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„TRUE" CRIME

KYLE FAULKNER'S *STREET* AND THE ETHICS OF TRUE CRIME

The true crime genre, which has become increasingly popular in the world of streaming platforms and podcasts, has been the subject of much justified criticism. For example, that it is inherently exploitative, capitalising on real-life tragedies for entertainment value, a kind of 'sensationalism' that can dehumanise victims and reduce them to plot devices, re-traumatising the individuals and communities involved. The question of 'dignity' and 'consent' arises when painful memories are used for profit, often without the consent of families. The 'glamorisation of violence', or the glorification, mystification and unintentional heroization of perpetrators, is also a matter of criticism. It is a serious concern that encouraging audiences to identify with or obsess over perpetrators may perpetuate desensitisation to violence and reduce social condemnation of horrific acts.[1] It is also an important observation that the continuous consumption of violence-saturated, detailed narratives is numbing, especially if the viewer does not perceive any form of sublimation or artistic meaning. This can desensitise viewers to real suffering, normalise traumatic events, undermine empathy and a sense of responsibility, and increase the cognitive dissonance associated with voyeurism.[2] At the same time, the focus on extreme cases distorts perceptions of the reality of criminal justice and public safety, the real work of police and investigative agencies, and contributes to reinforcing stereotypes about certain types of crime and communities. Exploitation of trauma, of victims and families, glorification of violence, romanticization of perpetrators, desensitisation to abuse and tragedy, profit motive, distortion of justice and misrepresentation of crime statistics, invasion of privacy and lack of consent – these are the main accusations against the true crime genre, and it is quite obvious that the true crime industry simply ignores the ethical problems that arise, leaving consumers and creators alike to ponder these dilemmas. Even recent documentaries, such as the Netflix miniseries about the murder of JonBenét Ramsey, while willing to detail the role of the press in persecuting the family, go no further than that; the fact that the father is the only one of JonBenét's family to speak out is telling; the brother, who was a child at the time of the crime, refused to take part in the new documentary; and the mother died in such a way that, although someone tried to apologise for the murder before she died, the identity of the perpetrator was never revealed. *The Cold Case: Who Killed JonBenét Ramsey* (2024)

[1] David Frank Schmid: *Natural Born Celebrities. Serial Killers in American Culture*. Chicago, The University of Chicago Press, 2005.

[2] Deborah Jermyn: *Crime Watching: Investigating Real Crime TV*. I. B. Tauris, London, 2007.

1. Zoé's dance. Excerpt from Kyle Faulkner's *Street*, with Scarlet McPherson

is guilty of almost all of the above counts, and we haven't even begun to talk about the astonishing visual and formal immodesty that characterises this film.

It is perhaps a surprising research finding that the consumers of true crime are overwhelmingly female, white, middle-class women. When the researcher on the subject,[3] Rachel Monroe, was asked why this was the case, she gave the following complex answer: „One common, overarching explanation is that true crime stories allow women to talk about and explore vulnerability. Reading a true crime story about a stalker who murdered his girlfriend might be a way for a woman to process her own anxieties. But I think there's a danger in that formulation. It risks replicating cultural ideas about who is the most dangerous and who deserves protection and who doesn't. One thing troubling about the true crime genre is how disproportionately it favours stories about attractive middle-class white women who've gone missing versus stories about the people who are much more likely to suffer violence in our society. When was the last time Oxygen or Investigation Discovery did a show about sex workers? Or young black men, who are actually the primary victims of violence in the United States? Those victims don't make it onto those shows. Something that has come to frustrate me about true crime – or at least much of what we call true crime – is that it focuses so much on individual psychology. The villain is always an individual bad person instead of equally important, but more complicated, structural factors, like the jurisdictional squabbles that make Native American women vulnerable. Yet those are things we could actually fix."[4]

[3] Rachel Monroe: *Savage Appetites: Four True Stories of Women, Crime, and Obsession*. New York, Scribner, 2019.

[4] J. Oliver Conroy: *Why are women obsessed with true crime? Rachel Monroe has some answers. An interview*. https://www.theguardian.com/lifeandstyle/2019/aug/20/rachel-monroe-savage-appetites-true-crime-book-interview

Of course, behind the ability of a true crime film to represent reality lies a much deeper philosophical debate about art, which itself problematises the relationship between visual representation and truth. The concept of 'image as testimony', the extent to which images can serve as reliable witnesses and whether they accurately reflect reality, is a concern for scholars in philosophy, media studies and aesthetics.

