

2009

## When Reading Between the Lines is Not Enough: Lessons From Media Coverage of a Domestic Violence Homicide-Suicide

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### Recommended Citation

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# WHEN READING BETWEEN THE LINES IS NOT ENOUGH:

## LESSONS FROM MEDIA COVERAGE OF A DOMESTIC VIOLENCE HOMICIDE-SUICIDE

ELIZABETH L. MACDOWELL\*

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## I. INTRODUCTION

On an otherwise mundane morning in October 2008, the *Los Angeles Times* ran a story about a homicide-suicide resulting in the deaths of six members of a family in Porter Ranch, an affluent suburb of L.A.<sup>1</sup> The perpetrator was Karthik Rajaram, who killed his wife, Subasri Rajaram, their three sons, and his mother-in-law, before turning the gun on himself.<sup>2</sup>

This was obviously a domestic violence homicide, by virtue of the fact that Karthik had killed his family. But in the aftermath of violence, significant questions remain about what occurred beforehand. Statistics tell us that a history of abuse most likely preceded this killing.<sup>3</sup> Whether that was the case in this family, whether these killings were preventable, and what this tragedy can teach us about preventing domestic violence in the future, all remain to be seen.

However, media accounts of domestic violence homicide and homicide-suicide typically forego exploration of these significant questions, presenting domestic violence crimes as isolated events that are unrelated to other similar cases.<sup>4</sup> As a result, these accounts tend to cloud rather than clarify the problem of domestic violence. Coverage of the Rajaram case would take these familiar concerns to new levels, as the emerging narrative first inspired incredulity, and then anger.

This Article is a response to the secondary, routine acts of violence enacted in the media that utterly efface victims of domestic violence, even in death. In particular, it grew from a desire to do some small justice on behalf of Subasri Rajaram, whose position as the erstwhile safety net in her family is easy to imagine and empathize with. While it would be dishonest to pretend that we can discern the truth of her story from the scant details provided about her in media reports, or from mere demographics, it would also be irresponsible to ignore what is known about similarly situated women in considering the circumstances that led to her death.

This Article will show that by exposing the mechanics of denial in one domestic violence story, we illuminate both the resilience of patriarchy and significant gaps in existing research and scholarship about domestic

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1. Ari B. Bloomekatz & Richard Winton, *Six Found Dead in Porter Ranch Home*, L.A. TIMES, Oct. 7, 2008, at B1.

2. *Id.*

3. See Jacquelyn C. Campbell et al., *Risk Factors for Femicide in Abusive Relationships: Results From a Multisite Case Control Study*, 93 AM. J. PUB. HEALTH 1089, 1089 (2003) (asserting that between 67% and 80% of intimate partner homicides involve physical abuse of the female by the male partner before one of them is murdered).

4. See Neil Websdale & Alexander Alvarez, *Forensic Journalism as Patriarchal Ideology: The Newspaper Construction of Homicide-Suicide*, in POPULAR CULTURE, CRIME & JUSTICE 126, 128-30 (Frankie Y. Bailey & Donna C. Hale eds., 1998) (examining newspaper coverage of domestic violence homicide-suicide).

violence. To render these mechanics visible, this Article characterizes coverage of the Rajaram story as narrative. Part II uses narrative theory to lay the groundwork for analysis. First, this Part distinguishes narrative from story by introducing and then resolving seeming contradictions between the competing definitions of each. Part II also shows why narrative often obscures the very nature of its message. Nonetheless, this Part shows that narrative can be discerned as either hegemonic or counter-hegemonic. Using insights from critical media scholarship, this Part then shows why media coverage of homicide-suicide is implicated in the production of dominant ideology.

Part III unpacks the Rajaram story as portrayed in the media. By departing from routine reporting styles, media coverage of the Rajaram case allowed a shadow story to emerge that illustrates new dimensions of hegemonic narrative and its role in rendering the stories of domestic violence victims less visible.

Part IV focuses on the complex narrative roles played by wealth, race and culture in obfuscating the systematic nature of violence against women. This Part shows how hegemonic narratives about domestic violence are facilitated by significant gaps in domestic violence research and scholarship, and why countering these narratives requires complicating categories—including “class,” “race,” and “culture”—to allow for a more nuanced intersectional analysis.

Part V elaborates on the importance of anti-essentialism by parsing out tensions between particularity and universality in domestic violence discourse and feminist theory. This Part concludes that, although deficiencies in feminist theory are not to blame for the media’s astructural representations of domestic violence, undermining hegemonic narrative requires analyzing women’s experiences with greater particularity. Part V also considers the challenges involved for anti-domestic violence activists in engaging the media, including in response to media coverage of domestic violence homicide and homicide-suicide. Finally, this Part proposes that domestic violence death review teams are an important opportunity for activists to build a counter-hegemonic discourse geared toward eradicating domestic violence.

## II. NARRATIVE, NEWS, AND THE CONSTRUCTION OF MEANING

A. *Distinguishing Narrative and Story*

Though the terms “narrative” and “story” are often used interchangeably, each term has its own key features that make it distinct.<sup>5</sup> Narrative has been described as a selection of past events and characters, arranged in a temporal order that relates the events and the characters to one another and to an explanation about why the events occurred or a statement of moral meaning.<sup>6</sup> Because the recounting of events, description of characters, and moral lessons may vary, many narratives may exist to explain the same thing.<sup>7</sup>

In a contrasting view on the distinction between narrative and story, Jane B. Baron and Julia Epstein describe as pertaining to story some of the characteristics attributed by other scholars to narrative.<sup>8</sup> For Baron and Epstein, the term “narrative” signifies “a broader enterprise that encompasses the recounting (production) and receiving (reception) of stories.”<sup>9</sup> This view emphasizes both the subservience of story—and story elements such as character and setting—to the larger category of narrative, and the function of narrative in lending social meaning to stories in the aggregate.<sup>10</sup>

While these definitions of narrative and story may seem contradictory, each recognizes narrative and story as mutually constitutive. Taken together they reveal that, on the one hand, no story exists independent of narrative meaning and no story element can be entirely understood independent of its narrative purpose. On the other hand, narrative is not

5. See Elizabeth L. MacDowell, *Law on the Street: Legal Narrative and the Street Law Classroom*, 9 RUTGERS RACE & L. REV. 285, 298-99 (2008) (explaining that a narrative reveals something about the teller’s perspective and identity in ways that a story cannot through simple recitation of facts).

6. See Patricia Ewick & Susan S. Silbey, *Subversive Stories and Hegemonic Tales: Toward a Sociology of Narrative*, 29 LAW & SOC’Y REV. 197, 200 (1995); HAYDEN WHITE, *THE CONTENT OF THE FORM: NARRATIVE DISCOURSE AND HISTORICAL REPRESENTATION* 21 (1987).

7. See Richard Delgado, *Legal Storytelling: Storytelling for Oppositionists and Others: A Plea for Narrative*, 87 MICH. L. REV. 2411, 2416 (1989).

A rectangular red object on my living room floor may be a nuisance if I stub my toe in the dark, a doorstop if I use it for that purpose, further evidence of my lackadaisical housekeeping to my visiting mother, a toy to my young daughter, or simply a brick left over from my patio restoration project.

*Id.*

8. Jane B. Baron & Julia Epstein, *Is Law Narrative?*, 45 BUFF. L. REV. 141, 147 (1997).

9. *Id.*

10. *Id.* at 147-48.

merely co-extensive with any given story, but exists across stories. As expressed by Baron and Epstein, “narrative is interactive and social; it represents one collective way of knowing things, one communal mechanism for grasping the world.”<sup>11</sup> Indeed, cognitive psychology has identified narrative as a fundamental mode of human thinking.<sup>12</sup> Yet, the peculiar characteristics of narrative often render its operation in discourse invisible.

Unlike assertions of empirical fact, narratives make claims about causality and truth that are often implicit, and thus “elude challenges, testing, or debate.”<sup>13</sup> In this way, narratives often obscure their relationship to the social structures within which they are produced and from which they derive their plausibility. The tendency of narrative to reflect and re-create taken-for-granted perspectives on the world has been identified as hegemonic.<sup>14</sup> Conversely, narratives exposing specific relations to social structures have been viewed as counter-hegemonic or subversive insofar as they bridge the particularities of individual experience to locate individuals and incidents within social organization.<sup>15</sup>

### B. Crime Reporting and the Maintenance of Hegemony

One major way in which narratives are promulgated in society is through media. Scholars studying news reporting from a critical perspective conceptualize news as supporting hegemony through ideological consensus building.<sup>16</sup> As observed by news scholar Marian Meyers, hegemony “is

11. *Id.* at 148.

12. See Daniel J. Kornstein, *The Double Life of Wallace Stevens: Is Law Ever the “Necessary Angel” of Creative Art?*, 41 N.Y.L. SCH. L. REV. 1187, 1276-77 (1997).

13. For example, while “a general claim that a certain group is inferior or dangerous might be contested on empirical grounds, an individual story about being mugged, . . . which includes an incidental reference to the nonwhite race of the assailant, communicates a similar message but under the protected guise of just stating the ‘facts.’” Ewick & Silbey, *supra* note 6, at 214.

14. See *id.* at 212.

15. See *id.* at 220; see also MacDowell, *supra* note 5, at 300-01 (offering, as an example of narrative reflecting social structures, experience with the California Bar “Determination of Moral Character” requirements). While commiserating over the invasive requirements of the bar and the police force, a female cadet suggested that such hurdles resulted from the residual exclusionary mentality of “old boys’ networks,” or the “familiar narrative of male protection of privilege,” rather than the official narrative of safeguarding the profession. See *id.* But narratives referencing social structure are not always counter-hegemonic. See, e.g., *infra* Part III; Devon W. Carbado, *The Construction of O.J. Simpson as a Racial Victim*, 32 HARV. C.R.-C.L. L. REV. 49, 66-68, 79-81 (1997) (arguing that two narratives—“Black Male/White Victimhood” and “Black Man/White Woman”—shifted the focus from the domestic violence that occurred between O.J. Simpson and Nicole Brown Simpson to the subordination of Black males).

