

# TRUE CRIME AND THE JUSTICE OF GOD

*Ethics, Media, and Forensic Science*

Elisabeth T. Vasko and Lyndsie Ferrara

ORBIS  BOOKS  
Maryknoll, New York 10545

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# INTRODUCTION

There's a saying in the media: "If it bleeds, it leads." The more grotesque, the more sensational the story, the greater the coverage. The goal of the media is to sell stories. While a number of factors influence the stories that make it to the "top of the hour" or the front page, many Americans say that they watch true crime as a form of entertainment.<sup>1</sup> Podcasts like *Serial* have reached almost half a billion downloads.<sup>2</sup> Today, true crime can be found on nearly every major television network, from *Forensic Files* on Amazon Prime to Oxygen's *Snapped*. ID (previously Investigation Discovery) is a television network exclusively focused on around-the-clock retelling of heinous criminal activity. In 2019, the New York Police Department (NYPD) even jumped on the bandwagon, producing and releasing its own true crime podcast, *Break in the Case*. True crime is a multibillion-dollar industry in the United States. There are over twenty-eight-hundred podcasts, and ad revenue in 2018 was \$479 million.<sup>3</sup> True crime conventions like *CrimeCon* sell out months in advance. True crime junkies wear shirts that read "Murder Shows and Comfy

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<sup>1</sup> Kelly Leigh-Cooper, "Is Our Growing Obsession with True Crime a Problem?" *BBC Wisconsin*, April 1, 2019.

<sup>2</sup> Todd Spangler, "'Serial' Season 3 Podcast Premiere Date Set," *Variety*, Sept 5, 2018.

<sup>3</sup> See Melissa Chan, "Real People Keep Getting Re-traumatized: The Human Cost of Binge-Watching True Crime Series," *Time*, April 24, 2020.

Clothes.” True crime is cathartic for people. The question is why, and what does it say about us? Why is there such an “easy acceptance of murder as entertainment?”<sup>4</sup>

By and large, true crime media is targeted toward white women.<sup>5</sup> Production companies and mass marketing consider what appeals to white women in deciding whose stories to feature and how to tell them. True crime is participatory media in the sense that streaming services and social media normalize spectators to search for clues and seek out evidence. Journalist and true crime junkie Rachel Monroe says that women “speculate about unsolved crimes—and sometimes solve them—and you’ll find that most of the posters are women. More than seven in ten students of forensic science, one of the fastest-growing college majors, are women.”<sup>6</sup> Many consumers describe true crime as comforting. Monroe recounts a conversation with staff at Oxygen: “If you look at the ratings for Investigation Discovery (Oxygen’s true crime programming rival), he told me, they’re the same at midnight as they are at 6:00 a.m. ‘People leave it on all night,’ he said. ‘They fall asleep to it. People tell me all the time that they find these shows soothing.’”<sup>7</sup> What is behind the obsession? While some researchers posit a desire to learn about survival and crime to avoid becoming victims themselves, others suggest voyeurism and a fascination with evil.<sup>8</sup> So why does true crime matter for Christian ethics?

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<sup>4</sup> Jean Murley, *The Rise of True Crime: 20th Century Murder and American Popular Culture* (Westport, CT: Praeger, 2008), 2.

<sup>5</sup> See Michelle Harven, “Investigating Our Obsession with True Crime Podcasts,” *NPR*, February 8, 2021.

<sup>6</sup> Rachel Monroe, *Savage Appetites: Four True Stories of Women, Crime, and Obsession* (New York: Scribner, 2019), Kindle edition, 4.

<sup>7</sup> *Ibid.*, 6–7.

