-screen illustration of whatever is being said, but truly they show the perspective of those remembering fateful events. There is no reenactment of Sister Cathy on the night of her disappearance, for instance: only archive photographs and graphics showing her position around the town. Since there is no way she could provide us with her perspective, seeing her that way would be based on other people’s testimonies and hearsay, whereas here reenactments are directly linked to a person’s own memories. It is a much more personal alignment, in which depiction of the past is closely tied to what one can remember. While there can be no reenactment of Sister Cathy, the first episode does provide us with a brief reenacted scene of her friend Gerry Koob at dinner, as he explains to us how he waited for her that night. It doesn’t necessarily affirm that such depiction is the truth, but it does place us in the same state of dread and knowing inevitability that Koob feels today when going back to that night in his head, aligning us with the emotional truth of that memory.

Reenactments in *The Keepers* illustrate the memories of those affected by Father Maskell’s actions. They serve to tell the stories of the survivor-protagonists and close ones remembering fateful moments, not to further some mystery as to whether the suspect-protagonist is guilty or not. Watching them provides us with an emotional
experience that aligns us with their pain. That being said, as a true crime documentary, the series does pursue a big mystery in its investigation of who else was involved in Father Maskell’s doings.

**Mystery of Accomplices: Justice or Desire to Seek Truth?**

As discussed, *The Keepers* is playing a different game than most other true crime documentaries. As it never really puts in doubt its main antagonist’s guilt by believing the survivor-protagonists, its story focuses on the pain he caused and the resulting drama of proof. The only remaining mystery, then, befalls onto the question of his accomplices, leading into Gemma and Abbie’s ongoing investigation. The series goes down a multitude of suspects and testimonies, going so far as to confront a guilty-sounding man for the audience to analyze, feeding on the viewer’s desire for justice. After a while, though, a certain sense of futility sinks in, pushing viewer to question the point of going after those responsible. The series undermines the engrossing narrative power of twists and clues by delivering devastating dead ends with the display of unresponsive suspects.

We learn pretty early on that Father Maskell passed away before the making of the series, making it evident that no retribution will come from him. The only course of action for justice for Sister Cathy, Jean, and all the other people he abused, will have then to come through finding the identities of the men who assisted him. Abby and Gemma follow leads of men who may have been involved in the disposal of Sister Cathy’s body, while Jean seeks to remember details about “Brother Bob”, a man who was present in Maskell’s office as she was being assaulted. The series follows a typical
narrative with twists and turns that seem to bring us closer to uncovering these secrets, enticing the viewer deeper into the intrigue of the true crime. One story thread that is pursued intensely revolves around one man named Edgar Davidson. Many details that seem to incriminate him are gradually revealed through the testimony of his niece, such as the fact that he came home with a bloody shirt the night Sister Cathy was murdered; his smile when he heard the news of her disappearance; and the necklace he gave to his wife as a gift shortly afterwards which resembled the necklace the nun would have bought on her last night (a gift which his wife could tell was not meant for her.) The accumulation of these reveals serves to make the man seem intensely guilty, similarly to the reveals about Durst in *The Jinx*. The fifth episode even ends on a cliffhanger, as the filmmaker ends on modern-day footage of Edgar filmed in the streets, then his ominous look back into the camera. White is teasing a confrontation, an occasion for Edgar to explain and possibly incriminate himself, just like Durst’s interview was teased at the beginning of *The Jinx*, building audience anticipation for justice.

The interview takes place in the following episode, and at first the confrontation seems to bear its fruits. White maintains his camera focused on his subject, not letting any of his reactions escape the viewer. As Edgar is asked more and more probing questions about his activity surrounding the time of Sister Cathy’s disappearance, his slow reactions and inability to give a satisfying answer initially make him seem like he is lying and avoiding the question. Given all the information that had been given to us, his lack of answers to all the incriminating details solidify him as a suspicious figure. This is the kind of confrontational interview, confirming doubts for the viewer, that is common in true crime documentary. As the interview goes on, however, the viewing
experience becomes more and more uncomfortable. Edgar’s slow pauses and confused looks no longer are the behavior of a guilty man, but the camera’s relentless focus on his facial features emphasize the fact that this is an old man whose mind is not entirely there. The entire exercise of potentially catching the man responsible for countless horror slowly becomes pointless, as he reveals himself as someone too far gone for judgment.

