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True crime podcasting: Journalism, justice or entertainment?

ABSTRACT

This study examines true crime podcasts with a critical/cultural lens to explore how podcasts are impacting the true crime genre, public opinion and the criminal justice system. Four in-depth qualitative interviews with true crime podcast producers offer insight into both the political economy of podcasts and effective audience engagement. Ultimately, this study argues that true crime podcasts are impacting the criminal justice system in unprecedented ways and that the future of this emerging media could challenge both criminal justice and media reform. Practical implications for genre-specific media are also discussed.

KEYWORDS

interviews
qualitative
podcast
true crime
critical/cultural
criminal justice system

INTRODUCTION

The first season of the podcast *Serial* (2014) was launched on 3 October 2014. Hosted by *This American Life* (1995) producer Sarah Koenig, *Serial* was the 'first real spinoff' and was highly anticipated by fans of *This American Life* as well as the internal production staff (Larson 2014). The podcast was launched with the goal of telling 'one story – a true story – over the course of a season' (Anon. n.d.a). Season one told the story of Adnan Syed, an inmate in Baltimore, Maryland, currently serving a life sentence for the murder of his high school girlfriend Hae Min Lee.

According to Apple, *Serial* was the 'fastest podcast ever to reach 5 million downloads', but its success did not peak there (Roberts 2014). In 2016, over a year after the final episode of season one aired, there had been over 80 million downloads (Hesse 2016) and it was critically acclaimed as 'the greatest podcast ever made' (Richman 2014). *Serial* became a worldwide phenomenon with followers in the United States, Canada, United Kingdom, Australia, Germany, South Africa and India (Dredge 2014), and has won several prestigious journalism awards including the Peabody (Anon. n.d.a). It has also been lauded as, '[…] a new form of re-combinatory narrative in the digital age' (McCracken 2017: 55). Not only did *Serial* catapult podcast media into popularity (Griffith 2014), but it also brought fame to Adnan Syed, who has maintained his innocence since 1999.

Since the launch of *Serial*, the podcasting industry has seen the '*Serial* Effect', a general increase in creation, expansion and investing in podcasts (Vogt 2016). True crime as a genre has been popular for decades but it has seen a re-emergence in recent years with popular television shows like *Making a Murderer* (2015), *The Jinx* (2015) and *Cold Case Files* (1999–2017) (D'Addario 2016). Non-profit legal organizations known as Innocence Projects, which are dedicated to exonerating the wrongly convicted, are also receiving much-needed renewed media attention and donations because of true crime podcasting (Reilly 2016).

The impact of this genre can be seen in the courthouse as well as the entertainment industry. While Syed's latest attempt with the Maryland Court of Appeals did not result in a new trial, his legal team is now preparing a brief for the US Supreme Court (Brown 2019). If accepted, this will be the second case heard by the Supreme Court of the United States that has been covered in a podcast (Locker 2019). The first was Flowers v. Mississippi, covered by American Public Media's *In the Dark* (2016) podcast, and heard by the Supreme Court in March of 2019 ('In the Dark: Season Two' 2018). A recent decision by the court reversed and remanded the Flowers conviction back to Mississippi courts where the district attorney is debating whether he will try Flowers for the seventh time in the death of four furniture store employees (Gilbert et al. 2019). Judges have also cited podcasts in their decisions and judgements ('Episode 5.5: A Change of Venue' 2016; *Syed v. Maryland* 2016), and others who claim innocence are using the media to tell their story. The entertainment industry is launching new television shows, podcasts and books to capitalize on the public obsession with true crime (D'Addario 2016).

Previous studies on podcasts primarily examine the history and uses of the media from an audience perspective as well as its impact on radio (Berry 2016; Bottomley 2015; Cwynar 2015; Lindgren 2016; McHugh 2016; Markman 2015; Mou and Lin 2015; Wrather 2016). This study examines the true crime genre of podcasting from a production perspective, as well as its trending popularity and possibilities for the future. Instead of examining only podcasts themselves, I will be looking at how podcasts are used as a catalyst for change in the cases they cover, and how podcasters balance their competing roles of journalist and advocate. This study will explore the important role that true crime media can play in criminal justice reform. Instead of just impacting one or two cases, journalists can drive real change in the criminal justice system by shedding light on the wrongly convicted, exposing faults or failures by people in powerful positions, and engaging the public in true crime stories they are not familiar with. This study examines how producers or journalists use new media tools to fully investigate and report a case to an interested audience.

To begin, this paper explores the relevant literature regarding podcasting and true crime media as well as the true crime genre. Informant interviews and textual insight from the podcast transcripts are used to explore the impact of podcasts on criminal justice reform, social justice and journalistic objectivity. Finally, I discuss opportunities for true crime podcasts that could challenge both criminal justice and media reform and outline future research in this emerging media.

LITERATURE REVIEW

The evolution of podcasts

Podcasts are a relatively new media form that only 'came of age' about a decade ago after the launch of the iPod by Apple (Bottomley 2015). It was not until the summer of 2005 that the medium became viable when Apple launched a version of iTunes that offered fully-integrated podcast support (Bottomley 2015). Each year since 2006, Edison Research has conducted a national survey to better understand the podcast audience. In 2018, they found that 64% of people were aware of the term podcasting, up from 22% in 2006. In addition to awareness, in 2006, only 11% had ever listened to a podcast, and in 2018, 44% said they had listened to at least one. While almost half have listened, only about 25% consider themselves monthly listeners, up from 9% in 2008. Going one step further, 17% self-identify as weekly listeners, up from 7% in 2008 (Webster 2018). While overall growth of podcasts has been steady, most people familiar with the industry continue to contribute the general increase in awareness and listenership with the launch of *Serial* in 2014 (Vogt 2016). With the professional production experiences and resources of *This American Life*, *Serial* brought a new level of quality to podcast media, and the viral nature of the podcast's popularity opened the door for online audience interaction (Markman 2015).