<sup>8</sup> Amanda M. Vicary and R. Chris Fraley, “Captured by True Crime: Why Are Women Drawn to Tales of Rape, Murder, and Serial Killers?” *Social Psychological and Personality Science* 1, no. 1 (2010): 81–86. Questions about voyeurism, the carceral state, race, and gender are complex. (The term *carceral state* refers

While true crime media may be targeted toward white women, it plays a significant role in the racialization of crime and justice in the United States. *Racialization* is a term that sociologists use to describe how racial and ethnic meaning are socially and historically constructed and disseminated in society.<sup>9</sup> Racialization occurs at both the macro and micro levels; within minoritized communities, across minoritized communities, and between minoritized communities and whites, albeit to different degrees.<sup>10</sup> At the macro level, racialization can be seen in Western imperialism, chattel slavery, and accompanying economic, sociocultural, and religious structures. On a smaller scale, racialization can be seen in racial profiling.<sup>11</sup> Sociologists Michael Omi and Howard Winant, whose work informs our discussion here, understand race as a master category. This means that race informs our interpretation of other categories like gender, work, innocence, guilt, victim, survivor, and even God. In the United States, media plays a critical role in racial formation. As we illustrate in this book, the majority of modern true crime stories interpret violence in a way that desensitizes the public to systemic gendered and racial inequities in society. A variety of factors contribute to this, some of which include fictional representations and perpetrator/victim binaries.

True crime focuses on the storytelling by making the crimes exciting and entertaining to viewers while often forgetting the

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to the various ways that the logic of surveillance, control, and criminalization shapes society.) From welfare to public housing, the carceral state reaches far beyond prison itself. For more on this topic, see Kaaryn S. Gustafson, *Cheating Welfare: Public Assistance and the Criminalization of Poverty* (New York: NYU Press, 2012). Also see University of Michigan Research Institute, “Carceral State Project: Documenting Criminalization and Confinement from the University of Michigan,” <https://sites.lsa.umich.edu/dcc-project/>.

<sup>9</sup> Michael Omi and Howard Winant, *Racial Formation in the United States*, 3rd ed. (New York: Routledge, 2015), Kindle edition, 111.

<sup>10</sup> *Ibid.*, 105ff.

<sup>11</sup> *Ibid.*, 111–12.

humanity of the people and communities affected. This is a serious moral problem to which many viewers are oblivious. For example, what does it mean for white women to claim that true crime is cathartic when BIPOC (Black, Indigenous, People of Color) are repeatedly depicted as bestial, animalistic, and dangerous? What does such praxis signify in a country that is the world leader in incarceration per capita?<sup>12</sup> What kind of moral response does true crime media endorse? How do Western Christian religious ideals about sin, purity, and innocence intersect with those presented in true crime media? These are questions that tap into the heart of one of the most pressing moral problems today: white supremacy and anti-Blackness.

In her prophetic text *Stand Your Ground: Black Bodies and the Justice of God*, womanist theologian Kelly Brown Douglas illustrates the death-dealing powers of Manifest Destiny and Anglo-Saxon exceptionalism, narratives that have weaponized the Christian faith.<sup>13</sup> For Douglas, the justice of God is linked to human freedom and human dignity. She writes: “God’s power respects the integrity of all human bodies and the sanctity of all life. This is a resurrecting power. Therefore, God’s power never expresses itself through the humiliation or denigration of another.”<sup>14</sup> Salvation is liberation. One small part of this work is “naming and calling out the very narratives, ideologies, and discourses of power that indeed promote the culture of stand-your-ground sin . . . and going to the root.”<sup>15</sup> This would include media images, which are powerful conveyers of meaning in contemporary society.

Media images help shape our view of the world, what we perceive as good, evil, and beautiful. While the relationship

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<sup>12</sup> See <https://www.sentencingproject.org/criminal-justice-facts>.

<sup>13</sup> Kelly Brown Douglas, *Stand Your Ground: Black Bodies and the Justice of God* (Maryknoll, NY: Orbis Books, 2015), 127, 187.

<sup>14</sup> *Ibid.*, 183.

<sup>15</sup> *Ibid.*, 196.

between television viewing and political attitudes is not always directly correlated or causal, communication scholars have determined that the influence of media increases as the public's direct experience with a social issue decreases. In particular, those who study cultivation theory have observed that "information communicated to viewers via media like television can influence the audience's perception of social reality in a subtle and cumulative fashion."<sup>16</sup> Entertainment crime media has a priming effect, foregrounding the problem of violent crime in the eyes of the viewer, especially for those who watch regularly.

