



<https://www.hofstra.edu/graduate/images/programs/liberal-arts-sciences/graduate-hero-forensic-linguistics.jpg>

Forensic Linguistics –

What is it and how has it been used in criminal trials?

By Kaley Frye

**Trigger Warning: murder, bombing, death penalty mentioned*

LINGUISTICS, or the study of human language and speech, is one of the lesser-known social sciences; however, it is one that is incredibly relevant in our everyday lives. Linguists study the creation and evolution of languages, how we build and interpret sentences, how language can serve as indicators of our identities, and much more. FORENSIC linguistics is a specific subfield that studies language in the context of law and criminal investigation – both the language of the law itself, and any linguistic evidence that may be relevant to a trial’s outcome.

Spell: LINGUISTICS FORENSIC CONTEXT
 Linguistics is one of the lesser-known social _____. SCIENCES
 Linguistics is defined as the study of human speech and _____.
 LANGUAGE

Forensics Linguistics studies evidence that may be relevant to a trial’s
 what? OUTCOME

Linguists study how language can _____. SERVE AS AN INDICATOR OF
 IDENTITY, EVOLVE

What is forensic linguistics? SUBFIELD OF LINGUISTICS, LANGUAGE IS
 STUDIED IN CONTEXT OF LAW AND CRIMINAL INVESTIGATION



Photo via <https://pixabay.com/en/fingerprint-expression-328992/Wikimedia>

Think of it this way: a forensic linguist looks for language-related EVIDENCE in the same way a traditional forensic scientist might dust for FINGERPRINTS or test a blood sample for drugs. While linguistic evidence does not yet hold the same weight that the more traditional physical evidence does, these linguistic “fingerprints” can be used to point investigators in the right direction and are beginning to have a place in the courtroom, particularly in cases that lack physical evidence.

Spell: FINGERPRINTS COURTROOM WEIGHT
Linguistic evidence is often used in cases that lack _____. PHYSICAL EVIDENCE

Linguistic evidence does not hold the same weight in ____ as traditional physical evidence? COURT

One example given of how a traditional forensic scientist looks for evidence was _____. DUSTING FOR FINGERPRINTS, TESTING BLOOD SAMPLES FOR DRUGS

What is another type of forensic evidence? FINGERPRINTS, DNA, BALLISTICS, BLOOD

What’s one question about language you have? How would you go about researching it?

The term “forensic linguistics” was first coined by Georgetown University professor JAN SVARTVIK in his book *The Evans Statements: A Case for Forensic Linguistics*. The book detailed his time analyzing the statements of a man named TIMOTHY JOHN EVANS, who was ACCUSED of murdering his wife and daughter. Svartvik demonstrated through linguistic analysis that Evans’ CONFESSON was highly unlikely to have been

written by the man himself, and it was later confirmed that the statement was written by police and simply signed by Evans, who could not read or write. Eventually it was discovered that the true murderer was a man by the name of John CHRISTIE, the Evans' neighbor, whom the police questioned but never seriously considered.

Spell: ACCUSED CONFESSION UNLIKELY

Who coined the term forensic linguistics? JAN SVARTVIK

At what university did Jan Svartvik work? GEORGETOWN

Who was accused of murdering his wife and daughter? TIMOTHY JOHN EVANS

Why was highly unlikely that Evan wrote his confession? HE COULD NOT READ OR WRITE, ILLITERATE

Name another famous criminal case in Britain. JACK THE RIPPER, GUY FAWKES

Why does Evans' inability to read or write make his confession invalid?

Christie not only killed Evans' wife and daughter, but six other women, totaling eight victims. Apart from their presentation of a botched confession statement, police had failed to discover the poorly hidden bodies around Christie's property, and had even ignored the delivery of a human skull found by some children in his backyard. All of this confirmation, both the evidence and linguistic ANALYSIS, however, came too late for Evans. His 1950 trial in London ended with a GUILTY verdict a mere forty minutes after its start, and he was executed three months later. He was given a POSTHUMOUS pardon in 1966, but the damage had already been done, and so Evans' case became one of the major wrongful execution cases that were used to champion the abolishment of the death penalty in Britain in 1969.

