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True Crime

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II

LAURA BROWDER

True crime

Over forty-two years ago, Truman Capote wrote a bestselling book, *In Cold Blood*, and loudly proclaimed that he had invented a new art form. As Capote told George Plimpton in a long interview: “journalism, reportage, could be forced to yield a serious new art form: the ‘nonfiction novel,’” and that “a crime, the study of one such, might provide the broad scope I needed to write the kind of book I wanted to write. Moreover, the human heart being what it is, murder was a theme not likely to darken and yellow with time.”¹

Whether or not Capote invented something called the “nonfiction novel,” he ushered in the serious, extensive, non-fiction treatment of murder. In the years since *In Cold Blood* appeared, the genre of true crime regularly appears on the bestseller list. It is related to crime fiction, certainly – but it might equally well be grouped with documentary or read alongside romance fiction. And while its readers have a deep engagement with the genre that is very different from the engagement of readers of crime fiction, its writers are often forced to occupy a position – in relation to victims, criminals and police – that is complex and contradictory.² In this essay I will be tracing the history and development of this hybrid genre, as well as examining some of the tensions – between reader, writer, criminal and cops – that are at its heart.

In Cold Blood made reading about gory crime – in this case, the random murder of a farm family in Holcomb, Kansas – respectable. Moreover, despite its French epigraph it insisted on the Americanness of the victims – and the killers. It ushered in a theme which has since been richly mined by true crime authors: that violent crime is an act that can fundamentally reshape a community and create or lay bare the unspoken fears between members of that community. As Capote wrote, the murders “stimulated fires of mistrust in the glare of which many old neighbors viewed each other strangely, and as strangers.”³ The victims – Nancy Clutter, who recently starred in a high-school production of *Tom Sawyer*; her father, Herbert, who regards the land on which he lives as nearly “paradise – Eden on earth” – are quaintly American. So, in a different vein, are their killers – the first, the “chunky,

misshapen child-man,” Perry Smith, who could change his expression so that “the corrupt gypsy became the gentle romantic,” whose mother is Cherokee, who wets his bed, sucks his thumb, and could slide into a fury “quicker than ten drunk Indians,” and Dick Hickock, with his “venomous, sickly-blue squint” and prison tattoos. When the book ends, it does so with the detective who solved the crime walking away from the Clutter graves, “leaving behind him the big sky, the whisper of wind voices in the wind-bent wheat” – an evocation of the prairie that seems almost straight out of “America the Beautiful.”⁴

In Cold Blood, with its self-conscious turns of phrase, portrayed cherry-pie-baking, 4-H club-attending, churchgoing characters who lived at a great, even nostalgic remove from the urban readers of *The New Yorker*, where *In Cold Blood* was originally published in installments. Capote invited readers not only to get to know the dreams of the victims – marriage, agricultural success – but also the visions of the killers, like the dreams Perry Smith had had since childhood: “the yellow bird, huge and parrot-faced, had soared across Perry’s dreams, an avenging angel who savaged his enemies or, as now, rescued him in moments of mortal danger.”⁵ Everything about the book screamed its importance.

Forty years earlier, Theodore Dreiser had demonstrated in *An American Tragedy* – his novel about a young, overly ambitious poor boy, Clyde Griffiths, who kills his pregnant girlfriend in a desperate attempt to keep pursuing his climb up the social ladder, and then is executed for the crime – that an individual, sordid crime could become a metaphor for the American condition. Holcomb’s residents, with their “narrow frontier trousers, Stetsons, and high-heeled boots with pointed toes,” are iconically American.⁶ And indeed, readers picked up on the insistent Americana in which the book was steeped: Capote estimated that, of the letters he had received from readers, “about 70 percent . . . think of the book as a reflection on American life, this collision between the desperate, ruthless, wandering, savage part of American life, and the other, which is insular and safe, more or less.”⁷ Reading the book could be a safe, yet thrilling way of experiencing this collision.