16. See, e.g., MARIAN MEYERS, NEWS COVERAGE OF VIOLENCE AGAINST WOMEN: ENGENDERING BLAME 4 (1997).

most effective when obtained through the unquestioned, unconscious acceptance of ideology.”<sup>17</sup> Operating at both a macro and micro level:

The news contributes to the building and maintenance of popular consensus through the use of language that reflects and perpetuates the values, beliefs and goals of the ruling elite. Consensus is thereby disguised so that it appears to be not the product of ideology but the result of what is simply natural or part of common sense—just the way things are and the way things are done.<sup>18</sup>

Critical news scholarship illuminates the role of crime reporting in supporting dominant ideologies through stories that selectively disaggregate criminal acts and provide individualistic explanations for crime, and by modulating levels of sensationalism in reportage.<sup>19</sup> Most relevant to this inquiry is Neil Websdale and Alexander Alvarez’s study of newspaper coverage of homicide-suicides, which found that reports of homicide-suicide follow a routinized form of crime reporting they call “forensic journalism.”<sup>20</sup> Forensic journalism, a category specific to homicide-suicide reports, “focuses on the details of individual crimes and the immediate situational dynamics within which the crime takes place.”<sup>21</sup> It is associated with three interrelated characteristics: (1) “situationally based explanations” (such as weaponry, age, sex, and types of personal relationships of the participants); (2) “situationally based dramaturgical representations” (factual details of the story employed for dramatic effect); and (3) “internal myopia” (the tendency to ignore “the implications of the patterns evidenced in [the media source’s] own history of reporting a particular crime phenomenon”).<sup>22</sup>

The conceptual framework of forensic journalism derives in part from the exigencies of crime news production, including the reliance of crime news reporters on information from criminal justice and government agency sources—especially the police.<sup>23</sup> Notably, in selecting material from these sources, reporters decide which facts to publish, but they do not

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17. *Id.* at 20.

18. *Id.* at 19.

19. See generally STUART HALL, *POLICING THE CRISIS: MUGGING, THE STATE, AND LAW AND ORDER* (1978); KEITH SOOTHILL & SYLVIA WALBY, *SEX CRIME IN THE NEWS* (1990); Websdale & Alvarez, *supra* note 4, at 126.

20. Websdale & Alvarez, *supra* note 4, at 126.

21. *Id.*

22. *Id.* at 127-28.

23. *Id.* at 125, 126-27. The routine production of news has been documented by many news scholars. See, e.g., *id.* at 124-25. Of course, production imperatives do not completely explain the homogeneity of crime reports. See MEYERS, *supra* note 16, at 4, 21 (listing factors that “virtually guarantee conformity in news content in mainstream news organizations across the United States” and discussing the role of “professional imperatives” in news reporting).

select the conceptual framework through which the information is presented, and “they do not decide (without seriously disrupting their own routinized production schedules) to eschew the forensic frames within which facts are routinely presented to them.”<sup>24</sup>

While homicide-suicide reports are generated within production routines shared by other crime news, forensic reporting has certain unique characteristics. For example, news reports about sex crimes have depicted sex offenders in a sensational manner as monsters and freaks.<sup>25</sup> In contrast, forensic journalism does not demonize perpetrators of homicide-suicide. Instead, Websdale and Alvarez found that forensic journalism only occasionally “taints” the perpetrator, for example, by using “negative aspects of the perpetrator’s past . . . to sully his or her image.”<sup>26</sup>

Stylistically, the result of forensic journalism is a “constrained sensationalism” that gains legitimacy from both the information source and the way in which it “conveys facts that for the most part are irrefutable.”<sup>27</sup> Substantively, Websdale and Alvarez argue, forensic reporting obfuscates the “systematic patterns of violence against women” typical of these crimes,<sup>28</sup> and in so doing, constitutes a form of patriarchal ideology.<sup>29</sup>

24. Websdale & Alvarez, *supra* note 4, at 127.

25. *Id.* at 125.

26. *Id.* at 126. Forensic journalism may also juxtapose the tainting of perpetrators and the idealization of victims in the same story, reinforcing a sense of good versus evil; however, Websdale and Alvarez noted that these techniques rarely occur in the same story. *Id.* at 135.

27. *Id.* at 127.

28. As described by Websdale and Alvarez, in most homicide-suicide cases, a male kills a female victim with whom he had an intimate relationship characterized by emotional and/or physical abuse, and then kills himself. *Id.* at 124, 130-32. Jacquelyn Campbell reported that, “[f]emicide, the homicide of women, is the leading cause of death in the United States among young African American women aged 15 to 45 years and the seventh leading cause of premature death among women overall.” Campbell et. al., *supra* note 3, at 1089. Homicide of women by their intimate partners accounts for forty to fifty percent of all femicides. *Id.* In contrast, only 5.9% of male homicides are committed by their female intimate partners. *Id.* The vast majority (sixty-seven to eighty percent) of intimate partner homicides by both women and men are preceded by abuse of the female partner. *Id.* Although Websdale and Alvarez report an association between intimate partner homicide-suicide and separation or estrangement, Campbell also reported heightened risk when the couple had not separated, but the abuser was highly controlling. *See id.* at 1092; Websdale & Alvarez, *supra* note 4, at 124.

29. *See* Websdale & Alvarez, *supra* note 4, at 126 (using Sylvia Walby’s definition of patriarchy as a “system of social structures and practices in which men dominate, oppress and exploit women”) (citing SYLVIA WALBY, *THEORIZING PATRIARCHY* 20 (1990)). It follows that patriarchal ideology is the “system of beliefs and ideas that justify or legitimate the power of men over women.” Websdale & Alvarez, *supra* note 4, at 127. This Article shares these straightforward definitions of patriarchy and patriarchal ideology. The role of news media reports in the construction of other forms of violence against women, especially sexual violence, has been well-documented. *See* Cynthia Carter, *When the Extraordinary Becomes Ordinary: Everyday News of Sexual Violence*, in *NEWS, GENDER AND POWER* 219 (Cynthia Carter et al. eds., 1992). *See generally* MEYERS, *supra* note 16; SOOTHILL & WALBY, *supra* note 19; ELIZABETH



The success of forensic journalism in constructing homicide-suicide in conformity with patriarchal ideology suggests the flexibility of both hegemony, and narrative as a discursive form. Indeed, Meyers argues that while hegemony may be challenged—for example, with counter-hegemonic narrative—the dominant discourse is flexible enough “to accommodate alternative meanings, values, opinions, and attitudes.”<sup>30</sup> The larger ideological struggle, of which news is a part, is conceived as an ongoing “process of disarticulation and rearticulation of given ideological elements within a hierarchy of discourses.”<sup>31</sup> Put another way, hegemony functions to curtail the terms of the debate. While “outsider” perspectives may enter the discussion, the extent and character of their participation will be defined by the dominant paradigm.<sup>32</sup> In this context, the significance of narrative selection for media coverage of violence against women that takes into account women’s experiences, and the key role played by police and other criminal justice sources in the process of narrative selection, comes into high relief.

### III. MANUFACTURE OF A HOMICIDE-SUICIDE NARRATIVE

#### A. *The Story*

According to media reports, sometime between Saturday, October 4 and Monday, October 6, 2008, Karthik Rajaram shot and killed five people: his wife, Subasri (age 39); their three sons, Krishna (age 19), Ganesha (age 12), and Arjuna (age 7); and his mother-in-law, Indra Ramasesham (age 69).<sup>33</sup> Then he killed himself.<sup>34</sup> The bodies were found after police received a call from a coworker of Subasri, concerned that she had not shown up for her carpool.<sup>35</sup> The victims were scattered throughout various

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STANKO, EVERYDAY VIOLENCE (1990).

30. MEYERS, *supra* note 16, at 20. Scholars have commented on the flexibility of patriarchy as ideology. See, e.g., Mary Becker, *Patriarchy and Inequality: Towards a Substantive Feminism*, 1999 U. CHI. LEGAL F. 21, 81 (1999) (“Patriarchy is far too malleable and flexible to be ‘caught’ by any standard capable of being administered by the courts.”).

31. MEYERS, *supra* note 16, at 20.

32. See, e.g., Mari J. Matsuda, *When the First Quail Calls: Multiple Consciousness as Jurisprudential Method*, 11 WOMEN’S RTS. L. REP. 7, 9-10 (1989) (describing how “communities of outsiders” present non-neutral legal proposals, such as affirmative action, that “challenge the citadel of neutrality” and create a new jurisprudence based on “the reality of oppression”).

33. See *Police: Jobless Father Kills Family, Self*, CNN.COM, Oct. 6, 2008, <http://www.cnn.com/2008/CRIME/10/06/california.murder.suicide/>; *6 Found Dead in Apparent Murder-Suicide*, KABC-TV (L.A.), Oct. 7, 2008, available at [http://abclocal.go.com/kabc/story?section=news/local/los\\_angeles&id=6434707](http://abclocal.go.com/kabc/story?section=news/local/los_angeles&id=6434707); Dan Whitcomb, *L.A. Man Kills Family, Himself Over Financial Woes*, REUTERS, Oct. 6, 2008.

34. See Bloomekatz & Winton, *supra* note 1.

35. *Id.*

bedrooms, all shot in the head—some multiple times.<sup>36</sup> In a letter left for police, Karthik reportedly “blamed his actions on economic hardships,” and described his decision to kill his entire family and himself as “the honorable thing to do.”<sup>37</sup> A second letter, addressed to friends and family, was said to detail Karthik’s recent and apparently problematic financial transactions.<sup>38</sup>

In a press conference in front of the family’s home on October 6, Los Angeles Police Department Deputy Chief Michael Moore characterized the Rajarams as “the perfect American family . . . absolutely destroyed, apparently because of a man who just got stuck in a rabbit hole, if you will, of absolute despair, somehow working his way into believing this to be an acceptable exit.”<sup>39</sup> It is critical,” Moore emphasized, “to step up and recognize that we are in some pretty troubled times.”<sup>40</sup>

Moore’s eloquent depiction of an American dream destroyed by a troubled economy was echoed in numerous reports.<sup>41</sup> Some reports noted the size<sup>42</sup> and appointment<sup>43</sup> of the Rajaram’s rented home, the cars parked in the driveway,<sup>44</sup> and the exclusivity of the neighborhood.<sup>45</sup> The seeming

36. *Id.*

37. Richard Winton et al., *Father Kills Family and Himself, Despondent About Financial Losses*, L.A. TIMES, Oct. 7, 2008, at B1.