In 2015, the Broadcast Education Association published a special symposium in the *Journal of Radio and Audio Media* examining podcasting comprehensively. Contributors examined the history of podcasting (Bottomley 2015), how podcasts compare to radio (Cwynar 2015), the future of podcasting (Markman 2015), and the impact of two specific podcasts, *Serial* and *Welcome to Night Vale* (2012) (Berry 2015; Bottomley 2015). In 2016, *The Radio Journal: International Studies in Broadcast and Audio Media* also featured a special section on podcasting which explored personal narrative journalism (Lindgren 2016), podcasts association with the word radio (Berry 2016), the impact of podcasting on storytelling (McHugh 2016), and listener participation online (Wrather 2016).

More recent scholarly work on podcasting has explored the complex and often reciprocal relationships between producers and their audience (Boling and Hull 2018; Markman 2011; Wrather 2016), and two studies have examined uses and gratifications of podcast media both qualitatively (Perks and Turner 2018) and quantitatively (Boling and Hull 2018). In 2019, Spinelli and Dann published a comprehensive analysis of podcasting titled, *Podcasting: The Audio Media Revolution*, which emphasizes the differences between podcasts and radio. They argue that podcasting is unique because of how it is disseminated, how it is produced, how audiences listen to the medium, and engagement between the audience and producers (Spinelli and Dann 2019). One of their key findings is that podcasts have the ability to cultivate and '[…] thrive

on niche global audiences' (2019). This study extends that argument by looking specifically at the true crime genre.

In 2017, Buozis considered how the producers of *Serial* used the voice of Adnan Syed via recordings from prison phone calls to flip the script of traditional true crime storytelling, which typically presents information from the perspective of the victim, their families or the criminal justice system. Another key component that Buozis examined is the producer's positionality within the narrative. As the producer/host shares their investigatory details and perspective they are inviting the audience into a more personal relationship and creating a conversational tone that makes the listener feel, '[…] more like a co-conspirator than a distant observer' (2017). Moving slightly deeper than 'co-conspirator', Spinelli and Dann argue that, with *Serial*, '[…] listeners [were] clearly framed as coinvestigators' (2019). In either case, prior research has shown that the relationship between audience and producer with true crime podcasts is distinctly different than other forms of true crime media.

True crime podcast media

With an estimated 169 true crime podcasts currently available, true crime has become one of the more popular genres in podcasting (Anon. 2016). These podcasts differ greatly in both content and style, from justice vigilante to coffeehouse gossip. There is no set formula for creating a true crime podcast, and since the medium offers a low barrier to entry, almost anything goes. As of July 2019, almost five years after the launch of *Serial*, 22 of the top 100 podcasts on iTunes were true crime and *Serial* still ranked in the top twenty. While the true crime genre has been popular for decades, the launch of *Serial* brought notoriety to the genre in the world of podcasting. Connecting facts from the real world with a fictional-style narrative format, true crime stories naturally blur the line between news and entertainment. There are true crime sections in bookstores, true crime book clubs and Time Life once offered a twenty-volume true crime series (Durham et al. 1995). True crime books frequently occupy top spots on the *New York Times* Best Sellers List and the genre continues to cultivate a devoted audience (Vicary and Fraley 2010).

In 2010, Vicary and Fraley studied female fascination with true crime books and found that women are more drawn to this genre than men because women have a desire to avoid becoming the victim of a crime and they want to educate themselves for a worst-case scenario. Echoing those findings, in a 2018 study on true crime podcast audience motivations and engagement, researchers found that the online true crime podcast audience was also predominantly female (73 per cent) and that women were more likely than men to listen to podcasts for social interaction, escape and voyeurism (Boling and Hull).

Defining true crime can still be somewhat subjective. *Serial* producers argued that their podcast was not true crime, it was investigatory journalism. However, by developing a theory of true crime, Punnett (2017) found that *Serial* met the true crime classification standards. To strengthen this verdict, Punnett began by analysing if the media is based on truth or fiction. Once determined to be truth-based, he examined seven other components of the narrative: Justice, Subversive, Crusader, Geographic, Forensic, Vocative and Folkloric. The Justice component insures that getting justice for the victim is at the core of the narrative. A Subversive component is present if the journalist/author is making the case that audience members need to reconsider evidence, call for further investigatory actions or shed light on shortcomings

in the criminal or judicial systems. Crusader narratives would include a clear 'call to action' intended to result in social change. Geographic is a narrative that intentionally discusses locality, which is particularly useful in setting the scene of events, but it is important to recognize that Punnett describes Geographic components as going beyond simply the 'where' of a story. The Forensic component includes visual portrayals of case details, descriptions of case evidence and any forensic science behind the investigation. The Vocative component shifts the narrative from a neutral, journalistic tone, to an authoritative, advocacy position. Finally, the Folkloric component is a narrative that is designed to be instructive, but not necessarily educational. It needs to sound like a story or folklore; something others would want to share. If the media is found to include most these components it is deemed true crime. *Serial* was found to meet six of the seven components of a true crime narrative. However, it is interesting to note that subsequent seasons of *Serial* have strayed from the original format and lean more towards investigatory journalism.

The purpose of this study is to examine true crime podcasts from the producer's perspective to interrogate the political economy of podcasts, how the producers see their role in criminal justice reform, and how they balance their role as journalists with the auditory benefits of a medium that allows a more conversational tone. Through interviews with four key informants in the true crime podcasting landscape, this study explores how producers are managing their role in a booming industry.

RESEARCH QUESTIONS

This study was designed to explore the impact of podcast media on the true crime genre and the criminal justice system as well as how podcasters balance their role in the process. These three questions address those topics as well as how audiences engage with the podcasters and stories of true crime.

RQ1. How do true crime podcasters articulate their role within the criminal justice reform movement?

RQ2. How do true crime podcasters balance journalistic norms of objectivity with the ethics of advocacy?

RQ3. How do true crime podcasters utilize emerging media to engage audiences in a way that other media producers are not?

METHODS

Researchers have often relied on interviews with journalists and other media producers for insight into media-specific topics (Besley and McComas 2007; Besley and Roberts 2010; Gingras and Carrier 1996; Hooker et al. 2011; Tuchman 1972). For this study, interviews with informants lasted an average of 36 minutes. This is considered short for a qualitative interview (Lindolf and Taylor 2011), but qualitative interviews with journalists tend to be shorter due to deadlines and professional duties (Besley and Roberts 2010). Podcasters also often work full-time in another professional capacity making podcasts a secondary job or duty. The podcasters interviewed for this study were all very generous with their time and did not rush the interview or put parameters on the time allotted. Even though this average length maybe considered short for qualitative interviews, it was sufficient for us to explore the topics for this study thoroughly.