In Walter Benjamin's *The Work of Art in the Age of Mechanical Reproduction*,[5] he examines how reproduction changes the nature and authenticity of images, particularly in photography and film, and how it deprives images of their 'aura', their unique presence in time and space, a shift that raises questions about the reliability of images as witnesses as reproduced images are further removed from their original context and meaning. In *Camera Lucida*,[6] Roland Barthes sees photography as a unique medium that has an inherent relationship to reality in that the photograph testifies to the presence of the photographed object at a given moment, but this testimony is inherently ambiguous and can give rise to personal interpretations that depart from objective truth, i.e. photographs are also open to emotional interpretation and cultural meaning, which makes them difficult to trust as testimony. John Berger's book *Ways of Seeing*[7] is concerned with how images are interpreted and how cultural and social factors shape their reception, given that images, especially in art and advertising, are made with certain biases and intentions in mind. Berger argues that images are not passive transmitters of truth, but are shaped by cultural and ideological influences and intentions. Susan Sontag, in her book *On Photography*,[8] argues that photographs, while capable of capturing moments, do not necessarily convey the deeper context or meaning of the events they depict. In *Regarding the Pain of Others*[9] she explores the ethical responsibility of the viewer and the manipulation of photographic truth, particularly in the case of images of war and suffering, as they can be manipulated or framed to evoke specific responses or narratives and thus serve ideological purposes. In *Simulacra and Simulation*,[10] Jean Baudrillard argues that images can cease to reflect objective truth or reality and instead become 'simulacra', or 'copies without an original'. Thus, in a media-saturated society, images often replace or obscure reality, leading viewers to confuse representation with truth; images become self-referential and detached from any real reference. In a hyper-real culture, images lose their connection to objective reality, making them unreliable as testimony and blurring the line between representation and truth. Jacques Derrida, in *Memoirs of the Blind: The Self-Portrait and Other Ruins*,[11] explores the limits of visual representation and

[5] Walter Benjamin: Das Kunstwerk im Zeitalter seiner technischen Reproduzierbarkeit (1936). In: *Gesammelte Schriften. Band I.2. Abhandlungen*. Hrsg. von Rolf Tiedemann, Hermann Schweppenhäuser. Frankfurt am Main, 1980. 471–508.

6 Roland Barthes: *La Chambre claire*. Paris, Gallimard, 1980.

[7] John Berger: *Ways of Seeing*. London, Penguin, 1972.

[8] Susan Sontag: *On Photography*. Farrar, Straus and Giroux, 1972.

[9] Susan Sontag: *Regarding the Pain of Others*. Farrar, Straus and Giroux, 2008.

[10] Jean Baudrillard: *Simulacres et simulation*. Paris, Galilée, 1981.

[11] Jacques Derrida: *Mémoires d'aveugle. L'autoportrait et autres ruines*. Paris, Ministère de la culture, 1990.

2. Rob in front of the screen. Excerpt from Kyle Faulkner's *Street*, with Josh Lacy

concludes that all images are in some sense partial or incomplete testimonies because they inevitably fail to capture the full reality of what they represent. Derrida questions the reliability of images, emphasising their inherent incompleteness and blind spots, and argues that visual testimony can only ever be partial and suggestive, not absolute. W. J. T. Mitchell, in *What Do Pictures Want?*,[12] examines the life of images and how they convey meaning. He sees the ability of images to 'speak' or 'testify' as a kind of anthropomorphism, and argues that images are shaped by the intentions of their creators and viewers, meaning that images have power but are not inherently true; their meaning and reliability depend on how they are interpreted in a given context. Through a variety of approaches – psychological, phenomenological, ethical or epistemological – these thinkers show that pictures are never simple or straightforward testimonies to truth, but complex representations shaped by intention, perception and interpretation.

This is all the more true in the case of films that deal with crimes that have occurred but about which the truth has not been revealed, such as JonBenét Ramsey, whose parents exposed her to false visual representations in the world of child beauty pageants. Misleading images of the little girl have been produced which are thought to have attracted sexual predators, but even this is only speculation as to the cause of the child's death after being brutally tortured and strangled in the basement of her own home. The crime, which has been a source of public excitement in the United States for decades, is the subject of a film that takes the true crime approach to a media-critical, even philosophical dimension. *Casting JonBenet* (2017) is a hybrid documentary, an experimental film by Australian independent filmmaker Kitty Green, that can be seen as a kind of community theatre performance. Selected from a pool of nearly 75 local applicants, the amateur actors who applied to play the roles of the people involved in the JonBenét case were asked during the casting process to share

[12] W. J. T. Mitchell: *What Do Pictures Want?* Chicago, The University of Chicago Press, 2005.

