True Crime Genre

Where Is the Line Drawn When It comes to Consent and Confidentiality?

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Author Bio

Jessicah Jensen is in her second year of the MPS in Publishing program and the Marketing Lead for the GW Journal of Ethics in Publishing (GWJEP) at George Washington University, where she combines her passions for publishing, communication, and ethical inquiry. Originally from Utah and now based in Boston, she earned her Bachelor's degree before spending five years working as a paralegal—an experience that deepened her appreciation for integrity, precision, and the power of language to shape justice and understanding. Her transition into publishing reflects her conviction that stories and scholarship can serve as catalysts for change. At the GWJEP, she is dedicated to amplifying diverse voices and exploring the intersection of technology and ethics in modern publishing.

Abstract

The growing popularity of the true crime genre across books, podcasts, and other media has prompted important ethical questions regarding the representation of real people and events are portrayed. Although true crime narratives frequently rely on publicly available information, their publication can have lasting impacts on victims, families, and communities involved in

the crimes. This paper addresses and examines the ethical tensions between storytelling and protecting consent, privacy, and confidentiality in true crime publishing. Drawing on existing research in media and publishing ethics, along with interviews with true crime authors, the study investigates how writers handle research methods, representation, and the use of sensitive information. The results highlight inconsistencies in ethical standards within the genre and reveal a lack of clear industry standards guiding these practices. This paper advocates for stronger ethical frameworks in true crime publishing that respect individuals while promoting responsible and transparent storytelling.

True Crime Drama: Where Is the Line Drawn Whent It Comes to Consent and Confidentiality?

As many have noted, the true crime genre has become increasingly popular. This rise in popularity raises an important question: Where is the boundary between individuals' consent and confidentiality in these stories? As many have noted, the true crime genre has grown increasingly popular. With this rise in popularity, you might wonder where the boundary is regarding individuals' consent and confidentiality, and how these issues are addressed when creating such works. It is also essential to determine the right to consent and privacy. In an ideal world, consent would be obtained from all parties discussed in true crime publications, but that is not always feasible or desired by those involved.

My goal in this study is to examine current guidelines for true-crime publications on the consent and privacy of all parties involved. By interviewing true-crime authors, we can gain a deeper understanding of the publishing process and the considerations that respect the consent and privacy of those involved. Whether you directly or indirectly consume the true crime genre, you may begin to wonder how these publications can affect the individuals that they are about, no matter their involvement.

Goals

1. What guidelines are currently in place (if any)?
2. Conduct interviews with true crime authors to understand their personal process.
3. Recommend guidelines that can be put into place to provide consent and confidentiality to all parties.

As creators delve into these narratives, it's crucial to consider how these issues are addressed. Determining the right to consent and privacy becomes a key consideration. In an ideal world, we would obtain consent from everyone involved in true crime publications. However, that's not always feasible or desired by those involved. This complexity challenges us to think critically about the ethical implications of true-crime storytelling.

Let's start from the beginning… True crime originated in the 16th century. According to JSTOR Daily, between 1550 and 1700, British authors and printers published an astounding number of works reporting on capital crimes. More specifically, "as literacy rates expanded and new print technologies emerged, topical leaflets began to circulate among newly literate and semiliterate consumers. Hundreds of crime pamphlets—short, unbound books of roughly 6 to 24 pages, usually detailing horrific murders—circulated during this era. However, these pamphlets were not the only form of crime reporting. Ballads—narrative verses recounting the dastardly deeds of England's Most Notorious—were printed on broadsides and posted around cities and towns."

This was only the beginning of the rise in popularity of true-crime publications. The rapid and consistent rise to popularity in these publications is surprising, prompting questions about the longevity of sensationalism and its current state. Society has witnessed so many examples of this sensationalism, which often lacks the privacy of the individuals involved—for example, Jack the Ripper, Ted Bundy, or Jeffrey Dahmer. Not only is the crime itself being sensationalized, but also the victims and suspects involved as well. The details of these individuals' lives become publicly available in various forms, resulting in a lack of confidentiality and, often, consent.

Interviews

I had the opportunity to interview three true-crime authors about their experiences publishing in the genre. Kate Dawson, James Renner, and Joshua Sharpe are three authors whom I had the pleasure of interviewing for this research on the steps they take regarding consent and confidentiality in their true-crime publications. Given the minimal guidelines and rules governing this genre, it was fascinating to observe the personal moral and ethical standards that these authors established for themselves during the writing and publication process. It was interesting to observe each individual's personal standards and the lengths they were willing to go to obtain consent.

I began my interview by gaining a deeper understanding of their experience. I then ask whether they are aware of any guidelines they should

follow when working in the true crime genre, specifically regarding consent and confidentiality. I received the same answer in all three of my interviews. There are zero standards or guidelines that they are required to follow. Kate Dawson stated, "There are none in this industry. As I delved into these interviews, I aimed to identify any guidelines the interviewees follow in the true-crime genre, particularly regarding consent and confidentiality. It was both enlightening and concerning to find that all three interviewees shared a common perspective: there are no standardized guidelines in this field.