Spell: POSTHUMOUS EXECUTION ANALYSIS

A human skull was found in Christie's _____. BACKYARD

What was the verdict of Evans' trial? GUILTY

How many years after Evans' trial was the death penalty abolished in Britain? 19

Where was Evans tried? LONDON, BRITAIN, UK

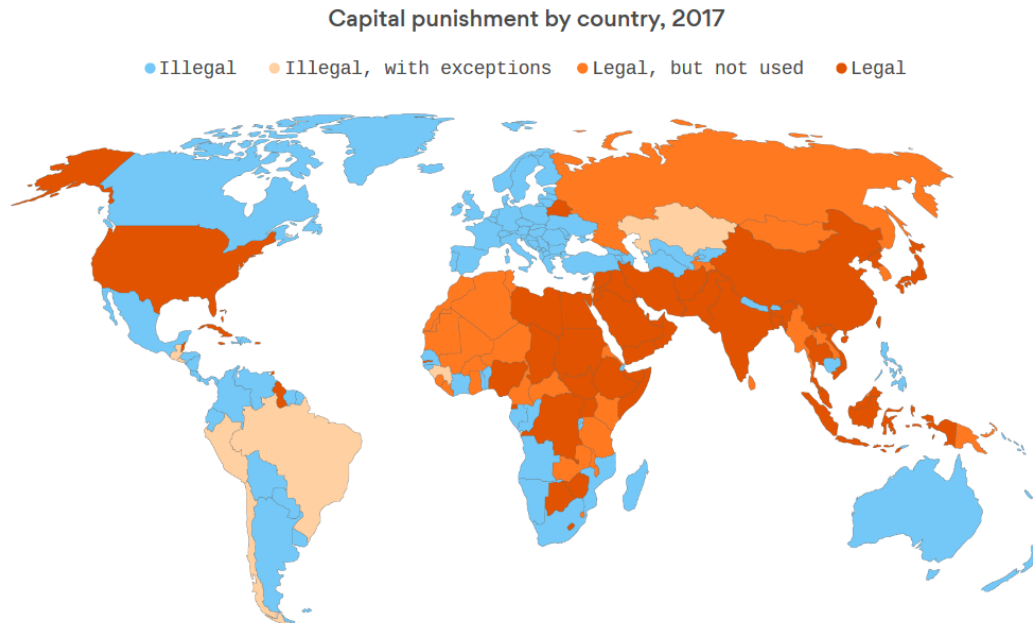
Evans' wrongful execution was used as evidence in the debate on what political hot topic? THE DEATH PENALTY, CAPITAL PUNISHMENT

Name another famous criminal case in Britain. JACK THE RIPPER, GUY

FAWKES

Why do people sometimes ignore evidence?

VAKTivity: Map of which world countries still have the death penalty as of 2017



<https://www.reddit.com/media?url=https%3A%2F%2Fi.redd.it%2Ffolzpzrsi9d11.png>

Perhaps the most famous case which relied heavily on linguistic evidence was the case of the UNABOMBER, a serial bomber who turned out to be 53-year-old Ted KACZYNSKI, a once-brilliant mathematical prodigy turned eco-terrorist (a person who uses violence to further environmental policies). Kaczynski sent bombs through the mail, sixteen in total, killing three people and injuring many more. He used his significant intellect to his advantage, going to extreme lengths to remove any possible evidence from his bombs. But because he was bombing with a purpose, he had to make that purpose known. So, Kaczynski wrote a 35,000-word MANIFESTO (a declaration of policy and aims), which he sent to The Washington Post and The New York Times, threatening to send even more bombs if it was not published. It was this manifesto that would prove to be his downfall.

Spell: UNABOMBER DOWNFALL MANIFESTO

What is the name of the serial bomber? TED KACZYNSKI

What nickname is Kaczynski more commonly known by? THE UNABOMBER

What is the word for someone who uses violence to further environmental policies? ECO-TERRORIST

How were Kaczynski's bombs delivered? THROUGH THE MAIL, SENT IN THE MAIL, MAILED

Name a newspaper Kaczynski sent his manifesto to. THE WASHINGTON POST, THE NEW YORK TIMES

Why would someone still send a manifesto if it could help identify them as a criminal?