their personal opinions, speculations, memories and emotional reactions to the case. In this way, the film is less about reconstructing the specifics of the crime and more about exploring how individuals process the tragedy, how they form narratives and draw conclusions based on incomplete information, eventually arriving at conspiracy theories or even talking about their own traumas, thus presenting trauma as a „collectively mediated affinity".[13] This is a kind of deconstruction of the true crime genre, a self-reflexive critique that highlights how storytelling is inherently linked to arbitrary speculation, our desire to construct whole, round stories, our personal preconceptions and projections. It is an accurate insight into how the stories of others are mediated both by our own individual traumas and by established community interpretations and beliefs. In the film's brilliant final scene, all the voices of the chorus are heard at once, and the crime is revealed as a multitude of simulacrums, a series of stage scenes seen simultaneously, side by side, among which, in the spirit of Baudrillard, we search in vain for a 'true' or 'original'. Megan Spencer, who interviewed Kitty Green, summed up her experience of the film: „Embracing the artifice of theatre, the intimacy of camera-confessional and the stylisation of drama, the film cannily and courageously uses meta-narrative to subvert both audience expectations and documentary form. A multiplicity of voices and viewpoints are heard. At heart it's a provocative and empathetic meditation on cinema, human tragedy, collective memory and how we each relate to grief, pain and loss. In effect, the film looks back at us." The interview reveals that Kitty Green saw the film as a collaborative project, a piece of community theatre, an ensemble piece. „Reality should always be in quotations"; so too, Green may reason, should the „true" in „true crime"."[14]

In the artist's statement for his indie film *Street* (2022), Kyle Faulkner cited two main sources of inspiration. Kyle Patrick Alvarez's *The Stanford Prison Experiment* (2015) for its notions of the Lucifer effect and the liminal psychological blurring of reality/act, and Kitty Green's hybrid documentary *Casting JonBenet* (2017). As its director writes of *Street*, „through a series of characters, the film sets out to critique the true crime industry as a whole, in a way that implicates creators and consumers alike, the rote delivery of categorized genre content as labour and our complicity as voyeurs. It also addresses the psychological complexities of the relationship victims and survivors and potential perpetrators have with such content. By maintaining an open dialogue with itself the intention is to go beyond the conservative view of ‚violent movies bad', because violence has no one definition, and different forms of violent media can be a necessary source of catharsis and meaning. But the modern industrialization of these objects has overcoded the humanity, normalized bloodlust, and desensitized us to the suffering of the victims and survivors in the real world, families just collateral damage in the perpetual media orgy fuelled by market and

[13] Kyle Faulkner: *Street* – Artist's Statement. https://filmfreeway.com/Street504

[14] Megan Spencer: *Casting JonBenét director on our obsession with the murder of a child pageant queen.* https://www.theguardian.com/film/2017/mar/10/casting-jonbenet-director-on-our-obsession-with-the-of-a-child-pageant-queen

ratings games. (...) At the same time the film asks so many questions from so many angles that it's not really saying any one thing. It is simply an examination of the themes through a complex structure of intertwining characters and their stories, that I hope becomes the catalyst for much discourse. (...) It's also a film on historicity, a reflexive glance in the rear-view mirror at a horrific Australian past now being swallowed by a behemoth of modernity perhaps more insidious. Street is about a lot of things, too many things in fact. It's funny and dark and sad all at the same time. It's also dense, exhausting, deeply flawed and problematic. (...) What I wanted most of all was to make a film about men for men, to reinterpolate the fatherly (as distinct from the paternal) back into our broken family, to say a prayer for the victims of real-life violent crimes whose trauma is marginalized by the industry, and to give everyone a hug for everything they've been through and are going through. It's a thinkpiece but in the end it's to be less thought and more felt."[15]

Kyle Faulkner is best known for his meditative landscape films. But this two-hour-plus feature is something new, something narrative that achieves a surprising genre synergy on the border between film drama and docufiction. This low-budget, minimalist, indie film, this 'thinkpiece', is the product of an exceptional moment in which the enthusiasm and talent of a small group of people, a very topical subject, Kyle Faulkner's critical reflections and his proper distance from his own trauma came together in a highly creative way. The sign and the euphoria of this moment will always be carried and conveyed by this film, whatever its fate.

The introductory image sequence with its delayed music subtly links Faulkner's film to his earlier landscape work; the colour palette of the grainy 16mm also separates and highlights, at once a motto, a watermark, an analogue personal tattoo written into the body of the digital film, and part of the plot in the form of a flashback. After a heated debate, Cass leaves the house in a rage and goes into the woods with a plastic can of refrigerant. We sense, we know that she will never return.