Interviews were conducted both in-person and by phone based on location and convenience for the interviewee. All interviews were recorded and transcribed for analysis. I began each interview with a summary of the project and requested consent to record and transcribe. The interview continued with a series of open-ended questions meant to generate detailed answers. Questions such as, 'Can you explain how the podcasting process works when you are working on an active case?' allowed the respondents to describe both production specifics and the challenges of working with an on-going investigation. Some questions were also podcast-specific, such as, 'Can you tell me how you got involved in the Adnan Syed case and how that led to your work on *Undisclosed* (2015)?' By using a combination of specific and general questions, I was able to look at these four podcasts on both the micro and macro levels. After all interviews were complete, I read each transcript multiple times, looking for themes and related comments. The findings that emerged offered insight into the posed research questions.

Podcasters are fruitful and unexplored candidates for qualitative interview projects. They are uniquely positioned to talk about podcast media because they have both produced it and enjoyed it as a consumer. All the podcasters interviewed have hosted a podcast and interacted with audience members as well as journalists for various newspapers, television shows, magazines and/or radio stations. Most of those interviewed for this study have also been guests on other podcasts and had podcast-related conversations with other podcasters off-air. Much like other journalists, podcasters can communicate their experiences in relevant and thoughtful ways which typically leads to very engaging and informative interviews. Informants for this study had both the legal and journalistic experience to discuss true crime podcasting in a very insightful and meaningful manner. In addition to being experts in their field, these informants also reflect many of Lindolf and Taylor's (2011) characteristics of good informants such as: they are 'veterans of the scene', they are well-respected by others in the field, they are competent users of terminology related to the field, and they have inhabited many different roles in the field.

For the purposes of this study I relied on informant interviews with four key sources. As noted in McCracken's *The Long Interview*, 'less is more' (1951: 17). The goal of these four interviews was to gain a better understanding of the culture and purpose of true crime podcast production from these four key informants, not to select a representative sample from the podcast production universe. The four sources selected for this study either produced or are currently producing podcasts that examine criminal justice impact regarding the cases they covered. These four producers approach podcasting from different backgrounds and with different goals. Some of them 'moonlight' as podcasters, and some are nationally-known journalists. These podcasters were selected because of their podcast content and their approach to the cases they covered. I wanted a variety of podcasting perspectives to be included, not so the results could be generalized to the podcasting universe, but to offer additional context to the conversation. Since this study focused on how true crime podcasters are using or have used podcasts to drive change and influence public opinion, these four sources offer valuable insight. The respondents were:

1. Colin Miller, Associate Dean at the University of South Carolina School of Law and one of the three hosts of the podcast *Undisclosed*. Miller is an avid blogger, podcaster and professor and has valuable insight into using

podcast media to drive change in the criminal justice system. Miller is also very passionate about educating the public regarding legal issues and topics. His podcast, *Undisclosed*, began as a follow-up to *Serial*, offering more details on the Adnan Syed case. In subsequent seasons, *Undisclosed* has covered other cases where the producers felt like there had been a miscarriage of justice including the Baltimore case of Freddie Gray. Since they are presenting cases based on the premise of a miscarriage of justice, *Undisclosed* tends to present information from the perspective of the defendant.

2. Bill Rankin, a reporter for the *Atlanta Journal-Constitution (AJC)* covering criminal justice and legal affairs for over twenty years. In 2015, the *AJC* launched the true crime podcast *Breakdown* (2015) with Rankin as a writer and host of the show. Rankin has valuable insight into podcasting true crime stories with journalistic objectivity as well as the general impact that media can have on the criminal justice system. The *Breakdown* podcast covers cases where the producers feel that there have been breakdowns (the term is conceptualized as anytime something does not go as intended during criminal justice proceedings). *Breakdown* focuses primarily on cases in the Georgia area.
3. Amber Hunt, host of the podcast *Accused* (2016) from the *Cincinnati Enquirer*. Hunt is an award-winning journalist and a crime author who works on special projects for the *Cincinnati Enquirer*. She's written several books on true crime and has appeared on national television shows. As an author, journalist, and true crime expert, Hunt has insight into the true crime genre and experience interacting with audiences across different media formats. The first season of *Accused* focused on the 23-year old unsolved murder of Elizabeth Andes in Ohio.
4. Madeleine Baran, an investigative reporter for APM Reports and the host and lead reporter of the podcast *In the Dark* by *American Public Media*, which received a 2016 Peabody Award. Baran is passionate about holding powerful people accountable through her work as an investigative journalist. Her expertise in investigative reporting brings clarity to the topic of how powerful journalism can impact society and the criminal justice system. The first season of *In the Dark* focused on the kidnapping of Jacob Wetterling, a prominent child abduction case that lead to the Wetterling Act, legislation requiring the registration of violent sex offenders in the United States.

This study explored the production of true crime qualitatively, with a critical/cultural lens, to fully examine how podcasts are impacting this genre, public opinion and the criminal justice system. According to Lindlof and Taylor, 'Cultural Studies focuses on how the production, circulation, and interpretation of cultural artifacts contribute to ongoing contestation that is conducted within and between cultural groups' (2011: 66). As previously mentioned, podcasts have not been examined thoroughly regarding how the content being produced is impacting or might impact culture and society, so this study aims to illuminate that topic. Examining this topic qualitatively will also offer valuable insight to journalists as they cover true crime stories in the future. In addition to looking at true crime podcasts and the impact on culture and society, I also examine the political economy of podcasts: how and why true crime podcasts are created as well as podcast popularity and becoming a commodity.