Ongoing research within the fields of communication and criminology reveal complex relationships between crime representations (real and fictional) and the influence of crime media on the ideas/attitudes of viewers.<sup>17</sup> Research indicates that media representations of crime inflate viewer beliefs regarding crime rates and the violent nature of crimes.<sup>18</sup> Heinous crimes have been used to appeal to the public and to push specific political agendas.<sup>19</sup> Such trends are particularly troubling in view of true crime media for several reasons. First, entertainment sources are "often treated as inconsequential to the formation of political attitudes."<sup>20</sup> Members of the general public rarely stop to reflect critically upon entertainment sources, especially

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<sup>16</sup> Johanna Blakley and Sheena Nahm, "MCD: Primetime War on Terror," The Norman Lear Center, ACLU & USC, May 15, 2017.

<sup>17</sup> Aaron Doyle, "How Not to Think about Crime in the Media," *Canadian Journal of Criminology and Criminal Justice* 48, no. 6 (2006): 867–85.

<sup>18</sup> See Andrew J. Baranauskas and Kevin M. Drakulich, "Media Construction of Crime Revisited: Media Types, Consumer Contexts, and Frames of Crime and Justice," *Criminology* 54, no. 4 (2018): 681.

<sup>19</sup> Ken Dowler, Thomas Fleming, and Stephen L. Muzzatti, "Constructing Crime: Media, Crime, and Popular Culture," *Canadian Journal of Criminology and Criminal Justice* 48, no. 6 (2006): 837–50.

<sup>20</sup> See R. Andrew Holbrook and Timothy G. Hill, "Agenda-Setting and Priming in Prime-Time Television: Crime Dramas as Political Cues," *Political Communication* 22, no. 3 (2005): 78.

those considered to be sensationalized.<sup>21</sup> This is a problem given the sheer amount of time spent on phones, tablets, and other devices. Second, as we discuss further in Chapters 1 and 2, true crime distorts patterns of crime in America, highlighting mainly cases of white women who are victims of violent crimes. This is a skewed representation of American crime, as it ignores white-collar offenses and nonviolent crime and “contributes to the wide-spread belief that the American murder problem is limited to white, middle-class sexual predators or domestic violence-related attacks.”<sup>22</sup>

This book argues that true crime interprets violence in a way that desensitizes the public to gendered and racial inequities in society, thereby constricting and contorting the moral imagination. As Douglas writes, “A moral imagination is grounded in the absolute belief that the world can be better. . . . It is not constrained by what is. It is oriented toward what will be.”<sup>23</sup> For Christians, the moral imagination represents a call to disrupt, interrupt, and transform spaces that fail to reflect God’s intention for all living beings to have life. Christians are called to live as if God’s “kin-dom” is already, even though in many spaces it is “not yet.” We are not called to lives of complacency in the face of violence. True crime normalizes injustice through its easy

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<sup>21</sup> Joy Wiltenburg makes this point in “True Crime: The Origins of Modern Sensationalism,” *American Historical Review* 109, no. 5 (2004): 1378.

<sup>22</sup> Murley, *The Rise of True Crime*, 121. The 2019 expanded homicide data from the Federal Bureau of Investigation (FBI) Uniform Crime Reporting Program denotes a higher number of Black victims (54.7 percent) and offenders (55.9 percent) when race was known. Additionally, 53.7 percent of total murder victims were Black males. It is important to note that the data provided is based on the law enforcement agencies that choose to submit information to the FBI program. The terms *victim* and *offender* are used in the report. US Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, “Expanded Homicide,” *2019 Crime in the United States* (September 2019).

<sup>23</sup> Douglas, *Stand Your Ground*, 225.

acceptance of violence as entertainment, the sensationalism of violence against women, and the reification of whiteness.<sup>24</sup>