Though Capote’s treatment of violent crime may have taken a new form, non-fiction accounts of gory crimes have long been a marketplace staple. Documentary treatments of violence have been popular in the United States for close to 200 years, as witnessed by the violent ballads and broadsides dating back to the early nineteenth century, and, at the end of that century, the enormous interest in true crime sparked on both sides of the Atlantic by the Jack the Ripper case.

True crime literature first flourished during the Elizabethan era in the form of simple pamphlets detailing the exploits of local murderers. In 1735, John

Osborn published his three-volume set, *Lives of Remarkable Criminals*. George Wilkinson's *Newgate Calendar*, published in 1775, included for the first time the details of everyday life – drink, food, clothing – and thus provided true crime as a form of social history. As Thomas Byrnes points out, by the end of the nineteenth century, the nature of the crimes documented had begun to change, away from crimes that were economic in origin, and towards more complex crimes: “Highway robberies were rampant, police corruption was not uncommon, innocent people were framed, tales of cannibalism were drifting in from the colonies, and sex crimes (mostly rape) were starting to appear with frightening regularity.”⁸ These crimes were not only more complex, but often more lurid – and increasingly morally ambiguous.

Karen Halttunen has documented the intense interest that late seventeenth-century colonists in the United States demonstrated in execution sermons – and that mid nineteenth-century readers evinced in the biographies of killers, newspaper accounts and printed transcripts of murder trials. She argues that these narratives reconstructed

the criminal transgressor: from common sinner with whom the larger community of sinners were urged to identify in the service of their own salvation, into moral monster from whom readers were instructed to shrink . . . The new Gothic murderer – like the villain in Gothic fiction – was first and last a moral monster, between whom and the normal majority yawned an impassable gulf.⁹

The Jack the Ripper case was as fascinating to Americans as to the British, it seemed, and its coverage emphasized, for the first time, forensics as an important element in the narrative. However, it was not until the appearance of Thomas Duke's 1910 *Celebrated Criminal Cases of America* that the United States witnessed a similar explosion in true crime as a national genre. In some respects, the formula for true crime has not changed since Duke's day. In his preface, Duke, the captain of police in San Francisco, assured readers that, “While this volume will show that in some instances fabulous amounts of money have been unlawfully obtained, it will also show that retribution invariably overtakes the professional criminal and brings with it untold misery and degradation.”¹⁰ And, pursuing a theme that still holds a prominent place in contemporary true crime books, Duke notes that a “perusal of this volume will show that, while many of the most desperate characters have inherited their criminal tendencies, environment frequently transforms an ideal youth into a veritable fiend.”¹¹ Then, as now, readers were able both to participate vicariously in the horrible crime and to pronounce moral judgment upon it.

Duke provided true crime as a lens through which to view United States history. The cases which he covered, and which he listed geographically as

San Francisco cases, celebrated cases on the Pacific Coast, and celebrated cases east of the Pacific Coast, including such events as the assassinations of Presidents Lincoln, Garfield and McKinley; the killing by a mob of Mormon leader Joseph Smith; the Haymarket riots of Chicago; the draft riots in New York City during the Civil War; the Jesse James Gang. Of course, the book also contains such true crime staples as fill the pages of today's books, such as "Cordelia Botkin, who Murdered Mrs. Dunning and Mrs. Deane in Delaware with Poisoned Candy Sent Through the Mail," "Adolph Weber, Who Murdered His Father, Mother, Sister and Brother in Auburn, Cal.," and "Jesse Pomeroy of Boston, a Fourteen-year-old Fiend." Yet where the book departs from today's true crime books is in its at least partial focus on criminals of color and foreign criminals – Australians, Mexican bandits and Chinese killers. Even more unusual is its coverage of crimes in which people of color were the victims, such as the New York draft riots (as Duke writes, "The following is a list of colored people who were murdered by the mobs in a particularly atrocious manner") or the case of Captain Nathaniel Gordon, who in 1860 "seized and shipped 897 Africans from the Congo River, and was captured and subsequently executed in New York. Eighteen victims died from suffocation."¹² Today, one would be hard-pressed to find a true crime book in which both victims and killers are not white.¹³