FINDINGS

Even though the respondents for this study had varied backgrounds and points of view, themes emerged immediately during the discussions. The most surprising theme to emerge across every interview was that of education. The true crime podcasters I spoke with all felt very strongly about educating the public on the criminal justice system via podcasting. The informants also agreed on the ability to impact the criminal justice system with podcasts, and they shared similar sentiments regarding journalistic objectivity and advocacy. None of the informants expressed any concerns regarding the likelihood that they might misinterpret the cases or manipulate audiences in a particular way. On the contrary, all the podcasters interviewed for this study mentioned the months of preparation that went into their podcasts and how seriously they considered their job of presenting the facts of the cases in a clear and concise manner to the audience. None of the informants intended to manipulate the audience, they wanted to educate them on the criminal justice system and the cases covered so that they, as an informed audience, could draw their own conclusions.

Criminal justice reform

The idea of a podcast initiating change in the criminal justice system would have been completely ludicrous just five years ago. In fact, since only 25 per cent of Americans say they have listened to a podcast within the last month, the idea could be considered far-fetched even today (Webster 2018). However, the reality is that podcasts have already had an impact on the criminal justice system and podcasters are continuing to use the medium to shed light onto cases and inmates that need a voice.

Judge Welch, who presided over Syed's post-conviction relief (PCR) hearing, ruled against his PCR motion in 2013, and then post-*Serial*, in 2015, when Syed filed for PCR again, Judge Welch granted the motion and cited *Serial* in his decision (*Syed v. Maryland* 2016). Sarah Koenig posted on the *Serial* podcast blog 5 July 2016, about a week after the ruling, 'We weren't so much shocked because of the legal arguments, but because it was such a longshot, this outcome' (Koenig 2015). *Serial* was also mentioned during testimony at the PCR hearing when the defense asked an alibi witness, 'Did there come a time when you had a conversation with a famous radio reporter named Sarah Koenig?' The witness, Asia McClain, replied that she did not really know what a podcast was then, but she had 'binge-listened' to *Serial* and realized how important her testimony might be for Syed's case.

In addition to being mentioned at trial and potentially uncovering an alibi witness for the defense, *Serial* was also present physically at the PCR hearing. Fans of the show started lining up outside the courthouse at 6 a.m. the morning of the hearing, even before friends and family of the defendant (Hesse 2016). Sarah Koenig was also present, as well as Rabia Chaudry and Susan Simpson from the podcast *Undisclosed*. Both podcasts provided daily updates during the PCR proceedings.

Breakdown was also mentioned in court. When granting the motion for change of venue, Judge Mary Staley Clark mentioned the popularity of the case and the fact that the *Atlanta-Journal Constitution* was producing a daily podcast as reasons why she felt like the defendant had reasonable cause to request a change of venue and ensure a fair trial.

Several of the podcasters interviewed for this study were initially contacted by lawyers familiar with the cases with opportunistic suggestions for media coverage. The lawyers did not blatantly say, 'Please do a podcast on this', but they did take their case to the media in the hopes that the media could generate public interest and either bring attention to someone whom they believed to be innocent or shed light on the failings of the criminal justice system; in some cases, both. This strategy implies that legal experts already see the impact that *Serial* had on Syed's case and they are interested in leveraging the popularity of the true crime genre and podcasts to impact other cases.

All four of the podcasters that participated in this study were definitive in their belief that true crime podcasts can impact the criminal justice system. Colin Miller, of *Undisclosed*, unequivocally acknowledged the impact that podcasts have had on Syed's case, 'Without *Serial* and *Undisclosed* Adnan wouldn't have gotten a new trial, and now he's been granted a new trial'.

Amber Hunt from the podcast *Accused* argued that, 'What they [podcasts] do, is they take people who don't necessarily have insight into the judicial system and they walk them through the process'. This mention of educating the audience was common among all four informants. In the murder of Elizabeth Andes, covered by the podcast *Accused*, one of the shocking components was a confession by the defendant that he later recanted. In discussing the impact that podcasts can have on the criminal justice system, Hunt mentioned:

> It's [the criminal justice system] a really tricky world to navigate, especially when you realize that the system isn't set up to walk into court and find the truth. The system is set up to walk into court and win your case. I don't mean that in a disparaging way, because that's their job, they are there to fight for their side, but again, it's not like TV. I just have a hard time thinking that people knowing more about that system is detrimental as compared to being naive about it.

Madeleine Baran, from the podcast *In the Dark,* and Colin Miller from *Undisclosed* echoed similar thoughts regarding how journalists can educate the public, 'For me, that's just doing the job of a journalist […] a better informed public makes for a better democracy', said Baran. As a professional educator, it is not surprising that Miller shared similar sentiments, 'My goal as a Dean and professor is to educate. Whether that's through writing articles, literally teaching my students in the classroom, blogging, or podcasting, it's about educating students and the population at large about how the law works'.

To help educate their audience, *Breakdown* featured segments on the podcast called 'Lesson in the Law' with a dramatic voice-over specifically aimed to grab the attention of the audience and educate them on specific topics relevant to the case. 'We were trying to educate the people on some really important principles of the criminal justice system and that's kind of our way of saying, "Alright, here we go again, listen closely because it's going to be important"', said Rankin. All the podcasters interviewed for this study agreed that educating the public was one of their top priorities in producing a true crime podcast, and they all mentioned it several times throughout the interviews. The diversity of the interviewee perspectives and their shared common

goal of public education via true crime podcast supports the argument that these podcasters are attempting to cultivate change.

True crime podcasts have left their fingerprints on the criminal justice system, but have these podcasts initiated criminal justice reform? By focusing attention on social justice and educating the public, or simply drawing attention to interesting cases, true crime podcasts have taken what I call a *back-door* approach to reform. Educating the public is the first step towards being aware of and/or initiating change. The public can vote for judges, sheriffs and other elected officials in the criminal justice system. True change will happen when the public chooses lawyers, judges and sheriffs that mirror their beliefs for fair and equitable treatment regardless of ethnicity, social class or gender. If an educated public chooses to propose legislation that brings sweeping changes to their local criminal justice system, they can, and that power begins with education. Madeleine Baran summed up this idea of educating for change by saying:

> You just have to put the information out there the best you can and hope that people engage with it, that they talk about it, that they find it as interesting as you did, that they think about what this all means, that they debate it. That starts a conversation based on facts that weren't previously available […] Maybe it leads to jurors who are better informed, maybe it leads to people who are accused of a crime, they're better informed of their right to a lawyer, or if a family member is a victim of a crime they're better aware of what should or shouldn't be done in an investigation.