In this coauthored book, Lyndsie and I examine the cultural, scientific, religious, and moral effects of true crime media. As a forensic scientist and educator, Lyndsie wrestles with some of the larger moral questions posed by the discipline of forensic science. While she situates criminal cases within a forensic context, her goal is not to provide the reader with the tools to do the work of solving criminal cases. Instead, Lyndsie dispels some of the scientific myths presented in true crime. As a theologian, I wrestle with the cultural, religious, and moral effects of true crime. While neither of us has all the answers, our hope is that readers will gain the necessary skills to question critically the vision of truth, reality, and justice that they see and hear in true crime media. In other words, we see media literacy as a critical moral praxis for moving toward justice.<sup>25</sup> As Christian ethicist Kate Ott notes, literacy is not just about learning how to use a language or tool; it also involves “the ability to creatively engage in particular social practices, to assume appropriate identities, and to form and maintain various social relationships.”<sup>26</sup> Literacy must be supported by critical awareness of oneself and positionality in the world as well as a keen desire to learn about social systems and how they work in daily life. We hope that this book emboldens and enlivens within readers an expansive understanding of what justice can look like in their own communities. It is not enough to simply think outside of the box—we have to *live* outside of it.

To our white readers: you are likely to find your whiteness on display in ways that are uncomfortable. This is okay. We encourage you to sit with the discomfort. It is normal for white people to be uncomfortable as we unearth anti-Blackness, white

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<sup>24</sup> Murley, *The Rise of True Crime*, 7.

<sup>25</sup> Kate Ott, *Christian Ethics in a Digital Society* (Lanham, MD: Rowman & Littlefield, 2018).

<sup>26</sup> *Ibid.*, 9.



supremacy, or racism, and as we engage in racial justice work in a racist society. As white people, this is something that Lyndsie and I are still working on ourselves. White people, many of whom are Christian, have a responsibility to pay attention to the larger cultural forces at work. Media imagery, on the screen and in the form of podcasts, is a tremendously powerful force in society. It can be used to embolden and expand the moral imagination as we collectively work to create a more just and humane society; it can also dehumanize, traumatize, and strip people of human dignity. Christians affirm a God of freedom and justice, who sees all life as endowed with dignity.

### INTENDED AUDIENCE

We write this book for fans of true crime, for Christian believers, and for those interested in the intersection of Christian ethics, media, and science. While there are times that we speak directly to white people, our goal is to open up a larger conversation among people of all backgrounds on the representation of crime and justice in media.<sup>27</sup> We also recognize that this book is limited in its perspective and that greater conversation is needed on the topic. We deeply regret not being able to focus on all of the cases or areas deserving of urgent attention in view of this topic, such as immigration, transgender sex work, and hate crimes. There is a vast amount of true crime media, and we hope that others will join us in the conversation.

This book is also for students, professors, and members of the larger community who wish to further engage questions of Christian ethics, science, and popular culture. We believe that theology and science are for everyone. We have done our best to keep the language accessible and to explain key concepts

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<sup>27</sup> Karen Teel, "Can We Hear Him Now? James Cone's Enduring Challenge to White Theologians," *Theological Studies* 81, no. 3 (2020): 584.

and terms in plain language. While theology is an academic discipline, it is also what ordinary people do as they try to make sense out of the Christian story. In particular, theology is what people of faith “do when they try to think through the practical applications of their beliefs” in the modern world.<sup>28</sup> In today’s context, a significant application of Christianity is in streaming and entertainment media.

Moreover, in Christian theology and ethics, being and doing are related. Ethics asks two interrelated questions: Who should I become, and What should I do? Christian ethics seeks to answer these questions in relation to God and the history of the Christian community. “What does God require each of us to be and act in a way that promotes Christian values in all that we do?”<sup>29</sup> Questions of being and doing are intrinsically related because our personal and collective identities inform how we live our daily lives. Concretely, what we value as important shapes the decisions we make (or fail to make) about the allocation of resources, such as time, money, or our emotional and spiritual energies.

What you do with your time matters. This does not mean that the purpose (telos) of life is to be as efficient as possible. (In fact, I suspect that trying to be efficient or productive every waking hour would not be fulfilling.) Instead, what you do matters because it shapes who you are. This is true not only in a pragmatic sense, but also in the sense of self-development and communal agency.

This being said, your social history, context, and identity will inform both the way you read this text and the way you interpret true crime. Throughout history, people from dominant social groups have not been attentive to how their own social identity informs interpretation. Toward this end, we wish to underscore a

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<sup>28</sup> Laurel C. Schneider and Stephen G. Ray Jr., eds., *Awake to the Moment: An Introduction to Theology* (Louisville, KY: Westminster John Knox, 2016), 2.