By the 1920s, lurid true crime magazines had emerged, a form that continues to flourish, as do Sunday supplement treatments of true crimes and the ubiquitous documentary cop shows on television. While true crime books may be formulaic, that formula is constantly evolving. And just as the form of true crime literature has changed over time, so, too, is there a true crime to suit every decade: the twenties had Leopold and Loeb, the gay lovers who killed a child for thrills – their "depraved," sexually transgressive behavior serving, in the popular press, as the explanation for their brutality. The thirties were the decade of the gangsters, figures who were sympathetically glossed in the mass media as anti-government folk heroes: from that period we have Bonnie and Clyde and Al Capone. And then by the mid-sixties we were given the drifters Smith and Hickock, who brutally slaughtered the Clutters. Like Leopold and Loeb, these killers were other, deviant – men whose lives seemed remote from those of most middle-class readers. Most of the books dating from this era feature lone drifters who preyed upon strangers, such as the Boston Strangler.

Most of all, *In Cold Blood* led to the development of what we now know as true crime books – paperbacks thick enough to function as doorstoppers and featuring the inevitable photo insert. These books have a number of features in common: they are generally hefty – between 400 and 800 pages long – and thus demand a significant investment of time on the part of their readers.

Almost always, the victims are female; most of the time, the killer or killers are male. True crime books generally contain a multi-page insert of what are usually described as dramatic, shocking, or chilling photographs of the killer and the victims. As one true crime editor says:

pictures are at least 60 percent of the initial draw and you can't sell a paperback if you don't have solid pictures. This may seem trivial, but it is a key issue because what makes a book different is that it delivers the things you can't get anywhere else. This includes things like the autopsy pictures, the severed breasts of prostitutes, the slashed throats – things you'll never see on TV or in the newspaper or anywhere else.¹⁴

These photographs heighten the aura of reality so important to true crime readers. Yet many of these photos are not gory at all: they also portray the killer and victim in happier circumstances, as well as in their roles as corpse and apprehended criminal; they document the police officers and lawyers involved in the case, and they nearly always feature a picture of the convicted killer being led away to a lifetime in prison.

In other words, the plot of a true crime can easily be gleaned from a quick ruffle through the photo insert, or even a glance at the back cover. These are books read not for plot, but for detailed description, and for their linear analyses of what went wrong. For even as these books posit the existence of socially inexplicable deviance – pure evil, in short – they also reaffirm notions of causality, by encouraging the reader to participate in a voyeuristic dissection of the victim's mistakes, her failure to read obvious clues. As true crime writer Jack Olsen, author of *Son: A Psychopath and His Victims* (1983) and *"Doc": The Rape of the Town of Lovell* (1989), says, "it's what people have come to expect from the genre, an explanation of the criminal mind, of criminal behavior, and how to avoid people like that."¹⁵

True crime books are very different from detective stories, with their contract with the reader of fictionality – it is impossible to imagine a true crime variant of the "English cozy," as one subgenre of detective stories is called. The label of "true" crime gives the material in these books the aura of fact – an air of authority enhanced by the journalistic, "non-literary" style in which they are written, by the thick description of events, and by the inclusion of supporting photographic and other documentary evidence. This perceived factuality removes the responsibility for aestheticizing violence from both the writer and the reader of such works.

While true crime may be a form of documentary, it is a dystopian version. Whereas the traditional documentary is generally designed to raise people's consciousness about terrible conditions in order to effect change, true crime presents a picture of problems that are insoluble, because they are rooted

within the individual psyche and often have no apparent roots in social conditions. We are in the realm of the psychopath or, more frequently, of the sociopath, whose evil has no visible cause: legislation cannot remove the source of the problem.