At the end of episode eight on the podcast *In the Dark*, Baran makes a strong call for listeners to find the law enforcement performance metrics for their town and take the initiative to drive change by holding their local law enforcement accountable, electing sheriffs who show true concern for the job they are tasked to do, and at the very minimum, being aware of how law enforcement is currently performing. With dramatic background music and a list of the least productive sheriff's departments across the country, Baran delivers a strong call-to-action not just for the citizens of Stearns county, but for all people currently living in an area with under-performing sheriff's departments:

> So this is what we've settled on, in this country, as the best way to handle solving major crimes. To leave it up to people like Sheriff John Sanner. Sheriffs who don't know their clearance rates, with no clear plan about how to improve them, and who refuse to look back and see what they could've done differently. And Stearns County isn't the only place with a crime solving problem. There are all kinds of places, all across the country, with part one clearance rates in the single digits or not much higher [Part one crimes are the most violent crimes – homicide, sexual assault, robbery, theft, arson. Clearance rate refers to the number of crimes that are 'cleared,' meaning charges are filed (not convictions) versus total number of crimes recorded.] […]. The way our country handles law enforcement, with complete local control and no oversight, means that you could live in a place that hasn't solved a single crime in 50 years and nothing would happen. Your sheriff's office could have a zero percent clearance rate and no one from the government will step in and say, 'that's unacceptable'.

In the Dark has the strongest call-to-action for criminal justice reform of any of the podcasts examined for this study. While most true crime podcasts do not shy away from calling out injustices or weaknesses in the system, *In the Dark* takes it one step further by specifically naming those that are responsible and encouraging listeners to act. In fact, in an interview with the *Huffington Post* in October of 2016, Baran explains the original purpose and plan for *In the Dark*, 'We weren't trying to solve the case. We were trying to figure out why it hadn't been solved, and the consequences of the failure to solve it' (Storey 2016). When I discussed this with Baran, she offered more insight into the idea of true crime media trying to solve crimes, 'We shouldn't all become like amateur sleuths and forget that there's an institution that we should be holding accountable, whose job it is to solve crimes'. Using this mindset, podcasts and all true crime media, can educate the public about issues and oversights in the criminal justice system, and encourage listeners to act, instead of focusing on solving an unsolved crime.

Objectivity versus Advocacy

The topic of journalistic objectivity tends to be polarizing among media professionals, and that holds true for podcasters as well. There are those who say it is the job of the journalist to remain impartial and present both sides to every story, and those who say it is the job of the journalist to be a 'watchdog' for the public, investigate wrong-doings and publicize them. These opinions are not always mutually exclusive. Many argue that journalists should only present the facts and answer who, what, where and when, leaving why and how open for audience interpretation. In today's 24/7 news cycle with continually shrinking newsroom staff, the pressure to sensationalize news is strong (Bennett 2016; Graber 1994). While many journalists attempt to adhere to the ideal of objectivity, the Code of Ethics for the Society of Professional Journalists does not use the term 'objective' (Anon. n.d.b). The terms 'accurate', 'fair' and 'thorough' have replaced objective after many years as a central doctrine (Bennett 2016). The informants for this study come from varied professional backgrounds with differing journalistic and legal expertise which gives them diverse opinions regarding objectivity and advocacy. Not only are these informants differing in their journalistic approaches, the podcasts themselves also differ regarding purpose and stance in relation to objectivity and advocacy.

The *Undisclosed* podcast was a follow-up to *Serial* featuring the case of Adnan Syed, but meant to offer insights that were 'undisclosed' in *Serial*. The creators of the podcast were all independent thinkers, blogging and speaking around the country. Rabia Chaudry, a friend of the Syed family, realized that the public was lacking knowledge about the case because they were only familiar with what was presented in *Serial* (2016). Chaudry discussed the issue with Susan Simpson and Colin Miller, and they decided to create a podcast to present all of the facts of the case and be a true advocate for Syed's innocence (Chaudry 2016). The *Undisclosed* podcast began as an advocacy project. All the hosts/producers went into the podcast with Syed's freedom as the goal. The hosts of *Undisclosed* are all law professionals, not professional journalists, and they have been honest about their goals from day one on *Undisclosed*. When I sat down with Miller he explained it very succinctly:

> When you are podcasting and you're working with the defense council and the defendant, by its nature, that's not going to be objective

> reporting. What that means is that you have to be sure to sort of keep yourself in check where you're not simply parroting what you're being told.

Miller was also very forthright regarding his goal for originally joining the *Undisclosed* team, 'After having reviewed the evidence I came to the conclusion that he [Syed] was not guilty and so I hoped that it [*Undisclosed*] would have some type of effect on the appellate procedure and give him a new trial'. When asked if he felt like true crime podcasts can help the wrongly convicted Miller stated, 'That's our goal in doing *Undisclosed*. We're taking these cases thinking we can help in whatever way to bring justice'.

In season two of *Breakdown*, Rankin covered a case where the defendant was being tried for murder because he left his son in a hot car. Regarding the facts of the case, Rankin maintained journalistic objectivity throughout the season, interviewing both the prosecutor and the defense council for the final episode. Rankin stressed the importance of objectivity in our interview:

> What I say about anything I do as a journalist is to be fair to both sides. Be fair to all sides, and be as accurate as possible […]. I tried not to be an advocate. I tried to call it like I saw it, when things happened, but I tried not to be an advocate. I just tried to adhere to the same principles I always had.

However, specifically regarding the central issue of the case, Rankin was also willing to speak out; not for the defense or prosecution, but for parents of small children, 'If that podcast got people, parents, to think more about looking back and checking on their kids, I can't imagine a better outcome really'.