<sup>29</sup> Ott, *Christian Ethics*, 3.

few key terms, assumptions, and phrases that are frequently used throughout the book.

### KEY TERMS AND ASSUMPTIONS

At the outset, it is important to clearly state that Lyndsie and I identify as white, cis-gendered women. While we bring different life experiences to the conversation, we have more in common than we have differences. This is the case for many white people, despite our reluctance to acknowledge such similarities. Our differences in training (science v. humanities) are relatively inconsequential when you consider the history of racial segregation that marks the landscape of this country. As we have been working on this project, many people have asked how it was possible for us to collaborate across such a stark disciplinary divide. The answer is that we are both white women. As will be evident from the conversation in this book, Lyndsie and I do not agree on everything. Indeed, the sustained cross-disciplinary moral conversation we had and continue to have is integral to the book's methodology.

Throughout this process Lyndsie and I have been writing together and apart. We both contributed to the background research, collaboratively laid out the structure of the book, chose true crime media cases to feature, and gave input on chapter layouts. We did, however, make specific contributions to chapters according to our areas of expertise. Lyndsie brought her forensic expertise to Chapters 3 and 6. I took the lead in writing Chapters 2, 4, and 7. Chapters 1 and 5 were a collaborative effort. It is worth noting that this book would not be possible without the contribution of each party. Toward this end we have made some compromises in definition and method. We have also learned a great deal from one another. It is also worth noting that the primary use of the first-person plural is in direct reference to the coauthors of this book. In all other

instances we have done our best to specify the “we” to whom Lyndsie and I are referring.

Finally, this book intentionally challenges the use of the terms *perpetrator* and *victim* within literature on moral theology and forensic science. In keeping with common practice in discourse on sexual violence, we refer to those who have experienced sexual trauma as *survivors* or *victim-survivors*. The purpose of this usage is to retain the agency of those who have been harmed. Sexual violation, while deeply traumatizing, does not define a person’s humanity. Those whose assault was also part of a homicide, we refer to as *victims*. In a parallel vein we follow the lead of lawyer and founder of the Equal Justice Initiative, Bryan Stevenson, and believe that “each of us is more than the worst thing we’ve ever done.”<sup>30</sup> People who have been convicted of crimes are not defined by those crimes. They are not robbers, murderers, perpetrators, or killers. They are human beings who committed murder. As people who have been convicted of crimes can also be victimized by the carceral system and are often defined by the system, we use the term *returning citizen* to refer to persons who have been incarcerated, irrespective of sentencing or the nature of conviction. This term, while imperfect, foregrounds the challenges of reentry and the rights to full citizenship of the person.<sup>31</sup> We refer to those currently embedded within the criminal justice system on account charges as a *person/people who are incarcerated*. Terms such as *perpetrator*, *offender*, and *inmate* are dehumanizing and stigmatizing, reducing a human being to a crime.<sup>32</sup> Labels can have longstanding effects; they can persuade us to forget that all people bear the imprint and likeness of God.

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<sup>30</sup> Bryan Stevenson, *Just Mercy: A Story of Justice and Redemption* (New York: One World, 2015), 17–18.

<sup>31</sup> We borrow the term *returning citizen* from the Elsinore-Bennu Think Tank for Restorative Justice.

<sup>32</sup> There are a few places where terms like *perpetrator* or *killer* remain because it is necessary for content.

Stevenson reminds us that we all need a little mercy now and then.<sup>33</sup> For this reason we choose to use person-first language.<sup>34</sup> We realize that it is clunky, but it stands as a poignant reminder that those who are incarcerated are, first and foremost, human beings created *imago dei*.

While Christian ethics holds that actions (what we do) and identity (who we are) are intertwined, identity is always defined in relationship to God. One must never forget that at the very center of the Christian religion is Jesus Christ, a person who was executed as a criminal. The members of the first Christian community were onlookers to the execution of a criminal (Mk 15:21–40). They believed him. All Christians, especially white people in the United States, are called to rethink their own beliefs in view of how the criminal justice system defines life and death today. What does it mean to believe women? What does it mean to believe those who are incarcerated? What does it mean to believe in one another? What does it mean to believe in God's promises? This is the work we need to do, together.