True crime is a politically slippery genre. On the one hand, true crime books uphold conservative values – policemen are heroes, criminals are punished, sometimes by death. True crime writers are often affiliated with victims' rights groups, and some, like former policewoman Ann Rule, work with law enforcement agencies. While Capote treated the events he described as an American tragedy, and described criminals and victims in novelistic, rather than moralistic terms, some of the most successful true crime writers who followed him have framed their stories as morality tales – and gave themselves starring roles in the narrative. The bestselling true crime book of all time, *Helter Skelter* (1974), which dealt with the Manson family murders, was written by Vincent Bugliosi, the prosecutor who tried the case. Bugliosi's job both made it easy for him to gain access to insider information, since he was the ultimate insider, and made his own stance in regard to the killers unambiguous: his job was to put them in prison for life or to get them the death penalty.

Yet true crime books are also subversive, in that they tend to question the very foundations of patriarchal culture – the family in true crime is often a poisonous unit. This focus on the family has not always been a trait of the genre. The first true crime books in the 1960s generally presented violence and evil as a threat from without, rather than within, the family. In Capote's *In Cold Blood*, the nice middle-class Clutter family was brutally slaughtered by a pair of gay drifters. These killers were other, deviant – men whose lives seemed remote from those of most middle-class readers. Late in the decade, we would get the Manson family – middle-class children who seemed to have been infected with a kind of sixties craziness, who claimed their inspiration for mass murder was drawn from a Beatles album.

While the 1960s saw the first “modern” true crime books appear, it was not until the seventies, and the rise of the women's movement, that the genre gained dramatically in popularity, and that a new type of true crime book began to appear – one focusing on horrendous murders committed within the family setting, usually by respectable men, pillars of society. While the true crime books of the sixties tended to focus on the dangers from without – men who broke into houses to kill single women, or peripatetic psychopaths far removed from the main currents of American society – the new true crime books emphasized the danger from within the nuclear family.

Since the seventies, it has been the case that while some true crime books detail the ravages wrought by crazed strangers, a greater number concern

murders committed by those men who are entrusted with protecting and caring for women. There are rogue policemen, such as LAPD officer William “Mild Bill” Leasure, the protagonist of Edward Humes’s 1992 work, *Murderer with a Badge*. There are bad FBI agents. As the jacket copy for Aphrodite Jones’s 1992 book *The FBI Killer* attests:

Susan Daniel Smith, 27, prayed for a handsome Prince Charming who would take her away from the squalor of her rural Kentucky community to live in romance and luxury. When a good-looking, big city FBI agent named Mark Putnam entered her life, Susan thought her prayers were answered. She was dead wrong.

There are bad doctors: the villain of Jack Olsen’s “Doc” is a trusted family doctor, a Mormon, in a small town, who for twenty-five years had been raping and molesting his women and children patients. Dr. Jeffrey MacDonald, of Joe McGinniss’s bestselling *Fatal Vision*, was a former Green Beret who was convicted of murdering his wife and two young children. Dale Cavaness, the protagonist of Darcy O’Brien’s *Murder in Little Egypt*, was a respected Illinois doctor who beat his wife, and ultimately murdered his two sons. There are rotten kids, such as Chris Pritchard, the North Carolina teenager who bludgeoned and stabbed his mother and stepfather, and was the focus of Joe McGinniss’s *Cruel Doubt* (1991) and Jerry Bledsoe’s *Blood Games* (1991). There are parents who kill their children, like Marie – Hilley in Philip E. Ginsburg’s *Poisoned Blood* (1987) – who poisoned her mother-in-law, mother, husband and daughter, then “duped a man into marriage, faked her own death, and came back to him – as her long-lost twin!” In true crime books, fathers, and sometimes mothers, kill their children, and children kill their parents. Most of all, women who are duped by the promise of romance are killed by their erstwhile lovers.