This defeatism mirrors episode 5’s opening, in which a survivor from Keough tells us about the time she went to see an elderly Maskell at a hospital, but when she noticed that “there was nothing in his eyes at all”, she gave up on confronting him. True crime documentary from its very beginning has searched to right a wrong through its narrative: if a man is falsely imprisoned like in The Thin Blue Line or Making a Murderer or if he is dangerously still free like in The Jinx, the case must be made for his release or imprisonment, with the potential for action in the real world. The Keepers deals with a crime so old that action cannot be taken anymore. There is no incentive for justice, so the goal becomes about the recovery of truth.

One of the biggest victories is saved for the cliffhanger of the penultimate episode: we had learned that ever since Jean recovered her memories, she insisted that she remembered seeing maggots on Sister Cathy’s deceased body. Claims that maggots would not be around during that season had been used to dismiss her memory. Finally, at the end of the sixth episode, Gemma sees on the autopsy that maggots actually were found. The fight for Jean’s ability to speak her truth is one of the arduous journeys that the series follows; here, she is finally vindicated. The conviction that truth not be obfuscated any more for these women is the true incentive of this true crime
documentary. They seek to know exactly what happened so that they may find their peace, and that is what drives the investigation here. It is a shift from the usual expectations of the genre which usually sensationally begs for justice and action; once again, *The Keepers* goes a more personal route.

The series’ mystery is certainly a major part of its narrative, but it is always in service of the story of the survivor-protagonist and those seeking for truth. By showcasing the impossibility of justice through unsuccessful confrontations, *The Keepers* pivots towards the emotionally charged goal of proving the main character right, investing the viewer in her personal journey.

**Conclusion**

*The Keepers* marks an evolution in terms of where the true crime documentary genre is going. It takes many of its conventions—such as a central mysterious crime to hook the viewer in, twists, turns, cliffhangers, doubts around testimonies, reenactments, and the confrontation of suspicious individuals—and applies them to a perspective not previously given a voice. It does not necessarily represent where the genre is going; after all, it is the formula of *Making a Murderer* and *The Jinx* that found immense success, so it is likely that it will continue to be replicated. That being said, the conventions of the genre are now firmly in place, so filmmakers are free to shake them up a little. Last year saw the release of Netflix’s *Casting JonBenet*, which took an unconventional approach to the standard true crime treatment, relying on testimonies of actors vying for the roles of the real people in the Jon Benet murder case. It is an original method that offers the perspective of those never directly affected by the crime
but those aware of it through its media coverage, showing the magnitude of its cultural shock. It is unlikely that either approach will replace the current formula, but they demonstrate a willingness to experiment and push the genre in new directions.
Conclusion:

Looking back at true crime documentary’s trajectory and looking towards its future

True crime documentary, like most genres, is not a stable constant, but exhibits growth. Always influenced by earlier works, the films and series branch out in new directions, constantly marking small evolutions. Once a reservoir of conventions has been established, filmmakers can draw on them and create something familiar, playing with audience expectations. These conventions can be solidified or tweaked as the genre grows in popularity. In this case, the active participatory experience of the viewer, tasked with judging the suspect-protagonist and his degree of guilt, combined with a tight control over the narrative to alter our perception of this character, are the primary conventions that define the true crime documentary. Other conventions of the genre feed back into this experience, such as conflicts crafted in editing or, on television, the laying out of a formula that creates a rise and fall in sympathy for the suspect-protagonist. Since the genre is not a monolithic entity, individual filmmakers may stretch these expectations to the extreme, even getting rid of the figure of the suspect-protagonist. They still function as true crime documentaries, because they build on previous works. Keeping a number of conventions but altering others, they craft gripping narratives in similar constructions, only switching their perspective. As stated, this thesis provides a through-line of true crime documentary’s evolution from The Thin Blue Line to The Keepers. Looking at all of true crime documentary genre is a daunting task, because it is a living, breathing entity that can’t be confined in a box of strict
definitions. Individual works are intrinsically related to one another, however, and they provide an opportunity to understand the genre as a whole by looking closely at the links between them.

**Conventions and Evolution**

Looking at the critical reception of documentaries from the time of their release revealed how the genre’s conventions became part of the reservoir over time, and how expectations were created for audiences. Drawing from the precedent of true crime literature such as *In Cold Blood* and television programs such as *60 Minutes*, *The Thin Blue Line* and *Paradise Lost: The Child Murders at Robin Hood Hills* crafted narratives that interrogated the past through its ripples in the present. Their innovation came through their treatment of the viewer as jury. The presentation of information was carried for us to come to a conclusion about the central question of past truth, asking who really committed the crimes. The hand of the filmmaker was felt in both films, controlling the flow of information in the narrative in order to guide the viewer towards a predetermined conclusion. *Capturing the Friedmans* then expanded on and complicated this experience, offering twists and turns in a controlled narrative but also obfuscating its guiding hand by letting the viewer observe its subjects in an unfiltered way. Bringing the emotional stakes to the forefront and exploring the complexity of its main character deepened the film’s focus on the story of the suspect-protagonist. Finally, critics and audiences alike recognized true crime documentary as a genre with mainstream popularity in long-form storytelling. Its conventions, from the twists and turns to the participatory experience of judging the main character, became engrained
in the DNA of these series. The praise for their addicting narrative construction and the enigmas of their suspect-protagonist helped the genre redefine itself to a new audience, cementing its conventions into a popular reservoir.