## BOOK OVERVIEW

Chapter 1 offers an introduction to the development of true crime, beginning with execution sermons and continuing to contemporary true crime streaming media, and situates the topic in relation to Christian ethics. Chapters 2 through 4 examine true crime and sexual violence. The vast majority of people continue to misconstrue sexual violence as the act of “bad” or pathological strangers. This myth tricks Christians into believing that violence could never happen to them and that they would never do anything so horrible. As the forensic evidence shows, this belief system is particularly pernicious with respect to sexual

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<sup>33</sup> Stevenson, *Just Mercy*, 18.

<sup>34</sup> Akiba Solomon, “What Words We Use—and Avoid—When Covering People and Incarceration,” *The Marshall Project*, April 12, 2021.

violence. Chapter 2 takes a closer look at the case of serial rapist/murderer Ted Bundy, along with the Steubenville, Ohio, rape case featured in *Roll Red Roll* (2019). The public fascination with Bundy's case illustrates how women and sexual minorities still struggle to be seen as credible within broader society and the criminal justice system, and it also reveals that violence against women is fodder for entertainment. These cases serve as an entry point for forensic analysis (Chapter 3) and moral reflection (Chapter 4) on sexual violence and rape culture. Chapter 3 takes a deep dive into how criminality, gender, and justice inform investigators and the public's response to sexual violence. Why are most sexual crimes not prosecuted? What crimes are most likely to be given attention and why? How is the evidence gathered and where does it go? What laws and regulations govern this process? Chapter 4 concludes with a discussion of the ways in which white innocence and white entitlement participate in theological narratives of victim blaming and shaming within the context of sexual harassment and sexual violence.

The final three chapters unpack the role of true crime media in normalizing criminal and racial injustice. Chapter 5 places the case of the Central Park jogger—which ended with the wrongful convictions of Yusef Salaam, Korey Wise, Kevin Richardson, Raymond Santana, and Antron McCray, who came to be known as the Central Park Five—in conversation with the lived experiences of returning citizens. DNA testing played an important role in acquitting the men, but the case had a lasting impact on the daily lives of those wrongfully convicted and their families. We explore tactics that contemporary crime media employs to normalize injustice on the screen and to render racism invisible. In many instances the carceral system is presented as race neutral, thereby erasing its explicit connection to chattel slavery and Jim Crow-era segregation. Particular attention is given to narratives of resistance and to the challenges of reentry. Criminal sentences even for minor misdemeanors can have a lifelong impact on those convicted, restricting access to employment, housing, and

many other aspects of society. While white liberals advocate for racial justice in the wake of national incidents, it is imperative to make the same commitment to dismantle white supremacy in our daily lives.

Chapter 6 examines how turning a blind eye to bias, particularly in forensic science, can contribute to criminal injustice. The paradoxical role of forensic science in wrongful convictions—it can both contribute to and resolve such convictions—highlights the need to examine and mitigate bias within the field. Forensic science cannot claim infallibility. Detailing potential sources of bias along with techniques to reduce their potential effects provides a framework that can be applied beyond the forensic science domain. The way the human brain works makes all individuals susceptible to bias, in both its conscious and unconscious forms, thereby requiring further understanding and self-examination.

The book considers the figure of the “Karen”<sup>35</sup> in chapter 7. While the figure of the “Karen” isn’t always a white woman who calls the cops on a Black man in Central Park, she does pose serious questions about the insidious nature of white entitlement, white allegiances, and white desires to maintain moral goodness at all costs. What would a moral response for “Karens” and other “good white liberals” look like? White people must find a way to retell the stories of their lives that move away from the need to preserve white moral goodness at the expense of African American and Latino/a people. White people cannot be so concerned about their own salvation (goodness) that they fail to hear the stories of those around them. Instead, white Christians must “re-story” their lives by learning how to live life without absolution. This work begins at home.

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<sup>35</sup> This term has come to refer pejoratively to a middle-aged white woman who comes across as entitled and demanding, as in the case of the white woman who called the police on a Black man in Central Park in May 2020, claiming without evidence that he was harassing her. See Henry Goldblatt, “A Brief History of ‘Karen,’” *New York Times* (July 31, 2020).