True crime books are a popular arena for metaphysical discussions about the nature of evil, the meaning of retribution, and the impossibility of knowing another. The nineteenth-century anxiety about confidence men and painted women is sustained in the popularity of true crime books. In Thomas French’s *Unanswered Cries*, it is the helpful next-door neighbor who is the killer: though he saves lives as a firefighter, he butchers his neighbor in her own home. As *The Stranger Beside Me* (1980), Ann Rule’s account of her relationship with Ted Bundy, evidences, one’s friend and co-worker could turn out to be a killer.

Because of this perceived factuality, the true crime writer occupies an uneasy place. Ann Rule’s *The Stranger Beside Me* is a great example of this; because Rule, who is one of the most popular writers in the genre, has such a powerful personal presence in the narrative, these problems are highlighted.

In a sense, *The Stranger Beside Me* tells two integrally related stories: the fall of serial killer Ted Bundy, and the rise of true crime writer Ann Rule.

When Rule and Bundy meet, it is Rule who appears to be in the worse position: “On the surface, at least, it seemed I had more problems than Ted did . . . My marriage was in deep trouble, and I was again trying to cope with guilt. Bill and I had agreed to a divorce only weeks before he had been diagnosed with melanoma, the deadliest of skin cancers.” While she at first finds Bundy attractive – “almost the perfect man” – the middle-aged Rule, struggling to support her four children through writing stories for *True Detective* magazine, spends many of her working hours with the Seattle homicide detectives, whom she finds to be “highly sensitive men – men who understood that if I didn’t find enough cases to write up, my kids might not eat.”¹⁶ For Rule, an important part of being a good mother is writing true crime.

However, as the tally of murdered young women grows in Seattle – including an acquaintance of one of Rule’s daughters – and Rule worries about her daughters’ safety, she finds herself in a double bind that is an exaggerated version of the one many true crime writers face: she is torn between her dependence for income on the goodwill of the police, who grant her access to information; between her identification with the victims of these terrible rape/murders; and finally, upon the necessity of treating Bundy as though he is an innocent friend, although she herself suspects that the handsome subject, who introduces himself to women as “Ted,” and who has a faint English accent, may be a killer. Rule even calls a police detective friend of hers early on to see if Bundy owns a VW Bug similar to the one used by the killer – and finds that he does. However, Rule has just signed a contract to write a book about the string of brutal murders. Given her suspicions – and the fact that thirteen months after she gives his name to the police, they begin the process of subpoenas and arrests that will lead to his eventual downfall – she is caught between seemingly irreconcilable goals. To make her book work, she needs the confidence both of the police and of the killer. And yet, as the mother of teenaged daughters, and as someone who identifies with the victims of violent crime, how can she justify her continued protestations of friendship to Bundy – the money she sends him while he is in prison, the long, boozy lunches she shares with him when he is out on bail, the phone calls and the letters?

“When I began writing fact-detective stories,” Rule tells us, “I promised myself that I would always remember I was writing about the loss of human beings, that I was never to forget that. I hoped that the work I did might somehow save other victims, might warn them of the danger.” She reminds the reader of her membership, by invitation, in the Committee of Friends and

Families of Missing Persons and Victims of Violent Crimes, and offers the reader her own exoneration:

I have met many parents of victims, cried with them, and yet I have somehow felt guilty – because I make my living from other people’s tragedies. When I told the Committee how I felt, they put their arms around me and said, “No. Keep on writing. Let the public know how it is for us. Let them know how we hurt, and how we try to save other parents’ children by working for new legislation that requires mandatory sentencing and the death penalty for killers.”¹⁷

In her allegiance to the victims’ families, Rule compares herself favorably to the reporters, with their “ugly and cruel” techniques, whose “dogged pursuit . . . of something new to write was going to interfere mightily with the police investigation,” while “Frantic families of the missing girls . . . were besieged by some of the most coercive tactics any reporter can use.”¹⁸ These reporters re-injure the families of victims; Rule herself helps heal families.

While distancing herself from journalists, Rule also draws a distinction between the “real” world she and the cops inhabit, and the world of crime fiction: as she lists over forty links between Bundy and the crimes, she concludes that:

For a fiction writer, it would have been enough. For an actual criminal investigation, it was circumstantial evidence, block upon block piled up until there was no doubt in the Washington detectives’ minds that Theodore Robert Bundy was the “Ted” they had sought for so long.