„An obsessed young man, cast in the role of a killer in an upcoming true crime production, befriends a surviving family member of the real events". That is the summary. Nothing happens for the first 15 minutes, except that Rob sets up a spy camera outside a house on the street. Then he goes shopping. Then he sits in front of a monitor watching the house. We watch with bated breath because something is wrong with Rob. Rob is obsessed, Rob is dangerous. We don't know how dangerous. He's under enormous pressure. The performance of Josh Lacy, who plays Rob, is without exaggeration breathtaking. He is a caged beast whose gaze is visibly, physically focused on one thing, almost mad with concentration. The film abandons the dichotomy of good and evil within the first few minutes. Although the film deals with moral issues related to the crime industry, good and evil are not part of the film's vocabulary. The whole character is a single, deep wound, and the trauma, like a terrible vacuum, has temporarily sucked out his everyday personality and moved into its place. Rob represents pain. Rob represents toxic masculinity and female sen-

[15] Kyle Faulkner: *Street* – Artist's Statement. https://filmfreeway.com/Street504

3. Zoé's dance with the ghost. Excerpt from Kyle Faulkner's *Street*, with Scarlet McPherson

sitivity at the same time. He is a suffering human being. Strangely, it also gives him a strong presence, his magnetism, his gravitas. The intensity of suffering makes Rob charismatic, and the characters in the film are drawn to this self-destructive power. Kyle Faulkner's film is about a 'true crime film based on a real crime', reconstructed with the help of Steve, a survivor, and about the trauma-obsessed, frustrated Rob, who not only plays a killer, far too convincingly, but is also a voyeuristic observer of a real crime. The more the actors in the film try to separate the real crime from the fictional treatment, the more the differences are shown and discussed from so many angles that in the end the audience does not know whether they are watching a fictional drama or a docu-fiction, whether the actors are acting for us or whether they are the characters in the 'film within the film'. In the end, they go to the actual crime scene, where the symbolic act of reenactment comes frighteningly close to psychodrama. Rob can't tell the difference between the horror genre and real horror, because everyone's own trauma is marked by the single, undivided „uncanny". The film multiplies its points of view, which also means that we don't just see Rob's grief, we see Steve's coping process and all the wounds at the same time – I don't know if Kyle Faulkner did it on purpose or by instinctive genius, but in the axis of the film, behind Zoé's dance, the white ghostly figure of a woman from the YouTube music clip spins across the screen as if she were standing on a disc. It is an endless record of grief, of trauma in the age of hauntology, of the aesthetics of the spectral.

The structure of the film, which in its infinite loops revolves around the axis of the ghost, the victim, and juxtaposes different levels of fiction and reality, is interesting in itself, but the acting, which is truly brilliant in all the characters (Josh Lacy, Scarlet McPherson, Ron Kelly, Peter Morrissey, Victoria Darbro, Laetitia Brooke and others all give excellent performances), and the editing, which is at once subtle and brutal, but in all cases very precise, following the film's inexorable inner metronome, also worked on a second viewing. Zoé's dance, Zoé herself in her patterned children's socks and pink silk dress over a T-shirt, with her femininity at once childlike

and witchy, with her tough, critical, serene, hungry, intense being, contrasts with the aggressive seriousness of the men and is in itself a feminist statement. In this case, although the cut is almost physically painful, I could have watched this energy-laden Allie X clip forever in Scarlet McPherson cheeky and sweet, yet asexual and at the same time erotic performance – we have to love Zoe, but Rob can't love her. Rob sets out to destroy himself and others as his unprocessed grief dictates, and whether the sublimation exercise has helped him is only revealed in the last tenth of a second of the film. The characters in the film pretend to be themselves, or pretend to be the characters in a film that re-enacts an event that, of course, cannot be reconstructed. In the mirror labyrinth of representations, they themselves ask more and more questions to which there are fewer and fewer rational answers. At the climax of the film everything collapses, and at the end of the film a single image appears on the retina, an image that is a pathosform in the sense of Aby Warburg, a pose, a posture that means the same thing to all of us, the iconographic topos of the prodigal son's return home. Yet even this reassuring, absolving image is imbued with ambiguity. The ending is pure catharsis, but when the wonderful voice of Aldous Harding (just after Perfume Genius) swims in with the words „He's coming home", we can only hope that this „coming home" is really what it seems, what it looks like in the struggle, in the scuffle. Because even if it only lasts for a moment, it's worth it – and even if it's a smart film, a serious film, a partly funny film, a socially sensitive film, a complex film, a radically critical film, a film glowing with emotion, a beautiful film, a film about drug abuse, a moving film, a disturbing film, and certainly has its own little flaws – this film, for all its disturbing themes, is never for a minute uncanny, never for a minute inhuman, and therefore never bad to watch. When Rob begins to run, the pain he carries at the height of his suffering is perhaps transformed into something else, into something good, in the original sense of euphoria. Kyle Faulkner wants this film to be the starting point for a discourse on the toxic practice of the 'true crime' genre. He is right, we should talk about the artificial excitement and gratification of bloodlust and the social background of this infantilisation, about the continued violation of survivors' sensitivities, about the global disregard for trauma that is also a denial of our deepest understanding of ourselves. And many other things that this film discursively raises. But for me, *Street* is first and foremost a film about grief, a deeply humanist film, in the original sense of humanism, without sentimentality, always spoken de profundis, from the depths of personal, lived experience, from the abyss.