38. *Id.*

39. See Denise Hoag, *6 Die in a Family Murder-Suicide in Los Angeles*, ASSOCIATED PRESS, Oct. 7, 2008.

40. *Id.*

41. See Denise Gellene, *Faced with a Different Kind of Depression*, L.A. TIMES, Oct. 8, 2008, at A1; Hoag, *supra* note 39; Kelli Kennedy, *Suicides from Financial Crisis Cause Concern*, ASSOCIATED PRESS, Oct. 14, 2008; Alison Stateman, *Murder-Suicide in California: A Tragedy of the Financial Crisis?*, TIME, Oct. 8, 2008; Landon Thomas, Jr., *Losses Mount, Fears Overwhelm, and a Life-Ending Decision Is Made*, N.Y. TIMES, Nov. 7, 2008, at B8; Catherine Elsworth, *Unemployed Man Killed Himself and Five Family Members Over Financial Woes*, TELEGRAPH.CO.UK, Oct. 7, 2008, <http://www.telegraph.co.uk/news/worldnews/northamerica/3150106/Unemployed-man-killed-himself-and-five-family-over-financial-woes.html>. Cf. Jenny Booth, “*Family Honour*” Drives U.S. Father of Three to Murder and Suicide, TIMES ONLINE, Oct. 7, 2008, [http://www.timesonline.co.uk/tol/news/world/us\\_and\\_americas/article4897691.ece](http://www.timesonline.co.uk/tol/news/world/us_and_americas/article4897691.ece).

42. See *Authorities ID Family Killed in Murder-Suicide: Karthik Rajaram Was Reportedly Despondent Over Money Problems*, CBS2.COM, Oct. 2, 2008, <http://cbs2.com/local/Porter.Ranch.Murder.2.833728.html> (reporting that the Rajaram’s home was 2,800 square feet in size).

43. See, e.g., Stateman, *supra* note 41 (reporting that the Rajaram’s home was described by police as “nicely adorned”).

44. Winton et al., *supra* note 37 (reporting a Suburban and Lexis SUV in the family’s driveway).

45. See *6 Found Dead in Apparent Murder-Suicide*, *supra* note 33 (describing the community as home to “people who have lived to achieve the American Dream”); Elsworth, *supra* note 41 (“gated community”); *Karthik Rajaram*, CHICAGO TRIBUNE.COM, Oct. 7, 2008, <http://www.chicagotribune.com/news/nation/world/chi-karthik-rajaram-081007-ht,0,3296537.story> (“gated community”); Winton et al.

contrast between the brutal murder scene and the trappings of success inspired others besides Moore to lyricism. Alison Stateman expounded for CNN: "From outside the tasteful guardhouse . . . all seems peaceful. The manicured lawns are a verdant oasis within the surrounding sun-scorched mountains. The only sound disturbing the quiet is the gentle swish of luxury cars . . . as their drivers turn homeward."<sup>46</sup>

Karthik's accomplishments were also reported, including a master's degree in business administration from UCLA, and prior employment with two prestigious companies, PricewaterhouseCoopers and Sony Pictures.<sup>47</sup> Readers were informed that he had once made \$1 million plus profit on a business investment, and wisely cashed out on the prior family home before the housing bubble collapsed.<sup>48</sup> In the same vein, stories referencing the Rajaram's race (Asian Indian) or national origins (India) used these attributes to emphasize the family's social status.<sup>49</sup> For example, a story detailing Karthik's immigration from India called him an "immigrant-American success story."<sup>50</sup> Another noted that he was "part of a model minority community that has achieved the American Dream in less time than almost any other wave of immigrants."<sup>51</sup>

Readers also learned about the children's successes: Arjuna was an honor student at a magnet school;<sup>52</sup> Krishna was a Fulbright scholar and honor student at UCLA.<sup>53</sup> Local television stations dispatched reporters to the younger children's schools, where spokespersons commented on the grief of the children's teachers and classmates.<sup>54</sup> The children, noted another story, bore the names of Hindu gods and warriors.<sup>55</sup>

In this context, the story was soon swept up in what Associated Press writer Kelli Kennedy characterized as a trend of suicides and murder-suicides across the country attributable to worsening financial conditions.<sup>56</sup> In the blogosphere, W.C. Varones even included the Rajaram family in his

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al., *supra* note 37 ("upscale, gated community"); Stateman, *supra* note 41 ("gated community").

46. Stateman, *supra* note 41.

47. *See, e.g.*, Bloomekatz & Winton, *supra* note 1,

48. *See* Winton et al., *supra* note 37.

49. *See, e.g.*, Stateman, *supra* note 41 (describing Rajaram as an immigrant-American success story); *see also* Gellene, *supra* note 41 (noting how the burst of the economic bubble is particularly hard for immigrant strivers intoxicated with the American dream).

50. Stateman, *supra* note 41.

51. Gellene, *supra* note 41.

52. Stateman, *supra* note 41.

53. *Id.*

54. *See Authorities ID Family Killed in Murder-Suicide*, *supra* note 42.

55. Winton et al., *supra* note 41.

56. Kennedy, *supra* note 41.

“Greenspan’s Body Count”—a list of suicide and murder victims whose deaths he attributes to former Federal Reserve Chairman Alan Greenspan’s policies.<sup>57</sup> In this way, Karthik’s final act was labeled “emblematic of the times”<sup>58</sup> and propelled into history.

### B. Media Coverage of the Rajaram Case as Hegemonic Narrative

Coverage of the Rajaram story demonstrates the uniformity of reporting across media, showing that television as well as newer media, such as blogs, may share narratives about a high profile crime story. It also shows that even when media reports depart from a structural explanations of violent crime, women’s voices and experiences are only included insofar as they support the narrative structure of the crime story, for example, by increasing narrative plausibility and dramatic appeal. Conversely, to the extent that women’s voices and experiences fail to support, or are tangential to the narrative structure of the story, they are expendable and will be effaced.

In the months preceding the Rajaram killings, the media prominently reported several homicide cases occurring in the Los Angeles area (including at least one other homicide-suicide), all involving women killed by their current or former male intimate partners.<sup>59</sup> Yet, in keeping with the characteristics of forensic journalism identified in Part II, media reports did not reference these crimes, the problem of femicide, or violence against women in society more generally, though reporters would not have had to look far for the relevant data.<sup>60</sup> Also, in keeping with the characteristics of

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57. Posting of W.C. Varones to W.C. Varones Blog, <http://wcvarones.blogspot.com/2008/10/greenspans-body-count-karthik-rajaram.html> (Oct. 7, 2008, 03:28 PT). W.C. Varones is a self-identified “radical libertarian vegetarian militant bicyclist capitalist pig in San Diego.” W.C. Varones Author Profile, [http://www.agoravox.com/auteur.php?id\\_auteur=4263](http://www.agoravox.com/auteur.php?id_auteur=4263) (last visited Apr. 13, 2009). However, his views on the Rajaram story are notably similar to those of the mainstream media. Posting of W.C. Varones, *supra*.

58. Stateman, *supra* note 41.

59. See Catherine Saillant & Steve Chawkins, *Victim Had Bitter Divorce; Police Have Ruled Out a Carjacking in the Slaying of Pamela Fayed, Stabbed to Death in Century City*, L.A. TIMES, July 30, 2008, at A2 (reporting that on July 28, 2008, Pamela Fayed was stabbed to death in a Century City parking garage, and that months before her death, Pamela asked a neighbor about building a panic room and told the neighbor that her estranged husband, James Fayed, had threatened her); see also Felony Complaint for Arrest Warrant, *California v. Fayed*, Case No. BA34652 (Cal. Super. Ct., Sept. 15, 2008) (noting that James Fayed was charged with hiring another man to carry out the murder on his behalf); Andrew Blankstein et al., *Freed Without Bail—With a Deadly Result*, L.A. TIMES, Jan. 8, 2008 (reporting that just over six months prior, on January 5, 2008, Curtis Bernard Harris shot and killed his estranged wife, Monica Thomas-Harris, and then committed suicide); Catherine Saillant, *Woman in Century City Had Feared For Her Life; Pamela Fayed’s Firm and Marriage Were Troubled Before She Was Killed, Records Show*, L.A. TIMES, Aug. 28, 2008, at B1.

60. See, e.g., SafeState California Attorney General’s County Data, <http://safestate.org/statreports/index.cfm> (select “Los Angeles” county and “Crime”

forensic journalism, the media did not demonize the perpetrator. Indeed, *his* story—provided to the media by a routine police source—was elevated to the defining narrative of the case.

In one important respect, however, media coverage in the Rajaram case did deviate from the characteristics of forensic reporting: in keeping with the original narrative frame used by law enforcement, the killings were connected to the larger social structure of the failing economy. Nonetheless, any relationship between that structure and intimate partner violence was left unexamined, and thus, for all practical purposes, invisible. In this way, the selected narrative merely privileged one structural relationship above other relationships without justification or acknowledgment that it was doing so.

Indeed, in employing this narrative, media reports not only ignored parallels to other crimes against women, but also internal inconsistencies within the story itself. Facts supporting alternative narratives appeared in media accounts, but were disregarded in favor of facts supporting the selected narrative. The former include the description of Karthik by a former business partner as “an emotionally unstable person,” and the revelation that he was fired in 2003 due to his “erratic behavior, including joining conference calls while inebriated and missing client meetings.”<sup>61</sup> A former neighbor who lived next door to the Rajarams for eight years reported that she “would hear things. Our bedrooms were right next to each other. Through the years, there would be yelling,” which she described as “intense.”<sup>62</sup> Another story noted that on one occasion, “residents heard a man screaming for hours.”<sup>63</sup> Neighbors also reported that Karthik had sold the couple’s last home and moved the family to a new location although Subasri did not want to move.<sup>64</sup> These facts suggest a narrative in which alcohol or drug abuse, mental illness, and domestic violence—including indications of controlling behavior—contributed to a more predictable tragedy.