Yet this stance is problematic: on the one hand, Rule concedes that

I was still walking a tightrope between Ted and the detectives, a rope that seemed to wend over higher and higher precipices. It was imperative that I continue to write fact-detective stories, and any breach of faith with a police agency would mean the end of that. Neither did I want to be disloyal to Ted, although it was becoming more and more difficult not to believe that Ted was the man the police sought.¹⁹

This admission takes place shortly after Rule writes to Ted in prison, discussing her book contract with W. W. Norton: “I offered to share my profits with him, gauged by the number of chapters he might write in his own words.” For even after Bundy has been convicted and sentenced for the kidnapping of a woman who managed to escape before he killed her, “there were still so many facets of the story that were hidden from me, and still that chance that Ted was being railroaded.” Rule identifies herself as another woman manipulated by Bundy: “Because he could control women, balance us carefully in the tightly structured world he had created, we were important to him.”²⁰

Meanwhile, Rule's fortunes rise as Bundy's sink: while Bundy is on the road following a successful escape from prison, Rule is finally making it: "All of it was unreal. Only a few years before, I had been – if there is such a creature – a typical housewife, a Brownie leader. Now I was off to Hollywood to write a movie, with the FBI waiting for me." This disconnect grows stronger as the book wears on, until finally we arrive, in Rule's afterword, at the point of Bundy's execution, a time when, Rule tells us, "First, I was going to do the Larry King show . . . A limousine met me at the airport and delivered me to a skyscraper." The time of the execution draws closer: "The limo driver took me to the best hotel in town, where the 20/20 staff was waiting for me. There were also thirty-four phone messages marked 'Urgent.'"²¹ Just as *In Cold Blood* echoed one Theodore Dreiser novel, *The Stranger Beside Me* seemed to echo another: it recalls nothing so much as Sister Carrie rocking in her chair, a wealthy celebrity, while in another part of the city the man whom she had looked up to and adored turns on the gas in his flophouse room and quietly expires. Yet in some minor sense Bundy had the last laugh: in his final, videotaped interview with James Dobson (who has since achieved prominence as the head of the conservative Christian group Focus on the Family), Bundy attributed his lethal fantasies to . . . reading detective magazines.

Two recent works have put something of an uncomfortable spotlight on the relationship between true crime writers and the events and people they document. The 2005 film *Capote*, directed by Bennett Miller and starring Philip Seymour Hoffman and Catherine Keener, focused on the moral compromise at the heart of *In Cold Blood*. Capote, too, found himself in a fraught position: his book could not succeed without the death of the two killers – and to get his intimate portrait of them, he had befriended them over the years. Indeed, the two men believed (probably incorrectly) that Capote had the power to gain them another stay of execution. Their last days, in which Capote dodged their desperate telegrams and then declined to visit them on the day of their execution, laid bare the essential falsity of their relationship. When composer Ned Rorem heard Capote, at a dinner party, remark that "it can't be published until they're executed, so I can hardly wait," he was outraged enough to write a letter to the *Saturday Review of Literature*, which he started by noting that "Capote got his two million and his heroes got the rope." Kathleen Tynan recalled that her husband, the critic Kenneth Tynan, overheard Capote receiving the news of the impending execution, "and Truman, according to Ken, hopped up and down with glee, clapping his hands, saying, 'I'm beside myself! Beside myself! Beside myself with joy!'"²² Kenneth Tynan was similarly moved to write a negative review of the book for the *Observer*.