Kate Dawson emphasized this point, remarking, "There are none in this industry. Literally none, even with most journalists, unless they're with the New York Times." Additionally, James Renner highlighted an ethical consideration, stating his belief in protecting the privacy of juveniles, particularly those who haven't been charged. He noted that in the digital age, privacy is a scarce commodity, especially given the nature of social media. This point underscores the tension between public interest and personal privacy. These insights reveal a significant gap in ethical practices within the true crime genre. As we move forward, it's crucial to reflect on how these practices can impact the individuals involved in these stories.

Joshua Sharpe mentioned that he thinks about freedom of speech when he writes. These people in the stories have been through a lot, and their trauma is more important than the story; we are not entitled to anything. John Renner had a similar response, stating that "I'm writing for the victim, and any info I share should help to kick up new leads and information. I always attempt to get the families and friends on board with my writing, but sometimes there are people who do not."

John Renner had a similar response, stating that "I'm writing for the victim, and any info I share should help to kick up new leads and information. I always try to get families and friends on board with my writing, but sometimes people do not wish to participate. At times, I have published information about these individuals from police reports and trial transcripts when it is important to the case (not necessarily the narrative). I believe the truth outweighs any hard feelings."

With clearer confirmation that there are no industry standards these authors need to follow, they all had one thing in common in their responses. They all have found their own moral and ethical compasses to follow when they are writing in the true crime genre. Each of them had their own point of view and standards they had set for themselves when covering these stories. This is where I began to see some differences in judgment and boundaries.

Given the industry's lack of specific standards or guidelines, I wondered

whether any of these authors had faced defamation or other legal issues or had defamation insurance. One had an incident that resulted in his defamation insurance saving him. John Renner strongly recommends defamation insurance based on his experience. He stated, "A few years ago, a woman who took issue with some facts I'd posted about her involvement in a bogus lead given to the police sued me for $650,000. I knew there was no case, and it would be dismissed, but she sued me anyway in an attempt to bankrupt me. Fortunately, insurance covered the lawyer's fees for the initial hearings, at which the case was dismissed. Saved me around $10,000."

Book publishing defamation is the publication of a false statement that harms an individual's reputation. To successfully sue for libel, an individual must prove one of the following: the author made a false statement of fact, a statement was communicated to a third party, the author's fault amounted to at least negligence, or a false statement caused harm to the individual. Different defamation claims depend on whether the individual is a public figure or a private individual. It is common for major publishers to carry defamation insurance that covers all their authors.

Lessons Learned

The more I explore consent and confidentiality, the clearer it becomes how little is required beyond an individual's own choice to obtain these permissions or consents. It's surprising how strict the guidelines are for health and science publications, yet when it comes to true crime, everything seems to depend on the author's personal preference, which is reflected in how immensely sensationalized true crime is today.

- There are no industry guidelines or standards for authors to follow when writing true crime.
- The guidelines that each author follows are based on their own moral and ethical compass.
- The true crime genre is becoming increasingly sensationalized, thereby continuing to erode consent and confidentiality.

The more I explore consent and confidentiality, the clearer it becomes how little is required beyond an individual's own choice to obtain these permissions or consents. It's surprising how strict the guidelines are for health and science publications, yet when it comes to true crime, everything seems to depend on the author's personal preference. True crime today is immensely sensationalized.

Recommendations

We could begin by reviewing the health and science genres and their consent and confidentiality guidelines. These genres often emphasize the importance of respecting individuals' privacy and obtaining clear permissions before sharing sensitive information. We can find common ground to develop solid guidelines tailored to the true crime genre, balancing storytelling with ethical considerations. One of these guidelines should be to obtain explicit consent for all details, regardless of whether they are already in the public domain, to ensure respect for the victims and their families. These experiences are inherently traumatic, and sharing such details without consent can cause additional pain. There must be profound respect for the principle of "no"; if individuals or their families do not want their stories told, that decision must be honored. Furthermore, holding authors and creators accountable for publishing true crime stories is crucial to maintaining ethical standards. This accountability can help prevent exploitation and ensure that storytelling does not compromise dignity and respect. Lastly, be mindful of the genre's trend towards sensationalism. Strive for responsible storytelling that respects consent and confidentiality, which are often overlooked but vitally important.

Now that we've explored key challenges and insights from the interviews, let's shift our focus to recommendations to help authors navigate these complexities in the true crime genre. First, learn from the health and science genres and their guidelines to apply them to the true crime genre. Second, respecting "no". Lastly, be mindful of the genre's trend towards sensationalism. Strive for responsible storytelling that respects consent and confidentiality, which are often overlooked but vitally important.

Throughout this project, it has become very clear to me how sensationalized the true crime genre is. It makes me wonder how much true crime content I have consumed without fully considering the issues of consent and confidentiality involved. Everyone has their own moral and ethical compass regarding what is appropriate to publish, and it has made me reflect on whether my own consumption and sharing of such content aligns with my personal values. This awareness has led me to question the impact of my media choices and the responsibilities that accompany engaging with stories about real people and their tragedies.

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