But, consistent with hypotheses about the role of narrative in perpetuating dominant ideologies, feminist perspectives were marginalized in coverage of the Rajaram case. Police sources framed the structural

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and click “Submit”; on the following page, select “Homicides with Domestic Violence as the Precipitating Factor”) (last visited Apr. 13, 2009) (reporting that Los Angeles County averaged 45.5 such homicides per year between 1999 and 2006, and that in 2006, Los Angeles County accounted for over 31% of all such homicides in California). Safestate.org provides a searchable database of information related to criminal activity in California including rape, spousal abuse, and domestic violence homicide.

61. Stateman, *supra* note 41.

62. *Id.*

63. Winton et al., *supra* note 37.

64. *Id.*

explanations for crime employed in coverage of the case, leaving out the systematic nature of violence against women. Although one story referenced domestic violence shelters, it did not make a connection between the Rajaram (or any other) killings and domestic violence.<sup>65</sup>

Many media accounts also ignored the existence of facts inconsistent with the primary narrative itself. For example, “[r]ising mortgage defaults and falling home values” were deemed to be “at the heart” of suicides and murders such as those committed by Karthik Rajaram,<sup>66</sup> despite the absence of any apparent foreclosure or bankruptcies in Karthik’s future.<sup>67</sup> The seductive pull of the financial crisis narrative is demonstrated by the fact that it dominated nearly all media coverage of the story regardless of these inconsistencies.

Moreover, to the extent that the victims were unnecessary or unhelpful to that narrative, they also were rendered invisible by coverage of the event. In stark contrast to the detail provided about Karthik and the children, initial media coverage provided no information about Subasri and her mother other than their names and ages, and that Subasri was employed as a bookkeeper.<sup>68</sup> Later reports only listed their names as victims, if they were mentioned by name at all. Indeed, a recent computer search using the phrase “Subasri Rajaram” turned up almost no information independent of her murder except her DMV photo, which was inexplicably on the *L.A. Times* website with no accompanying story.<sup>69</sup> Subasri’s photo—showing her smiling pleasantly, her brown eyes startlingly alive—makes it viscerally clear how her husband’s victims were silenced, not only by the violence that took their lives, but also by the narrative acts and omissions of the media.

Media stories effacing Subasri and her mother, as well as larger truths about violence against women, did so through the selection of facts that supported the dominant narrative of economic crisis and the death of the

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65. See Kennedy, *supra* note 41 (reporting obliquely that “domestic violence shelters are full”); see also Gellene, *supra* note 41 (interviewing Lakshmy Parameswaran, founder of a Houston, Texas-based organization that helps victims of domestic violence in the South Asian community on the pressures of being a member of a model immigrant community).

66. Kennedy, *supra* note 41. *But see* Thomas, *supra* note 41 (providing an example of how this selective blindness is not limited to the Rajaram case, or cases in which the perpetrator demonstrates agreement with the media’s narrative selection). One story about the purported trend of suicides and murder-suicides attributable to financial conditions includes as “evidence” a murder-suicide in which the perpetrator left behind a note blaming his actions on marital difficulties. See Thomas, *supra* note 41.

67. See Gellene, *supra* note 41.

68. See, e.g., Winton et al., *supra* note 37.

69. Subasri Rajaram (DMV), LA TIMES, [http://www.latimes.com/news/local/lame-porter\\_k8eafnc,0,4401461.photo](http://www.latimes.com/news/local/lame-porter_k8eafnc,0,4401461.photo) (last visited Apr. 13, 2009).

American Dream. The demands of this narrative required that certain facts be employed while others were rejected—or in some cases, left littering the story landscape, unengaged with the dominant theme. Thus, the Rajaram coverage not only demonstrates how structural narratives can be employed in the maintenance of hegemony, it exposes the roles of race, culture, and class in narrative hegemony—and thus in obfuscating the systematic nature of violence against women.<sup>70</sup>

#### IV. COUNTERING HEGEMONIC NARRATIVE

##### A. *Wealth and the Invisibility of Violence*

Facts chosen by reporters for the Rajaram story emphasized the status of the family, and Karthik in particular. These facts served two interrelated narrative functions. First, they made the story of a man killing himself and his family in despair over economic losses more plausible. The perpetrator of this crime had to have lost something substantial in order to explain his alleged reaction.

Second, details regarding the family's privileged social status added dramatic effect—a core characteristic of forensic journalism as discussed above. The higher the Rajarams' prior status, the farther Karthik had fallen, lending pathos to the narrative depiction of the killings. Similarly, details relating to the suburban idyll of the family neighborhood, and the successes of the children, all lent themselves to contrast with the brutal killings. In this context, Subasri's job as a bookkeeper failed to advance the narrative. She and her mother were simply unnecessary to the story, and therefore excluded.

Essential to the function of social status in this characterization, however, is the assumption that wealth and family violence are normally unassociated with one another. Thus, one hegemonic function of narrative in media depictions of the Rajaram killings is to maintain the social belief that family violence in wealthy communities is aberrational. Research by psychotherapist Susan Weitzman demonstrates that this view is false, yet widely held—even by upper-class battered women.<sup>71</sup> The subjects of Weitzman's study of what she calls "upscale violence" were married women who had experienced multiple episodes of emotional and/or

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70. Cf. Carbado, *supra* note 15, at 76-77 (observing that some felt O.J. Simpson was the racial target of the media and the police, thereby reinforcing male-centered narrative of the "black man being put down by the system," over the evidence of domestic violence).

71. See generally SUSAN WEITZMAN, NOT TO PEOPLE LIKE US: HIDDEN ABUSE IN UPSCALE MARRIAGES (2000) [hereinafter WEITZMAN, HIDDEN ABUSE]; Susan Weitzman, *Not to People Like Us: Hidden Domestic Violence in Upscale Families*, 46 SOC. WORK NETWORKER 3 (2008) [hereinafter Weitzman, *Hidden Domestic Violence*].

physical abuse in their marriage, and met a minimum of three out of four criteria regarding income (at least \$100,000 per year), residence (ranked according to reputation or census bureau data), self-perception of class status (as upper-middle or upper-class), and education (at least a bachelors degree).<sup>72</sup> Weitzman's research and subsequent experience in clinical practice confirmed that "domestic abuse is insidiously present among women who are well educated and from upper income families."<sup>73</sup> But the pervasive silence about battering in upper-class communities makes it difficult for women in those communities to recognize their own victimization as abuse in the first place, and reinforces their reluctance to speak up about it once they do.

In addition to experiencing confusion and shame about an experience she believes is aberrational, the upper-class battered woman may self-impose silence in order to protect the status of her spouse, upon whom she and her children may rely for their own financial security and social standing.<sup>74</sup> The program director of a shelter serving Los Angeles County noted that even when upper-class women seek shelter services in order to leave an abusive relationship, protecting the batterer remains a high priority. Consequently, the sensitivity of shelter staff to this issue has proven important to the willingness of upper-class victims to utilize domestic violence services.<sup>75</sup> Thus, although upper-class victims may know other women in their community who are also experiencing abuse, each woman's self-isolation perpetuates the myth that the abuse is not occurring.<sup>76</sup>

Weitzman's research shows that when the upper-class victim does seek help, her experience of abuse is often ignored or disbelieved by erstwhile helping professionals, including doctors, therapists, and lawyers, as well as by law enforcement and the courts.<sup>77</sup> The perpetrator's social standing may exacerbate this problem, especially if he is held in high regard.<sup>78</sup> In

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72. WEITZMAN, *HIDDEN ABUSE*, *supra* note 71, at 19.

73. Weitzman, *Hidden Domestic Violence*, *supra* note 71, at 4.

74. *See id.*

75. Interview with Sharon Wei, Program Director, Interval House, in Santa Ana, Cal. (Dec. 10, 2008) (on file with author).

76. Weitzman, *Hidden Domestic Violence*, *supra* note 71, at 5.

77. *See* WEITZMAN, *HIDDEN ABUSE*, *supra* note 71, at 8-12, 32-34; Weitzman, *Hidden Domestic Violence*, *supra* note 71, at 5; *see also* Kathleen Waits, *Battered Women and Family Lawyers: The Need for an Identification Protocol*, 58 ALB. L. REV. 1027, 1032-41 (1995) (discussing how family law attorneys may fail to recognize domestic violence in their middle- and upper-middle-class clients because of influence from dominant stereotypes and myths, such as the belief that battered women enjoy the abuse, or the belief that battered women "could easily escape the violence").

78. *See* Weitzman, *Hidden Domestic Violence*, *supra* note 71, at 5 (observing that batterers often have public personas that obscure their private behavior). The batterers' social capital, wealth, and position enhance their credibility and discourage community members from assisting the victim because such assistance would require the



addition, seen as having greater resources than other clients, the upper-class victim does not inspire empathy in others.<sup>79</sup> Consequently, her requests for assistance on hotlines, at shelters, and at restraining order clinics may be met with resistance, if not incredulity.<sup>80</sup>

The reluctance to see battered upper-class women as legitimate victims is reinforced by social science research that reports a negative association between wealth and the occurrence of domestic violence.<sup>81</sup> Many such

community to side against the perpetrator, whose interests they believe correspond to their own. *Id.* Conversations with colleagues working with battered women whose abusers are in the Los Angeles entertainment industry and allied professions indicate this is a common problem in insular, elite communities. Such issues suggest that the reasons why upper-class women protect the batterer even while seeking help for abuse are more complicated than maintenance of privilege. The problems faced by battered upper-class women seeking help for domestic violence also complicate the feminist critique of the private-public dichotomy, in which the public realm is characterized as an arena of rights and empowerment for battered women. *See, e.g.,* Margot Mendelson, *The Legal Production of Identities: A Narrative Analysis of Conversations with Battered Undocumented Women*, 19 BERKELEY WOMEN'S L. J. 138, 174-77 (2004) (demonstrating that "[u]nderlying the scholarship and advocacy surrounding battered women is the ubiquitous message that the key to empowerment is public participation."). Ironically, these otherwise privileged women may be disenfranchised in the public realm in ways that parallel the experience of battered undocumented immigrant women, who are more socially and economically marginalized. *See, e.g., id.* at 177-81 (discussing the ways in which participation in the public sphere by battered undocumented immigrant women interviewed by the author was circumscribed by their acute awareness of their lack of legal identity.)