Yet the controversy in which Capote found himself embroiled was nothing compared to the lawsuit for libel, settled for \$325,000, filed by convicted

killer Jeffrey MacDonald for fraud and breach of contract against Joe McGinniss, the author who had written a true crime bestseller, *Fatal Vision*, about his case. MacDonald, a Green Beret doctor, had been tried and convicted of killing his pregnant wife and two small daughters, and sentenced to life in prison. In his defense, he had claimed that the crime had been committed by drug-crazed hippies who broke into his house chanting “Acid is groovy” and “Kill the pigs,” before they savagely attacked him and bludgeoned and stabbed his family to death. Despite the presence of the word “pig” written in blood on the premises, his claim was undercut not only by his own relatively minor wounds, but by the presence of a recent, blood-soaked copy of *Esquire* magazine on the coffee table, featuring an article about the Manson murders – crimes strikingly similar to the one he described. Glibly put, one could say that MacDonald wanted the jurors to accept an older true crime model – the deviant, crazed outsiders committing senseless murder – and they had opted instead for a seventies-style explanation that highlighted the guilt of the super-masculine patriarchal figure in the family.

Before the murder trial, MacDonald contacted McGinniss and asked him to write about the case in exchange for a share of the book’s proceeds – an offer he had made to several other authors, including prominent true crime writer Joseph Wambaugh, author of *The Onion Field* (1973). Yet Wambaugh had written MacDonald a strongly cautionary letter about the “truth” in true crime:

You should understand that I would not think of writing *your* story. It would be *my* story. Just as *The Onion Field* was *my* story and *In Cold Blood* is Capote’s story . . . I suspect that you may want a writer who would tell *your* story, and indeed your version may very well be the truth as I would see it. But you’d have no guarantee.²³

McGinniss, by contrast, took the bait – and agreed to give MacDonald a generous share of his advance and royalties in exchange for the privilege of living with MacDonald and his defense team during the trial, and being privy to all of their deliberations. While McGinniss quotes one of the psychiatrists testifying at trial that “this is a guy . . . who would be appalled at the thought of women’s lib,” and cites MacDonald’s promiscuity as evidence of his personality disorder, he and MacDonald, according to members of the defense team, spent hours together discussing their many relationships with women and classifying women on the basis of their looks.²⁴ For four years after the trial ended, McGinniss continued to write to MacDonald in prison, professing his friendship and his belief in MacDonald’s innocence. Since McGinniss refused to show him the galleys of the book before it came out, MacDonald’s first inkling that McGinniss had, instead, portrayed him as a

psychopathic killer in the hyper-masculine mode came when Mike Wallace, during a taping of “60 Minutes” in MacDonald’s prison, read him some of the harshest passages out loud.

Just as McGinniss’s MacDonald was a deceptive creature, one who hid his psychopathology behind the mask of a warm, caring doctor, MacDonald’s McGinniss was a figure in a funhouse mirror: the writer who pretends to be a mirror of his subject, but is in fact his own person. McGinniss offered himself as mirror when he wrote to MacDonald, “let’s face it, early marriage is no picnic for anyone. It sure as hell wasn’t for me,” and goes on to confess his own infidelities to his pregnant wife before concluding:

Having gone through that sort of experience myself, I think I might be more attuned than most people to the possibility that you shared some of these reactions in your own life . . . There is enough already known in terms of your extracurricular life to demonstrate that you were at least as promiscuous as I was.²⁵

In his comparison of himself to MacDonald, as in the activities he shared with MacDonald – checking out women, drinking beer and watching sports – McGinniss invites his subject to see him as not just sympathetic, but deeply similar.

In MacDonald’s view, McGinniss was incapable of seeing him clearly, intent as he was on fitting MacDonald into a preconceived model of the psychopathic killer. After the book was published, McGinniss told reporter Bob Keeler, who was interviewing him for *Newsday*, that MacDonald “is so different from what he appears to be. I feel very sad that he didn’t turn out to be who he wanted me to think he was. Because that would have been a whole lot easier.”²⁶ Yet an innocent MacDonald would have presented the same problems for McGinniss that a successful appeal on the part of Perry Smith and Dick Hickock would have done for Capote.