Taking a closer look at how the genre’s conventions function within individual works helped outline a through-line since *The Thin Blue Line*, revealing a gradual stronger emphasis on the story of the suspect-protagonist. Morris’ film laid out a psychological puzzle in which the goal was to uncover which version of the truth was real, with a central suspect to judge. Later works delved deeper into the suspect as character, using techniques from that film to craft a greater portrait of the individual, making the viewer’s perception of him the central conceit of true crime documentary. For instance, Morris expanded the range of narration to juxtapose two opposing testimonies, editing differing viewpoints against one another, in order to point out inconsistencies and lies. The viewer could then come to a conclusion as to whom to trust, constructing a version of events in which the central suspect was not guilty. *Paradise Lost* and *Capturing the Friedmans* ran with these contradictions crafted in editing to detail human conflicts. The ambiguity provided by considering the legitimate arguments of both camps gave the suspect-protagonists complexity of character. These documentaries were telling the stories of teenagers that did not fit in their community and became easy scapegoats for horrendous crimes, and of a family man beloved by his sons but possibly hiding a dark secret. From observing these more rounded characters, the viewer’s task of judging the suspect-protagonist became less clear-cut, pushing for a closer look into their personality that came to the forefront of the narrative.
*The Imposter*, subverting the conventions of the genre by focusing on a criminal-protagonist, drew on contradictions crafted in editing to demonstrate the manipulating capabilities of its main character, emphasizing his role in the narrative. Finally, *The Jinx* builds its entire construction on its suspect-protagonist’s rebuttals and defenses to allegations, creating anticipation around his words and fascination around the mystery of his strange personality. In the genre’s expansion of conventions already present in *The Thin Blue Line*, we see an evolution towards telling more personal stories of complex and fascinating individuals and playing with audience perception of their character. This can be seen in other techniques used in these films. The suppressing of crucial information until a specific moment in the narrative becomes a convention to dramatically shift audience sympathies towards the suspect-protagonist. Depictions of the past interrogate the actions of the suspect-protagonist, providing his untrustworthy perspective or reminding the audience of their consequences.

Conventions established in the reservoir of true crime documentary then had to adapt once the genre made the jump to long-form storytelling. Elongating their central mysteries throughout the entire series, *The Staircase*, *Making a Murderer*, *The Jinx*, and *O.J.: Made in America* all delve into smaller strands of the story in their episodes, and craft memorable moments with twists and cliffhangers to entice the viewer to keep watching. The ample runtime at their disposal allows for greater context of the case, tackling social and racial backgrounds that greatly impacted the suspect-protagonist’s conviction, and giving the audience a greater understanding of his background. Moreover, true crime documentaries on television developed their own conventions, most notably a narrative formula that brings the viewer into an emotional journey,
carefully crafted to fluctuating degrees of sympathies towards the suspect-protagonist. The filmmaker’s control and manipulation of the narrative to sway the viewer towards an opinion of guilt or innocence is therefore expanded across the format, anchoring viewer engagement around their perception of main character.

True crime documentary’s mainstream success has rooted its staying cultural power in the present while drawing from the genre’s past. It got to where it is today by making evolutions to its reservoir of conventions, marking an emphasis on our judgment of the suspect-protagonist. As a living, growing entity, the genre is constantly looking in new directions. Enter *The Keepers*. The series builds on successes of past true crime documentary series, but applies its storytelling focus on a new perspective. Criticisms of the genre up to this point accused the works of erasing the tragedy of the crimes by placing too much emphasis on the mystery of the suspect-protagonist. This series addresses this common problem by telling the story of the survivor-protagonist and those hurt by the crime. While this strategy seems to go against the genre’s most recognizable characteristic, *The Keepers* draws from true crime documentary’s many conventions and subverts them to tell a harrowing tale in a gripping, mysterious manner. It builds anticipation towards Jean Wehner in the first episode, shifting the person of interest towards the one affected by tragedy; it lays twists, turns, cliffhangers in its narrative, intriguing the viewer with a decades-long mystery and investing them in a search for truth; finally, its reenactments depict the dark and repressed memories of its main character. Perhaps the convention it subverts to most emotionally compelling effect is the casting of doubts over testimonies. Shifting an interrogation of the past towards a drama of proof, it converts the genre’s usual undermining of one’s
credibility into an emotionally scarring obstacle for the main character. The conventions of the true crime documentary at are play in _The Keepers_, present for the viewer to grasp the type of series they are watching and then subverting the usual expectations to deliver a more personal story from an often-ignored perspective.