79. *See* Weitzman, *Hidden Domestic Violence*, *supra* note 71, at 6 (noting that subtle envy, rather than empathy, can contribute to the deaf ear or blind eye of clinicians).

80. *See* WEITZMAN, *HIDDEN ABUSE*, *supra* note 71, at 7-8 (reporting hostility to this population of victims among the social work and academic communities in which the author works). Unfortunately, my own early experience working in a restraining order clinic primarily serving low-income women proves the existence of this stereotype. At the time, individuals seeking a temporary restraining order (TRO) had to meet jurisdictional requirements that applied to other types of cases, including residency requirements. Therefore, if a client went to a branch court like the one where my clinic was located, she usually lived in the neighborhood. Although the clinic served an area with a wide array of income levels, it did not typically serve upper-income people. The first time a client came into the clinic from the outer reaches of the jurisdiction—a neighborhood with multimillion dollar homes—her presence in our shabby little office, and her story, did not compute. I remember listening to her with what I hope was my usual attentive demeanor, while vaguely wondering if she might be crazy. Later, when I spoke to colleagues about my experience, more than one expressed that they could not be concerned about someone who was presumed to have a lot of money.

81. *See* NAT'L INST. OF JUSTICE, U.S. DEP'T OF JUSTICE, *RESEARCH IN BRIEF, WHEN VIOLENCE HITS HOME: HOW ECONOMICS AND NEIGHBORHOOD PLAY A ROLE*, at ii (2004), available at <http://www.ncjrs.gov/pdffiles1/nij/205004.pdf> (finding that intimate violence is more prevalent and more severe in disadvantaged neighborhoods); Deborah M. Weissman, *The Personal is Political—and Economic: Rethinking Domestic Violence*, 2007 BYU L. REV. 387, 421-23 nn.157-67 (2007) (reviewing studies that demonstrate how declining economic well-being among wage earners contributes to familial tensions and domestic violence); WEITZMAN, *HIDDEN ABUSE*, *supra* note 71, at 5 nn.5-8 (citing higher incidences of domestic violence among lower socioeconomic groups).

studies are based on data collected from emergency rooms, shelters, and law enforcement—data in which upper-class women will be underrepresented because they tend not to use these services.<sup>82</sup> Community studies using survey instruments (such as the National Survey of Families and Households) may be impacted by other, as yet unknown idiosyncratic characteristics of this group, which are understudied<sup>83</sup> and therefore not well known by researchers.

The salience of the belief that upper-class women are unlikely to experience domestic violence is closely related to what James Ptacek identifies as two myths pertaining to domestic violence.<sup>84</sup> The first is that domestic violence is confined to the working and lower classes.<sup>85</sup> The second myth—arising in part from challenges by feminists to the first—is that all women are equally at risk for battering.<sup>86</sup> The unrecognized experience of upper-class battered women demonstrates the complexity of addressing the second myth without reinforcing the first. The Rajaram case suggests the urgency of the need to do so. Moreover, the specific social location of the Rajarams illustrates why addressing class alone is insufficient to counter the hegemonic narratives generated in the media in the aftermath of their deaths or the dominant ideologies those narratives support.

### *B. Race and Culture: Now You See It, Now You Don't*

Although media reports about the Rajaram case did not emphasize Karthik and Subasri's status as Indian nationals, the issue of race or culture should not be considered absent from media accounts of the killings. As discussed above, media coverage of the Rajarams employed the model immigrant stereotype to enhance the social status story element. Thus, race as well as class is implicated in a narrative that obfuscates the occurrence of violence in particular communities.

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82. See WEITZMAN, HIDDEN ABUSE, *supra* note 71, at 5 n.11 (highlighting a New York City study indicating that attacks by wealthy men rarely lead to intervention by police). Obviously, there are exceptions; but colleagues working with domestic violence shelter clients in Los Angeles County confirm that most clients are lower-income, and that upper-income clients who use their services tend not to involve police.

83. See *id.* at 12 (describing the author's research unearthing "fewer than a dozen articles on this population out of more than 500 scientific articles and books published on domestic abuse").

84. See JAMES PTACEK, BATTERED WOMEN IN THE COURTROOM: THE POWER OF JUDICIAL RESPONSES 20-21 (1999).

85. See *id.* (stating that domestic violence can be found across all races and social classes).

86. See *id.* at 21 (citing one scholar's characterization of this myth as "classless intimate violence" and a creation of liberal and radical feminists).

Studies about domestic violence in South Asian communities in the United States, of which Asian Indians are a part, reveal that women in those communities are at significant risk for domestic violence.<sup>87</sup> But the stereotype of the model immigrant/model minority makes violence experienced by Asian Indian women harder to see. As a relatively educated and affluent immigrant group, Asian Indians are omitted from popular conceptions of the communities that experience domestic violence. Battered Asian Indian women who are members of the upper class are also likely to be omitted from research about domestic violence because they may not use services used by poorer victims, with the result that their data may be omitted from studies about domestic violence using conventional methodologies. At the same time, the ways in which Asian Indian women's experiences of violence are impacted by other social locations including race are not captured by studies that fail to examine or that essentialize this category. Consideration of "race" in community studies of domestic violence is typically limited to a black/white or a black/white/Hispanic paradigm, missing minority communities outside these racial paradigms.<sup>88</sup> Similarly, while Weitzman's study of upper-class violence captures class experiences omitted from community studies, it fails to consider social locations other than class altogether.<sup>89</sup>

In addition, because many Asian Indians do not fit the paradigm of immigrants as poor and undocumented that dominates research and scholarly agendas, the impact of immigration on violence in South Asian and other upper-class immigrant populations remains largely invisible as well. The category of model immigrant/minority also belies the existence of undocumented, poor or working-class South Asian immigrants. To the extent that battered Asian Indian women are also in or vulnerable to those categories, especially if they leave an abusive relationship, they are even harder to see.

The model immigrant/minority stereotype also works from inside the South Asian community to obscure violence against South Asian women in complex and specific ways. Writing about woman battering in the Asian Indian community, Amannya Bhattacharjee describes the ways in which these categories relate to the construction of both post-colonial nationalism

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87. See, e.g., Anita Raj & Jay G. Silverman, *Immigrant South Asian Women at Greater Risk for Injury from Intimate Partner Violence*, 93 AM. J. PUB. HEALTH 435, 435 (2003) (reporting that a study of South Asian women in Boston showed 40.8% reporting intimate partner violence in their current relationship).

88. See, e.g., NAT'L INST. OF JUSTICE, *supra* note 81, at ii (acknowledging a limitation of the study is the minimal amount of data available on minority groups other than African Americans and Hispanics).

89. See WEITZMAN, *HIDDEN ABUSE*, *supra* note 71, at 281-87 (omitting use of the words "race," "immigrant," or any synonym thereof in the index of the author's 287-page study of upscale abuse).

and the immigrant “Indian” community in ways that exclude domestic violence as aberrant.<sup>90</sup> Bhattacharjee argues that Indian nationalism has posited woman as culture-bearer, responsible for representing and maintaining a unified national identity.<sup>91</sup> Exposure of domestic violence in this context challenges the very construction of Indian-ness.<sup>92</sup> At the same time, woman abuse is viewed by Asian Indians in the United States as a problem left behind in India, where “gender discrimination is more visible than in the United States.”<sup>93</sup> Asian Indians in the United States have assumed “that away from the structural oppression of extended families and strict gender hierarchies, women’s independence and liberation are heightened in the United States.”<sup>94</sup> As a result, assertions by Asian Indian women’s organizations that domestic violence is a serious problem in the Asian Indian community are viewed with skepticism.<sup>95</sup> However, patriarchal power imbalances may gain strength in Indian immigrant communities in the guise of “maintaining culture.”<sup>96</sup>

Shamita Das Dasgupta and Sujata Warriar’s study of battered Asian Indian women shows the significant barriers to seeking help created by these dynamics. The women in Das Dasgupta and Warriar’s study believed they would be seen as traitors to their culture if they stopped accepting the abuse or made it public.<sup>97</sup> Such views were present even in women who had lived in the United States since infancy.<sup>98</sup> These women believed their

90. See generally Anannya Bhattacharjee, *The Habit of Ex-Nomination: Nation, Woman, and the Indian Immigrant Bourgeoisie*, in A PATCHWORK SHAWL: CHRONICLES OF SOUTH ASIAN WOMEN IN AMERICA 163, 163-82 (Shamita Das Dasgupta ed., 1998).

91. See *id.* at 172 (remarking that the woman serves as a metaphor for the ancient Indian spirit of chastity and purity).

92. See *id.* (observing that the exposure of domestic violence is viewed as a challenge notwithstanding the fact that some advocacy groups simply provide battered women with information rather than encourage the women to leave their abusers).

93. Shamita Das Dasgupta & Sujata Warriar, *In the Footsteps of “Arundhati”*: Asian Indian Women’s Experiences of Domestic Violence in the United States, 2 VIOLENCE AGAINST WOMEN 238, 242 (1996) (stating that most Asian Indian immigrants believe that the more democratic family structure in the United States precludes occurrences of domestic violence).

94. See *id.* at 240 (commenting that contrary to this belief, Indian anti-domestic violence advocacy groups judge domestic violence to be a serious problem in the Indian-American community).

95. See *id.* at 256 (claiming that the community response often translates into ineffective and halfhearted interventions).

96. See *id.* at 253 (noting study results indicating that all twelve of the surveyed women expressed fear of being ostracized and labeled disloyal by their communities if the women reacted to the abuse).

97. See *id.* at 252-53 (citing the belief of some battered women that they would be judged adversely and seen by their communities as too “Westernized”).