Amber Hunt also echoed the importance of objectivity. Even though the *Cincinnati Enquirer* received the initial case information as a suggestion from the lawyer currently working with the Andes family, Hunt maintained objectivity throughout the entire investigation. When discussing the line between objectivity and advocacy, Hunt clearly stated her position:

> With this case, to me, the part that was obviously not crossing the line was this murder should be solved. I mean, to me that's as benign as an editorial that says cancer is bad […]. But the whole time I really did keep in mind that because it wasn't solved doesn't mean that the investigators did anything necessarily wrong or evil or malicious. I tried very hard not to let myself think that because I think that's very dangerous and dismissive and no good can come from that line of thinking.

In podcasting, as in journalism, respondents discussed the tensions of advocacy and objectivity. Specifically relating to the true crime genre, the informants in this study agreed that it is important to set and communicate your goals before beginning the podcast and stick to those goals throughout production. If the audience is aware that you are working with defense council, and therefore your goal is to get a new trial for the defendant, they can adjust their frame of reference when listening to the podcast. Honest, accurate and thorough reporting are the tenets that these true crime podcasters are striving to achieve, and from the audience perspective, that appears to be more important than objectivity.

In addition to objectivity, both Baran and Hunt also discussed the idea that podcasters need to exercise caution with tone and how they approach reporting a crime. Baran said, 'You know, it's not really a murder mystery, it's someone's death'. Hunt reiterated the same sentiment,

> I get the human pull towards crime and coverage, I've got that too […] We're trying to be careful in reaching a balance between telling a story and doing right by the family. Finding that balance. Making people care but not being fallacious.

The consensus was that reporters, podcasters especially, need to be careful not to sensationalize stories and remember that there are real people – mothers, fathers and children – that are impacted by these cases and that they deserve respect and concern, not fame.

Using emerging media to engage audiences

Since podcasts have only been a viable medium for around ten years, podcasters are still learning how to interact with the audience and use this medium to its fullest potential. When you examine the political economy of podcasts, it falls somewhere between radio and television; probably closer to radio before television was invented. Most podcasts segment their production schedule into seasons like television, but since they tend to produce the podcasts weekly throughout the season, the audience interaction is closer to real-time, like radio. Some podcasts are created and 'dropped' all at once so they can be 'bingeable' and others depend on the audience interaction each week to fuel the content for future episodes. Most podcasts begin without sponsors or advertisers and then as their audience expands, they begin to see a revenue stream. Podcasters regularly interact with the audience via e-mail, social media and independent discussion forums like Reddit. Spinelli and Dann argue that what we are seeing in regard to audience interaction with producers is that the medium is, '[…] finally grown-up enough to have created its own identity, its own aesthetic modes and relationships' (2019: 18), and this sentiment was reflected in my interviews with podcasters.

Undisclosed has a very active and participatory audience. Miller described this audience interaction as being essential to the process:

> You turn it [a true crime story] into a podcast and you have people who listen to the podcast, they can then e-mail us, reach out to us on social media. They might be someone who lived in Baltimore and went to Woodlawn High School [with Syed] or lived in Rome and knew the people involved [with the case in Season two] and they can give us information. It's very much an interactive process where it's a two-way flow of information and people. I think part of the *Serial* revolution is that people are able to listen and participate, and in some cases, have been involved.

The *Cincinnati Enquirer* recorded all of *Accused* and then released the episodes twice a week for four weeks in an effort to make the season 'bingeable'. Audience interaction for *Accused* was not as real-time as what Miller describes for *Undisclosed*, but Hunt was still very excited about the feedback, 'With the podcast you open yourself up to a lot of criticism […] but on the

whole, the response has been incredibly favorable', said Hunt. Rankin said the response to *Breakdown* has also been very positive and offered insight into the difference between a newspaper audience and a podcast audience, 'The difference between the response I get on newspaper stories and podcast is exponentially different. I've received so many e-mails and messages, it's off-the-charts different', said Rankin. All four informants for this study have been encouraged to continue with their efforts by their audiences, and most have even received tips for new cases.

DISCUSSION

The criminal justice system is already experiencing change at the hands of this emerging media. However, true crime podcasts have also initiated change on other fronts. Innocence projects (non-profit legal organizations dedicated to exonerating the wrongly convicted), have seen an influx of donations (Reilly 2016), audience members have shown up in mass support of defendants at court dates (Hesse 2016), and regular listeners are participating in investigations by contributing tips and offering research assistance (Fieldstadt 2016).

The opportunities for future research on the topic of true crime podcasting are seemingly endless because of the combination of genre popularity and emerging media. Additional interviews with true crime podcasters would be enlightening, as well as a textual analysis of the podcasts themselves. Focus groups or surveys with audience members could offer valuable insight into the uses and gratifications of this media and genre. Examining this topic from a media sociology perspective would allow insight into the impact on audience members as well as those who perpetrate crimes and families of victims. Examining this medium from the view of the judicial system, the audience and the convicted that are experiencing the effects of media popularity would offer valuable insights into this medium and genre.

This study offers a glimpse into a very specific genre of podcasting and illuminates not only our knowledge of podcasts as a medium, but also true crime as a genre when we examine how those two topics intersect. The genre of true crime has been and will continue to be popular as long as there is crime in our society. Podcasts have an interesting ability to bring a voice to both inmates and victims as they lead the audience through the crime narrative, offering listeners a unique level of intimacy with the case and people involved. Instead of being confined to a two-sentence quote in print, true crime podcast audiences can hear, directly from the inmate or those who knew the victim, for as long as time will allow. Madeline Baran described the importance of audio in true crime by saying:

> I do think there's something about radio, or audio, where people feel more connected perhaps, to the story, or frankly, to the person telling the story […] And I think that's one of the great things about radio, or audio, has this intimacy to it, where when you listen, someone is telling you a story, and you have to visualize a lot of things, you're brought into these character's lives that you don't know. You're kind of visualizing them. It's a great format for losing yourself in a story.

This intimacy can encourage voyeurism and belief of true audience impact on the criminal justice system (Boling and Hull 2018; Buozis 2017). In addition to painting a mental image with sound, true crime podcasters

maintain extremely detailed websites, posting court documents, case files and photos of evidence and people related to the case. True crime podcasters are creating an environment like no other medium. They are not telling a story; they are building an active community and allowing the audience to be part of the conversation.