Throughout its growth, true crime documentary has evolved to center on the story of its subject. It is a genre characterized by the storyteller’s overt control of the narrative, withholding information and delivering twists, turns, and cliffhangers. The viewer is an active participant, whose judgment of the main character drives the unfolding of the narrative. This main character is the suspect-protagonist; generating intrigue and fascination through the mystery of his personality, he presents a duality of sympathy and potential guilt that draws the viewer in in an attempt to decipher him. Some filmmakers have sought to challenge this expectation, tackling the genre from other perspectives but building off of precedent for the viewer to make sense of what they are watching. From its antecedents in literature and television programs, true crime documentary established a reservoir of conventions on the big screen, adapted them for long-form storytelling to mainstream appeal, and subverted them to head into new directions.

**A Bright if Uncertain Future**

Today might be the height of true crime documentary. That’s a bold and superlative statement, to be sure, but one based on the kind of reception the genre is getting right now. Following the success and cultural impact of podcast _Serial_ and series _The Jinx_ and _Making a Murderer_, both audiences and the industry have
developed a great interest in the genre. Since then, Netflix has produced more true crime documentaries to add to its selection, such as *Amanda Knox*, *The Confessions Tapes*, *Casting JonBenet*, and of course *The Keepers*. The streaming platform has even created a parody series, *American Vandal*, that spoofs true crime documentary’s conventions and tropes, proving that audiences are familiar with the intricacies of the genre. Even a silly show like *American Vandal* has inspired discussion threads, in which fans have searched “for clues and theories to draw their own conclusions” (Lindsay), demonstrating the public’s love for the participatory experience of judging the suspect-protagonist. The rapid increase of true crime documentaries as well as the visible infatuation from viewers points to a veritably prosperous period for the genre.

The question, then, is: can it last? While recent works have had the cultural mainstay to essentially redefine an entire genre in the public consciousness, one might wonder the extent to which the incredible impression they have left on audiences is repeatable. There is also the very real possibility that the increase in number of true crime documentaries being produced may lead to oversaturation, tiring people of the very same conventions that made them popular. Such is the nature of genres: they rise, become popular, and sometimes fade away. Could true crime documentary be the western of documentaries, seeing at first high popularity then a loss of interest from the general public (Lusted 11)? Only time will tell, of course, but this possibility is the reason why filmmakers innovate with conventions, pulling the genre in new directions so that it does not go stale. As seen with *The Imposter*, *The Keepers*, and also *Casting JonBenet*, they are not afraid to subvert traditional expectations. Ryan White’s series focused on the victim-protagonist, for a change, in order to emphasize the role of
tragedy in true crime. Could that decision have potential ramifications for the genre as a whole? Does its future include more shifts in perspectives or incorporate more story threads focused on how tragedy affected victims and survivors? The genre is still evolving, and to remain relevant, will no doubt exhibit growth in exciting ways.

On the research side, there are still more questions to be answered. For one, my thesis excluded any non-visual true crime documentaries from its analysis for the sake of streamlining. That means that *Serial*, one of the works that academics such as Bruzzi and Marsh attribute the genre’s recent success to, has been overlooked. To bring podcasts into the conversation and seeing how they fit within the conventions of their audiovisual counterparts would be a worthy project. Furthermore, true crime documentary’s relationship with fiction filmmaking raises questions about how one influences the other. While Morris cites a film noir inspiration for *The Thin Blue Line* (Bates) and Phillips explores true crime documentary’s emulation of the thriller in his thesis, perhaps an exchange of conventions has taken place the other way around. Recently, Netflix’s true crime thriller *Mindhunter* has been compared to works such as *Making a Murderer* (Stewart) in its narrative construction. Its creator, David Fincher, has referenced *The Keepers* and *Serial* as operating in similar modes of investigative viewership (Dockterman). Analyzing how true crime fiction and nonfiction function might reveal surprising commonalities.

To conclude this thesis, the genre of true crime documentary has already had a rich history and fascinating evolution. It is not done growing, and filmmakers will continue to experiment with its conventions, pulling it in new unexpected directions.
The nature of this research has been to illuminate the genre’s trajectory so far. In order to explain its success today, one must consider its origins and ponder its future.
Bibliography

Selected Filmography


Works Cited


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