98. See *id.* at 243 (noting that two of the women in the study had accompanied their immigrant parents to the U.S. as infants).

obligation as wives was to be totally subservient to their husband's wishes, and were initially reluctant to characterize their husband's behavior as abuse, seeing it instead as consistent with traditional Indian marriage.<sup>99</sup> Yet, they also thought that living in the United States and away from extended family would improve their marital relationships.<sup>100</sup> The women studied were primarily working professionals with advanced degrees working in relatively lucrative professions such as medicine and dentistry.<sup>101</sup> But they were literally forced to hand over their paychecks to their husbands and had no control over family bank accounts.<sup>102</sup> They also had a complete lack of knowledge about their rights over marital assets and their rights with regard to their children.<sup>103</sup> Thus, they believed that leaving the relationship required them to give up all ties to the Indian community, all rights to marital assets and children, and made them traitors to their families, their sex, and their culture.<sup>104</sup>

The experiences of battered Asian Indian immigrants confounds expectations about why and how women are at risk for battering, including financial status, race, and culture. However, in the Rajaram case, class and race made domestic violence harder to see in the deaths of the Rajaram family, and harder to imagine as a problem that may have preceded the killings. Paradoxically, race, culture, or both may also have formed a subtext explaining to those consumers of media reports from outside the subject group why a husband and father would kill his family for "honor." Leti Volpp describes how culture is often used to explain why those considered non-Western behave irrationally.<sup>105</sup> Consistent with this insight, although honor killings are not associated with Indian national origin or Hinduism,<sup>106</sup> several people who knew I was working on this

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99. See *id.* at 249 (indicating that one woman quoted her husband as arguing that the relationship between Indian husbands and wives required "instant obedience" by the wife).

100. See *id.* at 250 (claiming that a majority believed their marriages would improve because life in the United States would be easy).

101. See *id.* at 244 (listing other participants as having professions that included engineering, management, and self-employment).

102. See *id.* at 250 (remarking that the few women with joint bank accounts felt they had no right to use them).

103. See *id.* at 253 (suggesting that the women's belief that custody of their children would automatically revert to the father stemmed from Indian custody laws).

104. These experiences, especially the fear of loss of cultural connection, also point to the importance of culturally-competent domestic violence services for the Asian Indian community.

105. See Leti Volpp, *On Culture, Difference, and Domestic Violence*, 11 AM. U. J. GENDER SOC. POL'Y & L. 393, 395 (2003) [hereinafter Volpp, *On Culture*]; see also Leti Volpp, *Blaming Culture for Bad Behavior*, 12 YALE J.L. & HUMAN. 89, 94-100 (2000) (discussing the societal assumption that communities of color are controlled by culture while white Americans are typically viewed as having "no culture").

106. See Dicle Kogacioglu, *The Tradition Effect: Framing Honor Crimes in Turkey*,

Article expressed their belief that honor killings were part of Indian culture. By not addressing the intersection of race and culture with violence in an overt and responsible way, media coverage allowed such a misunderstanding to go unchecked, while obscuring the real ways in which race and culture impact the experience of violence in the Asian Indian community.

In sum, even though the narrative employed in the Rajaram case departed from the astructural framework of forensic journalism, it remained hegemonic because it failed to address the structural causes of violence in any meaningful way, using the economic crisis narrative to effectively obscure other competing narratives. The ability of media stories to maintain hegemonic ideology through narratives that selectively reference social structures underscores the importance of nuance in countering hegemony with narratives that meaningfully incorporate women's experiences. Research and scholarship, however, have failed to adequately deal with the complex relationships between woman battering and social structures other than gender. The intersections of class, race, and culture in the lives of Asian Indian women complicate these categories and uncover a tendency towards reverse essentialism that obscures the experiences of women in essentialized categories and facilitates the maintenance of dominant ideologies. These experiences show that constructing a counter narrative that subverts hegemony will require a more nuanced intersectional analysis.<sup>107</sup>

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15 DIFFERENCES 118, 118 (2004) (defining an honor killing or crime as the murder of a woman by members of her family who do not condone her sexual behavior); *see also* Nadera Shalhoub-Kevorkian, *Femicide and the Palestinian Criminal Justice System: Seeds of Change in the Context of State Building?*, 36 LAW & SOC'Y REV. 577, 578 (2002). Such killings have been analyzed as a complex social construct related to customary laws and national and international institutions in several countries. *See* Kogacioglu, *supra*, at 118 (Turkey); Shalhoub-Kevorkian, *supra*, at 578 (Palestinian society); Catherine Warrick, *The Vanishing Victim: Criminal Law and Gender in Jordan*, 39 LAW & SOC'Y REV. 315, 326 (2005) (Jordan, Egypt, Syria, and Lebanon); *see also* Adrien Katherine Wing & Hisham Kassim, *Hamas, Constitutionalism, and Palestinian Women*, 50 HOW. L.J. 479, 484-85 (2007) (Palestinian society). Wife-murder in defense of honor has also been documented in Brazil, where legal theories supporting the practice are traced to Portuguese colonial law. *See, e.g.*, Dorothy Q. Thomas & Michele E. Beasley, *Domestic Violence as a Human Rights Issue*, 58 ALB. L. REV. 1119, 1136 (1995).

107. *See, e.g.*, Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, 1989 U. CHI. LEGAL F. 139, 139-40 (using "intersectionality" to describe women who could be categorized into multiple marginalized groups, as opposed to unitary theories of gender).

## V. BUILDING COUNTER-HEGEMONIC NARRATIVE FROM THE ASHES

A. *Revisiting Particularity and Universality*

The myths identified by Ptacek about where and why domestic violence happens can be reframed as an ongoing tension, frequently unexamined, between particularity and universality in discourse about domestic violence. The limitations of each perspective are exposed by critiques of essentialism. For example, Volpp has described how specificity is used to selectively stereotype women from non-Western countries as defined by their culture, leaving both monolithic conceptions of culture and the potential impact of other social constructs unexamined.<sup>108</sup> Yet, as Volpp also points out, a universalized response to such stereotyping is inadequate insofar as it fails to identify and explain the importance of social constructs—including how “violent acts are committed in culturally specific ways.”<sup>109</sup>

In a different vein, Kimberlé Crenshaw’s critique of universalized narratives used to raise awareness of domestic violence in the white community shows how such narratives, rather than being truly “universal,” typically trade on the political currency of (victimized) white womanhood.<sup>110</sup> Crenshaw argues that, by not “focusing on and illuminating how violence is disregarded when the home is ‘othered,’” such universalized narratives permit the continued marginalization of women of color.<sup>111</sup>

The relationship of universalized narrative to the entrenchment of the “othered” victim remains an essential insight. The concept that violence happens in homes unlike one’s own, or is associated with a set of characteristics not found in one’s own community, is deeply problematic for all communities. Such attitudes create blind spots where violence against women is not visible and the ability of victims to recognize their own experience is impaired. Thus, while universalized and particularized narratives each may contain elements of truth, neither is fully explanatory or unproblematic.

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108. See Volpp, *On Culture*, *supra* note 105, at 394-95.

109. See *id.* at 398 (arguing that “culturally specific” acts of violence can be better explained by taking into account material and political forces).

110. See Kimberlé Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, 43 STAN. L. REV. 1241, 1258-59 (1991) (contending that strategies to eliminate the stereotype that domestic violence is a minority problem often are intended merely to remove the stereotype as an obstacle to exposing violence in white communities).

111. See *id.* at 1260-61 (claiming that political attention to domestic violence ignores the true experience of minority women because such attention is designed to gain white support for domestic violence programs in white communities).

Understanding of these paradoxes is enriched by Elizabeth Schneider's explication of what she calls "particularity" and "generality" in feminist theory and practice.<sup>112</sup> Schneider's categories are complex and dialectic in nature. Particularity refers to women's experiences in particular social locations, including those other than gender, and to the unique experience of women battered by men in general<sup>113</sup>—for example, as compared to other victims of violence such as the elderly, children, or gays and lesbians.<sup>114</sup> Generality includes the broader issues related to women's subordination as well as violence in society more generally.<sup>115</sup>

The discussion in Part IV about the roles of race, class, and culture in both shaping and obscuring woman-battering in Asian Indian communities demonstrates the value to theory and praxis of enriching particularity. As we have seen, analysis of the relationship between economic conditions and domestic violence that fails to account for race or culture with sufficient nuance can hide dynamics within the group, including the nature and significance of domestic violence in the Asian Indian community. This has resulted in policy recommendations that overlook upper-income communities experiencing heightened levels of woman abuse as needful of anti-domestic violence resources.<sup>116</sup> It has also resulted in recommendations that are too narrowly conceived. For example, researchers associating women's vulnerability for domestic violence with poverty recommend targeting cash aid to poor women.<sup>117</sup> Cash aid, however, will not address cultural conditions of subordination that may also be present and that are formed by historical-legal contexts, such as immigration, that are unrelated to (or function independently from) poverty.<sup>118</sup> Moreover, family income does not indicate the extent of control

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112. See ELIZABETH M. SCHNEIDER, *BATTERED WOMEN & FEMINIST LAWMAKING* 59-73 (2000) [hereinafter SCHNEIDER, *BATTERED WOMEN*]. See generally Elizabeth M. Schneider, *Particularity and Generality: Challenges of Feminist Theory and Practice in Work on Woman Abuse*, 67 N.Y.U. L. REV. 520 (1992) [hereinafter Schneider, *Particularity and Generality*].

113. See Schneider, *Particularity and Generality*, *supra* note 112, at 527 (describing "particularity" to include the detailed and non-simplistic documentation of women's experiences).

114. See *id.* at 542-48 (arguing that the experiences of battered lesbians and gay men require expanding definitions of battering beyond the traditional heterosexual framework); see also SCHNEIDER, *BATTERED WOMEN*, *supra* note 112, at 71 (asserting that elder abuse resembles woman abuse in that both frequently occur within an intimate, long-term relationship).

115. Schneider, *Particularity and Generality*, *supra* note 112, at 527.

116. See, e.g., NAT'L INST. OF JUSTICE, *supra* note 81, at 5-6 (recommending that law enforcement officials give increased attention to disadvantaged neighborhoods and strategize to prevent and detect intimate partner crimes in these neighborhoods).