Finally, the portrayal that McGinniss offered of MacDonald – of a selfish beast masquerading as a caring man – was perfectly analogous to the portrait of McGinniss that MacDonald was able to construct successfully for the jury at the fraud trial. At that trial, MacDonald’s lawyers released letters that McGinniss had written to him shortly after MacDonald’s incarceration, in which he asks “What the fuck were those [twelve] people thinking of?” and tells him that “total strangers can recognize within five minutes that you did not receive a fair trial,” and that “there are too many people who care too much about you” to let him be forgotten. To the jurors in that trial, one of whom reportedly said that she would have awarded “millions and millions of dollars to set an example for all authors to show they can’t tell an untruth,” the journalist was in this case no better than the murderer – and MacDonald,

like Ted Bundy before him, had gotten his revenge on the author who had so successfully packaged him for mass consumption.²⁷

In his letter to Jeffrey MacDonald, what Joseph Wambaugh did not note, perhaps out of delicacy, is that, as one editor observed, book contracts for true crime writers often contain a “conviction clause that states if the guy is not convicted of the crime, then we have the choice to cancel the book. This is for legal reasons because you can’t have someone killing someone only to get away.”²⁸ And that, finally, is what most throws into question the truth in true crime, and renders the genre an uneasy blend of reportage and moralism – because the veracity that it promises is incompatible with the rigid demands of its formula.

NOTES

1. George Plimpton, “The Story Behind a Nonfiction Novel,” *New York Times*, January 16, 1966, pp. 2–3, 38–43, reprinted in Thomas Inge, *Truman Capote: Conversations* (Jackson, MS: Mississippi University Press, 1987), pp. 47–68.
2. For a discussion of true crime readers, see Laura Browder, “Dystopian Romance: True Crime and the Female Reader,” *Journal of Popular Culture*, 39.6 (December 2006): 928–53.
3. Truman Capote, *In Cold Blood* (1965; repr. New York: Signet, 1980), p. 15.
4. *Ibid.*, pp. 23, 254, 26, 128, 43, 384.
5. *Ibid.*, p. 299.
6. *Ibid.*, p. 13.
7. Plimpton, “The Story Behind a Nonfiction Novel,” p. 67.
8. Thomas Byrnes (ed.), *Writing Bestselling True Crime and Suspense* (Rocklin, CA: Prima Publications, 1997), p. 4.
9. Karen Halttunen, *Murder Most Foul: The Killer and the American Gothic Imagination* (Cambridge, MA: Harvard University Press, 1998), pp. 4–5.
10. Thomas Duke, *Celebrated Criminal Cases of America* (San Francisco: James Barry, 1910), p. iii.
11. *Ibid.*, p. iv.
12. *Ibid.*, pp. 600, 602.
13. Among the exceptions to this is Jack Olsen’s *Charmer* (1994), about a black psychopath who preyed on white victims.
14. Paul Dinas, in *Writing True Crime*, ed. Byrnes, p. 257.
15. Interview, in *Writing True Crime*, ed. Byrnes, p. 230.
16. Ann Rule, *The Stranger Beside Me* (1980; repr. New York: Signet Books, 1989), pp. 29, 48.
17. *Ibid.*, pp. 72, 73.
18. *Ibid.*, p. 88.
19. *Ibid.*, pp. 174, 212.
20. *Ibid.*, pp. 192, 210, 398.
21. *Ibid.*, pp. 257, 489, 490.
22. Gerald Clarke, *Capote: A Biography* (New York: Simon & Schuster, 1988), pp. 354, 216.

23. Quoted in Janet Malcom, *The Journalist and the Murderer* (New York: Alfred A. Knopf, 1990), p. 29.
24. Joe McGinniss, *Fatal Vision* (New York: Putnam, 1983), p. 432. On their putative friendship, see Malcolm, *Journalist*, pp. 21–2, 140.
25. Malcolm, *Journalist*, pp. 121–2, 35–6, 6.
26. *Ibid.*, p. 25.
27. *Ibid.*, p. 45.
28. Paul Dinas, *Writing Bestselling True Crime*, p. 256.