The praxis of this research is actualized when other media see this new model for audience interaction and implement it across media platforms. An active, engaged and supportive audience allows journalists to create content that is sought and needed. Engagement, education and participation are the keys to both criminal justice and media reform and true crime podcasters are setting the precedent for new media.

REFERENCES

Accused (2016), Amber Hunt (USA: Cincinnati Enquirer and Wondery), https://www.cincinnati.com/series/accused/. Accessed 24 August 2019.

Anon. (n.d.a), 'About Serial', https://serialpodcast.org/about. Accessed 5 December 2016.

—— (n.d.b), 'SPJ code of ethics', Society of Professional Journalists, https://www.spj.org/ethicscode.asp. Accessed 2 December 2016.

—— (2016), 'True crime podcasts', Reddit, 21 September, https://www.reddit.com/r/podcasts/comments/53v2hp/the_big_list_of_true_crime_podcasts/. Accessed 2 December 2016.

Bennett, W. Lance (2016), *News: The Politics of Illusion*, Chicago: The University of Chicago Press.

Berry, Richard (2015), 'A golden age of podcasting? Evaluating Serial in the context of podcast histories', *Journal of Radio and Audio Media*, 22:2, pp. 170–78.

—— (2016), 'Podcasting: Considering the evolution of the medium and its association with the word "radio"', *Radio Journal: International Studies in Broadcast & Audio Media*, 14:1, pp. 7–22.

Besley, John C. and McComas, Katherine A. (2007), 'Reporting on fairness in civic life: Interviews with journalists about writing on local political leaders', *Journalism Practice* 1:3, pp. 339–55.

Besley, John C. and Roberts, M. Chris (2010), 'Qualitative interviews with journalists about deliberative public engagement', *Journalism Practice,* 4:1, pp. 66–81.

Boling, Kelli S. and Hull, Kevin (2018), 'Undisclosed information – serial is my favorite murder: Examining motivations in the true crime podcast audience', *Journal of Radio and Audio Media*, 25:1, pp. 92–108.

Bottomley, Andrew J. (2015), 'Podcasting: A decade in the life of a "new" audio medium: Introduction', *Journal of Radio and Audio Media*, 22:2, pp. 164–69.

Breakdown (2015), Bill Rankin (USA: The Atlanta Journal-Constitution), https://www.ajc.com/news/breakdown/. Accessed 24 August 2019.

Brown, Justin (2019), 'Adnan Syed updates', Brown Law, 1 July, http://cjbrown-law.com/adnan-syed-updates/. Accessed 1 July 2019.

Buozis, Michael (2017), 'Giving voice to the accused: Serial and the critical potential of true crime', *Communication and Critical/Cultural Studies*, 14:3, pp. 254–70.

Chaudry, Rabia (2016), *Adnan's Story: The Search for Truth and Justice After Serial*, New York, NY: Macmillian.

Cold Case Files (1999–2017, USA: A&E).

Cwynar, Christopher (2015), 'More than a "VCR for radio": The CBC, the Radio 3 podcast, and the uses of an emerging medium', *Journal of Radio and Audio Media*, 22:2, pp. 190–99.
D'Addario, Daniel (2016), 'The hidden danger of *Making a Murderer* and other true crime entertainment', *Time*, 4 January, http://time.com/4166567/making-a-murderer-netflix-petition/. Accessed 25 June 2018.
Dredge, Stuart (2014), 'Serial podcast breaks iTunes records as it passes 5m downloads and streams', *The Guardian*, 18 November, https://www.theguardian.com/technology/2014/nov/18/serial-podcast-itunes-apple-downloads-streams. Accessed 25 June 2018.
Durham, Alexis M., Elrod, H. Preston and Kinkade, Patrick T. (1995), 'Images of crime and justice: Murder and the "true crime" genre', *Journal of Criminal Justice,* 23:2, pp. 143–52.
'Episode 5.5: A Change of Venue' (2016), Bill Rankin and Richard Halicks (writer/prod.), *Breakdown* (3 May, Season 2, Episode 5.5, USA: Atlanta Journal-Constitution), http://breakdown.myajc.com/episode/episode-5-5/. Accessed 25 June 2018.
Fieldstadt, Elisha (2016), 'New crop of true crime shows seduces audiences, compels them to dig', NBC News, 16 April, http://www.nbcnews.com/news/us-news/new-crop-true-crime-shows-seduces-audiences-compels-them-dig-n546821. Accessed 25 June 2018.
Gilbert, Curtis, Mann, Dave, Tungekar, Rehman and Yesko, Parker (2019), 'Reversed: Curtis Flowers wins appeal at US Supreme Court', American Public Media, 21 June, https://www.apmreports.org/story/2019/06/21/curtis-flowers-wins-scotus-appeal. Accessed 1 July 2019.
Gingras, Anne-Marie and Carrier, Jean-Pierre (1996), 'Public opinion: Construction and persuasion', *Canadian Journal of Communication*, 21:4, pp. 445–60.
Graber, Doris A. (1994), 'The infotainment quotient in routine television news: A director's perspective', *Discourse and Society*, 5:4, pp. 483–508.
Griffith, Erin (2014), '"Serial" is small: PodcastOne is building a podcasting empire', Fortune, 18 December, http://fortune.com/2014/12/18/serial-is-small-podcastone-is-building-a-podcasting-empire/. Accessed 25 June 2018.
Hesse, Monica (2016), '"Serial" takes the stand: How a podcast became a character in its own narrative', *The Washington Post*, 8 February, https://www.washingtonpost.com/lifestyle/when-a-post-conviction-hearing-feels-like-a-sequel-the-weirdness-of-serial-back-on-the-stand/2016/02/08/b3782c60-2a49-48f7-9480-a34dd9e07ab6_story.html. Accessed 25 June 2018.
Hooker, Claire, King, Catherine and Leask, Julie (2011), 'Journalists' views about reporting avian influenza and a potential pandemic: A qualitative study', *Influenza and Other Respiratory Viruses*, 6:3, pp. 224–29.
In the Dark (2016), Madeleine Baran (USA: APM Reports), https://www.apmreports.org/in-the-dark. Accessed 24 August 2019.
'In the Dark: Season Two' (2018), Madeleine Baran (writer/host), *In the Dark* (1 May, Season Two, USA: American Public Media), https://www.apmreports.org/in-the-dark/season-two. Accessed 1 July 2019.
Koenig, Sara (2015), 'Judge orders new trial for Adnan Syed', *Serial Podcast*, 5 July, https://serialpodcast.org/posts/2016/07/judge-orders-new-trial-for-adnan-syed. Accessed 25 June 2018.
Larson, Sarah (2014), '"Serial": The podcast we've been waiting for', *The New Yorker*, 9 October, http://www.newyorker.com/culture/sarah-larson/serial-podcast-weve-waiting. Accessed 25 June 2018.