117. See *id.* at 6.

118. See Mendelson, *supra* note 78, at 168-69 (proposing that the status "immigrant" cannot be fully understood without "considering immigration as a legal,



over financial resources available to individual family members, and is therefore not necessarily a reliable measure of vulnerability to abuse due to economic conditions.

While the need for even greater nuance in order to analyze the social conditions of domestic violence with accuracy seems clear, Schneider argues that the emphasis on particularity has unintended consequences for public policy on domestic violence. By way of example, she observes the way that domestic violence is handled in the media.

[T]he problems that battered women face are viewed in isolation; they are rarely linked to gender socialization, women's subservient position within society and the family structure, sex discrimination in the workplace, economic discrimination, problems of housing and lack of child care, lack of access to divorce, inadequate child support, problems of single motherhood, or lack of educational and community support. The focus is still on the individual woman and her "pathology" instead of the batterer and the social structures that support the oppression of women and that glorify or otherwise condone violence.<sup>119</sup>

To resolve these deficiencies, Schneider argues that feminists must "simultaneously be 'particular,' in documenting the experiences of women who are battered by men, and 'general,' in linking violence against women to women's subordination within society and to wider social problems of abuse of power and control."<sup>120</sup>

Schneider's analysis echoes the characteristics of counter-hegemonic narrative discussed earlier. However, her assessment of media depictions of domestic violence is inaccurate with regard to media coverage of homicide-suicide. Media coverage of these crimes follows the imperatives and routines of forensic journalism. As described in Part II, these routines do not typically result in the pathologizing of victims—or perpetrators. Moreover, while forensic journalism typically portrays crimes involving domestic violence as a structural, analysis of the Rajaram case shows that the media can relate incidents of domestic violence to macro structures and still obfuscate issues of woman abuse. Analysis of the Rajaram case also shows that the process of obfuscation was facilitated, not by the absence of theory linking woman abuse to larger social structures, but by perceptions of the Rajaram family's membership in class and racial groups where domestic violence is widely viewed as absent.

These observations underscore three points. First, deficiencies in feminist theory are not directly to blame for the media's failure to connect

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social, and political process" that is active in the construction of immigrant identities).

119. See SCHNEIDER, *BATTERED WOMEN*, *supra* note 112, at 72 (finding that this isolationist perspective also characterizes domestic violence legislation).

120. See *id.* at 59.

woman abuse to broader social problems, except insofar as feminist ideologies have failed to achieve hegemony. Second, a more detailed analysis of the particularity of women's experience is, nonetheless, necessary to undermine hegemonic narrative.<sup>121</sup> Third, challenging hegemonic discourse at the level of media requires engaging not only theory, but the mechanics of forensic journalism itself.

### B. *Engaging the Media*

As a preliminary matter, it is important to note that the media and dominant ideology are not synonymous, and the media is not uniformly or consistently in opposition to anti-domestic violence efforts. Media coverage of domestic violence has on occasion been an important conduit of information in support of public education and reform efforts. The most cited example is coverage of the O.J. Simpson criminal trial, which provided a platform for anti-domestic violence activists to speak about the problem of woman abuse and is credited with influencing numerous legal reforms across the country.<sup>122</sup> In addition, the efforts of individual investigative journalists committed to domestic violence reporting have exposed problems and brought needed pressure in local communities, also leading to reform.<sup>123</sup>

For these reasons alone, it makes sense for activists to identify and understand media resources, and develop alliances in the media. Indeed, domestic violence service providers may consider the media an essential part of efforts to make and maintain collaborative relationships within the community. Media relationships can be used to publicize services and events, or to suggest stories or provide commentary. However, the success of these efforts in terms of enriching discourse about domestic violence may be limited. The interests of media and activists in a given story are often not in sync. Reporters may be interested in angles that feel tangential or even subversive to the core issues from the activist's perspective. The media may also be disinterested in topics or story angles raised by activists

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121. Schneider's category of "generality"—which is, essentially, the arena of grand theory—might be more effectively cast as theorizing the dynamics of particularity itself so as to make the circumstances of woman abuse more visible in the aggregate.

122. See, e.g., SCHNEIDER, BATTERED WOMEN, *supra* note 112, at 208-09 (describing legal reforms associated with the Simpson trials). *But see id.* at 206-07 (describing reports from domestic violence victims that the verdict in Simpson's criminal trial emboldened their batterers because "O.J. could get away with it," and arguing that the trial may have reinforced false stereotypes about domestic violence); Sheryl McCarthy, *The Role of the Media in Domestic Violence Cases*, 58 ALB. L. REV. 1235, 1237 (lamenting that the media missed an opportunity to advance public discourse regarding domestic violence by turning the Bobbitt case into a joke).

123. See, e.g., PTACEK, *supra* note 84, at 50-57 (documenting the role of the *Boston Globe* and reporter Eileen McNamara in defining domestic violence as a public problem and prompting significant changes in the Boston courts).

and others in the anti-domestic violence community, effectively shutting out certain issues and perspectives from mainstream media completely.<sup>124</sup>

Moreover, coverage of the Rajaram case illustrates the difficulty of supplanting the context provided by routine sources. As described above, generally the context for a homicide-suicide story derives from factual details provided by the criminal justice sources that lend forensic journalism its name. Even though the Los Angeles Police Department departed from the routines of forensic journalism by supplying a narrative that linked the perpetrator's alleged motive for the killings to a national crisis, and despite the existence of conflicting facts, the media still utilized the police department's narrative to the virtual exclusion of all others. Other sources for the story, including those from the anti-domestic violence advocacy community, were used to support the narrative already provided by law enforcement, or supported other story elements without challenging the dominant narrative.

Despite the challenges of influencing this discourse, the high level of public interest in crime stories bolsters the prominence of forensic journalism's hegemonic narrative, and suggests that engagement with this media form is of particular importance. In turn, the routines of forensic journalism suggest that this requires influencing, augmenting or supplanting existing law enforcement sources. The question is how to use this insight to work effectively toward media narratives about domestic violence that tell the truth about women's experiences.

### *C. Becoming the Source: Domestic Violence Death Review*

Domestic violence death review teams (DVDRTs or fatality review teams) may provide an opportunity to create new narrative frames for domestic violence homicide and homicide-suicide stories. Based on the model of the original child death review team established in Los Angeles County in 1978, death review is designed to "review domestic violence-related fatalities, strengthen system policies and procedures and identify prevention strategies to reduce further incidents of domestic violence-related injuries and deaths."<sup>125</sup> DVDRT membership is interprofessional,

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124. See, e.g., BU Department of Film and Television, Battered Mothers Custody Conference Interviews, <http://uk.youtube.com/watch?v=5viwjAorU8> (last visited Apr. 13, 2009) (discussing media disinterest in maltreatment of abused custodial mothers and their children by the courts). As demonstrated by the latter, non-traditional media may be an alternative in such instances. The potential for utilizing media stories for public education and other objectives may also be limited by factors unrelated to either media or activist goals and intrinsic to the event itself. See, e.g., SCHNEIDER, BATTERED WOMEN, *supra* note 112, at 204-05 (discussing the ways in which the O.J. Simpson trial was shaped by the trial process and idiosyncrasies of the prosecutors).

125. CAL. ATT'Y GEN.'S OFFICE CRIME & PREVENTION CTR., CALIFORNIA'S DOMESTIC VIOLENCE DEATH REVIEW TEAM PROTOCOL 5 available at [http://safestate.org/documents/DV\\_death\\_review\\_protocol.pdf](http://safestate.org/documents/DV_death_review_protocol.pdf) [hereinafter CALIFORNIA

typically bringing together key members of local anti-domestic violence community systems.<sup>126</sup> For example, legislation authorizing the establishment of county DVDRTs in California requires teams to include experts in forensic pathology and health issues related to domestic abuse; coroners and medical examiners; criminologists; district and city attorneys; shelter service staff and battered women's advocates; law enforcement personnel; representatives of child abuse agencies; and related professional associations.<sup>127</sup> Protocols established by the California Attorney General's Office also suggest including representatives from rape crisis services, schools, and the judiciary.<sup>128</sup> The victim's family may be invited to participate as well.<sup>129</sup> Florida law defines review teams as including members of the business community.<sup>130</sup> Other suggested members include representatives from legal aid organizations, churches, batterer intervention and substance abuse programs, and experts in media issues.<sup>131</sup>

Teams review deaths based on protocols established by jurisdiction, which is typically by county but may vary depending on the needs of the local population.<sup>132</sup> Protocols define the scope of deaths reviewed by the team. In California, for example, teams may use the penal code definition of domestic violence, which focuses on intimate partner violence, or the definition in the family code, which includes violence between family members.<sup>133</sup> California's DVDRT protocol recommends that teams in counties with a larger number of homicides choose the more restrictive definition.<sup>134</sup> Teams may also decide to review "borderline" cases, where

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PROTOCOL]; see Janet Sullivan Wilson & Neil Websdale, *Domestic Violence Fatality Review Teams: An Interprofessional Model to Reduce Deaths*, 20(5) J. INTERPROF. CARE 535, 539 (2006) (describing death review as a "deliberative process to prevent future domestic violence and homicide, provide strategies to ensure safety, and hold perpetrators and systems accountable").

126. See, e.g., CALIFORNIA PROTOCOL, *supra* note 125, at 7-8; Wilson & Websdale, *supra* note 125, at 539; National Domestic Violence Fatality Review Initiative, Key Questions, <http://www.ndvfri.org/index.php?id=39305#q5> (last visited Apr. 13, 2009) [hereinafter NDVFRI, Key Questions] (describing team membership as inclusive rather than exclusive and providing examples of membership).

127. See CAL. PENAL CODE § 11163.3(d) (West 2009).

128. See CALIFORNIA PROTOCOL, *supra* note 125, at 7-8 (listing nonessential members for the death review team who have proven to be valuable resources).

129. See *id.* at 16 (discussing reasons for and against inviting family members to join the death review team).

130. FLA. STAT. ANN. § 741.316(1)(j) (LexisNexis 2008).

131. See NDVFRI, Key Questions, *supra* note 126 (analyzing the question of who might serve on a team).

132. See National Domestic Violence Fatality Review Initiative, State by State Matrix, <http://www.ndvfri.org/index.php?id=37955> (last visited Apr. 13, 2009) [hereinafter NDVFRI, State by State Matrix] (providing a state by state matrix of DVDRTs).

133. See CALIFORNIA PROTOCOL, *supra* note 125, at 9-10.

134. See *id.* at 10.

domestic violence was present but may not have been the direct cause of death.<sup>135</sup> Examples of the latter include suicide of a domestic violence victim or death of a victim caused by the perpetrator's drunk driving.<sup>136</sup> Deaths within the purview of the teams may be identified from police or medical examiner records or the media.<sup>137</sup> All deaths may be reviewed in detail, or data may be aggregated and then a smaller number of deaths reviewed in depth.<sup>138</sup> Cases reviewed may be open or closed (e.g., the fate of the perpetrator has been decided by a court, or the case is a homicide-suicide);<sup>139</sup> in California most teams only review closed cases.<sup>140</sup>

Due to the nature of the information shared in death review, confidentiality is generally an important part of the process on at least two levels: facilitating the review of otherwise confidential information by team members, and maintaining confidentiality of the review process, including confidential information disclosed therein.<sup>141</sup> Some states with legislation governing DVDRTs have provisions regarding these confidentiality issues.<sup>142</sup> Individual teams also have confidentiality agreements that members are required to sign, barring disclosure of death review information outside of the team and team meetings.<sup>143</sup> Teams ideally release agreed upon information in annual or semi-annual reports disseminated to the public.<sup>144</sup>

Twenty-three states report the enactment of legislation authorizing the formation of DVDRTs, although not all of these report active teams.<sup>145</sup> An additional eleven states have teams that are operating in the absence of authorizing legislation.<sup>146</sup> Only fourteen states report neither authorizing

135. *See id.*

136. *See id.* at 10-11.

137. *See* Wilson & Websdale, *supra* note 125, at 539.

138. *See* NDVFRI, Key Questions, *supra* note 126 (providing Philadelphia's DVDRT process as an example of the latter).

139. *Id.*

140. *See* CALIFORNIA PROTOCOL, *supra* note 125, at 11 (acknowledging that few teams have attempted to review open cases).

141. *See generally* Robin H. Thompson, *Confidentiality and Fatality Review*, 1 FATALITY REV. BULL. 1 (2002) (providing an overview of confidentiality issues implicated by death review, and governing federal and state laws).

142. *See id.* at 4-5 (listing California, Florida, and Delaware); National Domestic Violence Fatality Review Initiative, Team Confidentiality Agreements, <http://www.ndvfri.org/index.php?id=37976> (last visited Apr. 13, 2009) (citing examples such as Virginia, California, and Florida).

143. *See* Thompson, *supra* note 141, at 5.

144. *See* Wilson & Websdale, *supra* note 125, at 539; National Domestic Violence Fatality Review Initiative, State Reports, <http://www.ndvfri.org/index.php?id=37956> (last visited Apr. 13, 2009) (providing DVDRT reports on the NDVFRI website).

145. *See* NDVFRI, State by State Matrix, *supra* note 132 (detailing the possibility of creating, and existence of DVDRTs on a state-by-state basis).

146. *See id.*

legislation nor team activity.<sup>147</sup> DVDRTs have also been established in all military branches by the Department of Defense.<sup>148</sup>

DVDRTs may be important in the creation of counter-hegemonic narrative about domestic violence homicide and homicide-suicide for at least three reasons. First, death review provides an opportunity to identify and study domestic violence-related deaths outside the routines of forensic journalism. Thus, deaths like those of the Rajaram family that were not identified as resulting from or connected to domestic violence can be included in death review so long as they fit within team protocols.

Second, death review facilitates the collection and analysis of data connected to domestic violence homicide and homicide-suicide. Richer data streams are necessary for the development of the more nuanced intersectional analysis necessary for counter-hegemonic narrative. Because DVDRTs are closer to the raw data, team members have the opportunity to collect more detail both from individual cases and across cases over time.

Third, the inter-professional framework of death review creates opportunities for educating criminal justice participants—the source of context for media stories about domestic violence-related homicide—about the impact of narrative frames that obscure domestic violence. It also allows system members to identify additional opportunities for collaboration across the system, for example in preparing for press conferences after domestic violence homicides and homicide-suicides, and public education efforts unrelated to specific crimes. Each of these efforts can result in more complete narratives about domestic violence than forensic journalism currently provides.

Although promising, these are of course mere opportunities. Challenges to data collection include properly defining cases for review so as not to be over- or underinclusive.<sup>149</sup> Moreover, identifying the cases suitable for

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147. *See id.*

148. *See* Wilson & Websdale, *supra* note 125, at 541 (discussing the standardization of DVDRTs in the United States).

149. *See* LOS ANGELES COUNTY DOMESTIC VIOLENCE DEATH REVIEW TEAM, REPORT OF THE 1997 DOMESTIC VIOLENCE FATALITIES 19 (2001), available at <http://www.baylor.edu/content/services/document.php/29004.pdf> (expanding the review of domestic violence fatality cases to include “any homicide that was *motivated* by a dating, spousal or intimate relationship . . .”) (emphasis added). It is unclear if the Rajaram case would be reviewed under the definition utilized by the Los Angeles County DVDRT in their last published report. Notably, the definition was intended to be broader than those limiting death review to cases where a male killed his female intimate partner, and includes cases where children and other family members are victims. *See id.* However, the report does not explain how the perpetrator’s motivation is discerned, especially in cases with no known history of abuse preceding the event. Presumably the Rajaram case would qualify for review, given that Karthik killed only his wife and other immediate family members in addition to himself, seemingly for no other reason than their relationship to him, regardless of what other factors were in play. However, it would be advisable for the team to craft a definition that is clear cut and, unlike the process of establishing the motives of perpetrators, does not in itself

review will remain an issue regardless of the definition used for case selection due to inconsistent standards used by different agencies.<sup>150</sup> In addition, while the flexibility of the DVDRT model allows for responsiveness and invention at the local level, it also complicates the aggregation of data across jurisdictions.<sup>151</sup>

Some of these problems may be addressed through ongoing collaboration across agencies within individual death review teams. In addition, the National Domestic Violence Fatality Review Initiative (NDVFRI) connects teams through resources including annual conferences, a website, publications, and technical assistance.<sup>152</sup> Funded by the United States Office of Justice Programs' Violence Against Women Office, the NDNVRI facilitates dialogue among teams and has fostered identification and standardization of best practices,<sup>153</sup> which will hopefully grow to include the compilation of data that maintains depth as well as breadth.

The project of building a counter-hegemonic narrative about domestic violence homicide-suicide would also be facilitated by a system view that included the media—although not necessarily as a DVDRT participant.<sup>154</sup> A systems matrix showing the inter-relationships of domestic violence-related services and institutions is a useful tool for system analysis.<sup>155</sup> Building a matrix that includes the media as a system participant would be a valuable effort toward exposing both the problem and the solution of media involvement in perpetuating domestic violence myths and ideologies.

Finally, state legislation mandating rather than authorizing DVDRTs may help overcome local political or other resistance to forming or

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require a forensic analysis. *Compare Police: Jobless Father Kills Family, Self*, *supra* note 33 (describing the family relationships in the Rajaram case), with CAL. PEN. CODE § 13700(b) (West 2009) (identifying abuse against a spouse as a form of domestic violence), and CAL. FAM. CODE § 6211 (West 2009) (defining domestic violence as abuse perpetrated against a spouse or child, among others). The murder of Subasri Rajaram would fit under either statutory definition of domestic violence provided by California law; the deaths of her mother and children would fit under the Family Code definition, which includes family members.

150. See L.A. COUNTY DOMESTIC VIOLENCE DEATH REVIEW TEAM, *supra* note 149, at 20.

151. See NDNVRI, Key Questions, *supra* note 126 (noting that the local, democratic model for DVDRTs is “not necessarily amenable to the kind of convenient aggregate data gathering” called for by some types of legislation).

152. See National Domestic Violence Fatality Review Initiative, About, <http://www.ndvfri.org/index.php?id=37945> (last visited Apr. 13, 2009); see also Wilson & Websdale, *supra* note 125, at 541.

153. See Wilson & Websdale, *supra* note 125, at 541.

154. See NDNVRI, Key Questions, *supra* note 126 (discussing problems associated with media participation in death review, such as perpetrating myths about domestic violence).

155. See, e.g., CALIFORNIA PROTOCOL, *supra* note 125, at app. C.

maintaining teams in some jurisdictions. Legislation should also mandate the publication of reports on a regular basis. Available records indicate that teams vary widely in reporting on findings from death review, with many teams either falling inactive or failing to publish regular reports.<sup>156</sup> Absent the requirement that reports be issued, uncooperative team members—especially those with political power and/or control of resources—can hold up the review process. Such a mandate is even more important given confidentiality rules that, while important to the functioning of teams, result in a black hole of information when no reports are produced. Legislation mandating performance standards would help address these problems and improve the DVDRT process.

## VI. CONCLUSION

Media accounts of domestic violence homicide and homicide-suicide do not typically help communities understand the problem of domestic violence, nor answer the key questions asked at the beginning of this Article about the Rajaram case: whether a history of abuse preceded the killings, whether the killings were preventable, and what the tragedy teaches us about preventing domestic violence in the future. Instead, the routines of forensic journalism spin narratives that maintain dominant ideologies. Analysis of media coverage of the Rajaram case illuminates the flexible nature of patriarchy by showing how these narratives selectively reference macro-social relationships while maintaining their hegemonic character. The Rajaram coverage also demonstrates the ways in which essentialist notions of race, class, and culture facilitate these narratives, and why building a counter-hegemonic narrative about domestic violence will require a more particularized understanding of women's experiences. By establishing local processes involving diverse perspectives for the identification and examination of domestic violence-related deaths such as the Rajarams, communities can create deeper understanding of the problem of woman abuse, and excavate the building blocks for solutions.

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156. See National Domestic Violence Fatality Review Initiative, State Reports, <http://www.baylor.edu/ndvfri/index.php?id=37956> (last visited Apr. 13, 2009) (providing county DVDRT reports by state).