Lindgren, Mia (2016), 'Personal narrative journalism and podcasting', *Radio Journal: International Studies in Broadcast & Audio Media*, 14:1, pp. 23–41.
Lindolf, Thomas R. and Taylor, Bryan C. (2011), *Qualitative Communication Research Method*, Thousand Oaks, CA: Sage.
Livingstone, Sonia, Allen, Jessica and Reiner, Robert (2001), 'Audiences for crime media 1946–91: A historical approach to reception studies', *The Communication Review*, 4:2, pp. 165–92.
Locker, Melissa (2019), 'How a podcast helped get Curtis Flowers's conviction overturned by the US Supreme Court', Fast Company, 21 June, https://www.fastcompany.com/90367631/curtis-flowers-supreme-court-conviction-overturned-podcast. Accessed 1 July 2019.
Making a Murderer (2015, USA: Netflix).
Markman, Kris M. (2011), 'Doing radio, making friends, and having fun: Exploring the motivations of independent audio podcasters', *New Media & Society*, 14:4, pp. 547–65.
—— (2015), 'Everything old is new again: Podcasting as radio's revival', *Journal of Radio and Audio Media*, 22:2, pp. 240–43.
McCracken, Ellen (2017), 'The *Serial* commodity: Rhetoric, recombination, and indeterminacy in the digital age', in E. McCracken (ed.), *The Serial Podcast and Storytelling in the Digital Age*, New York, NY: Routledge, pp. 54–71.
McCracken, Grant (1951), *The Long Interview*, Newbury Park, CA: Sage.
McHugh, Siobhan (2016), 'How podcasting is changing the audio storytelling genre', *Radio Journal: International Studies in Broadcast & Audio Media*, 14:1, pp. 65–82.
Mou, Yi and Lin, Carolyn A. (2015), 'Exploring podcast adoption intention via perceived social norms, interpersonal communication, and theory of planned behavior', *Journal of Broadcasting and Electronic Media*, 59:3, pp. 475–93.
Park, Chang Sup (2017), 'Citizen news podcasts and journalistic role conceptions in the United States and South Korea', *Journalism Practice*, 11:9, pp. 1158–77.
Perks, Lisa Glebatis and Turner, Jacob S. (2019), 'Podcasts and productivity: A qualitative uses and gratifications study', *Mass Communication and Society*, 22:1, pp. 96–116.
Punnett, Ian (2017), 'Every American life: Understanding Serial as true crime', paper presented at the 2017 meeting of *Association for Education in Journalism and Mass Communication*, Chicago, 9–12 August.
Reilly, Ryan J. (2016), 'Record $15 million gift will help free innocent people from prison', *The Huffington Post*, 13 September, http://www.huffingtonpost.com/entry/ohio-innocence-project_us_57d6cd59e4b03d2d459b7619. Accessed 25 June 2018.
Richman, Darren (2014), 'Why Serial is the greatest podcast ever made', *The Telegraph*, 14 November, http://www.telegraph.co.uk/men/the-filter/11230770/Why-Serial-is-the-greatest-podcast-ever-made.html. Accessed 25 June 2018.
Roberts, Amy (2014), 'The "Serial" podcast: By the numbers', CNN, 23 December, http://www.cnn.com/2014/12/18/showbiz/feat-serial-podcast-btn/. Accessed 25 June 2018.
Serial (2014), Sarah Koenig (USA: This American Life), https://serialpodcast.org/. Accessed 24 August 2019.
Spinelli, Martin and Dann, Lance (2019), *Podcasting: The Audio Media Revolution*, New York: Bloomsbury Academic.

Storey, Samantha (2016), 'Behind the true crime podcast everyone should be listening to right now', *Huffington Post*, 11 October, http://www.huffingtonpost.com/entry/in-the-dark-podcast-jacob-wetterling_us_57f808d5e4b068ecb5de54f4. Accessed 2 December 2016.
Syed v. Maryland (2016), No. 199103042-046, pp. 58, Baltimore Cir., 30 June.
This American Life (1995), Ira Glass; 17 November, USA: Chicago Public Media, https://www.thisamericanlife.org/. Accessed 24 August 2019.
The Jinx (2015, USA: HBO).
Tuchman, Gaye (1972), 'Objectivity as strategic ritual: Examination of newsmen's notions of objectivity', *American Journal of Sociology*, 77:4, pp. 660–79.
Undisclosed (2015), Rabia Chaudry, Colin Miller and Susan Simpson (USA: Undisclosed), https://undisclosed-podcast.com/. Accessed 24 August 2019.
Vicary, Amanda M. and Fraley, R. Chris (2010), 'Captured by true crime: Why are women drawn to tales of rape, murder, and serial killers?', *Social Psychological and Personality Science*, 1:1, pp. 81–86.
Vogt, Nancy (2016), 'Podcasting: Fact sheet', Pew Research Center, 15 June, http://www.journalism.org/2016/06/15/podcasting-fact-sheet/. Accessed 25 June 2018.
Webster, Tom (2018), 'The podcast consumer', Edison Research, 5 April, https://www.slideshare.net/webby2001/the-podcast-consumer-2018. Accessed 3 March 2019.
Welcome to Night Vale (2012), Joseph Fink, Jeffrey Cranor, Cecil Baldwin (USA: Night Vale Presents), http://www.welcometonightvale.com/. Accessed 24 August 2019.
Wrather, Kyle (2016), 'Making "maximum fun" for fans: Examining podcast listener participation online', *Radio Journal: International Studies in Broadcast & Audio Media*, 14:1, pp. 43–63.

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