As a result of the threats and as a desperate attempt to turn up any leads, the police allowed the newspapers to publish the manifesto. While waiting to see if anyone would step forward with information, the manifesto was handed to FBI PROFILER James FITZGERALD for linguistic analysis. Fitzgerald used some of the outdated terms included in the writing to estimate the bomber's APPROXIMATE age (though his estimate was later revealed to be off by around ten years). The manifesto was also looked at by Roger SHUY, a linguistics professor who suggested that there was a strong possibility that the bomber was from CHICAGO, as he used many "Chicago-isms," and several of the bombs had been sent from the city. The real linguistic breakthrough of the case, however, came from Ted Kaczynski's brother, David Kaczynski.

Spell: PROFILER FITZGERALD APPROXIMATE

What government organization did Fitzgerald work for? FBI

What is the full name of the linguistics professor who hypothesized where Kaczynski was from? ROGER SHUY

What city did Dr. Shuy pinpoint as Kaczynski's likely location? CHICAGO

Fitzgerald's estimation of Kaczynski's age ended up being off by around how many years? 10

Why did police allow newspapers to publish Kaczynski's manifesto?

THREATS, DESPERATION FOR LEADS

Name one of the identifying features the linguists estimated. AGE, LOCATION, PLACE OF BIRTH

What does the acronym FBI stand for? FEDERAL BUREAU OF INVESTIGATION

VAKTivity:

Check out these fun examples of how where you're from can influence your vocabulary!

<https://youtu.be/4HLYe31MBrg?si=ZB6UCtEsfEkaT4UT&t=19>

Do you think your answers often match up to those of the speakers from your region in the video? Why or why not?

What do you think of the FBI's decision to allow the newspapers to publish?

David Kaczynski had feared from early on in the case that his brother Ted was responsible for the bombings. When the manifesto was released in newspapers, he leapt on the chance to read it and hopefully find something hidden within that would EXONERATE Ted. This plan, unfortunately, backfired, and David was left feeling only more strongly convinced that Ted was behind the crimes. He recognized multiple uncommon phrases that he had heard his brother use before, such as referring to a group as “cool-headed LOGICIANS” (people who study logic). Although he was torn between legal and familial loyalty, David ultimately decided to take his SUSPICIONS to the FBI, and Ted Kaczynski was captured a short time later. In 1998, he was sentenced to four life sentences plus thirty years and died in prison in 2023 at the age of 81.

Spell: EXONERATE LOGICIANS SUSPICIONS

David Kaczynski originally read the manifesto looking for evidence that would ____ his brother. EXONERATE

The lesson said David's plan unfortunately, _____. BACKFIRED

What word did Ted Kaczynski use to describe a group of logicians? COOL-HEADED

How many years did Kaczynski spend in prison? $2023 - 1998 = 25$

If the average life expectancy for American men is 73 years. Four life sentences would equal how many years. $73 \times 4 = 292$ YEARS

How many potential years in total was Kaczynski sentenced to? $292 + 30 = 322$ YEARS

What did David Kaczynski recognize in his brother's manifesto? MULTIPLE UNCOMMON PHRASES, UNCOMMON SAYINGS, COOL-HEADED LOGICIANS

What is a phrase that you or someone you know uses that's super unique?

Despite the nature of the two previous examples, it's important to note that forensic linguistics isn't all doom and gloom – sometimes it can be involved in relatively victimless crimes, or even be downright amusing. One such example is a LAWSUIT from 1988. The Quality Inns Hotel Incorporation wanted to open a new line of economy motels that they would call McSleep Inn. They claimed that the prefix “Mc” would project feelings of economy and favorability as a result of the prefix's link to Scottish people

and the positive STEREOTYPES associated with them.

Spell: LAWSUIT QUALITY STEREOTYPES

What is the name of the line of economy motels Quality Inns was trying to establish? McSLEEP INN

Quality Inns claimed that they wanted to use the prefix “Mc-” because of its connection to people from what country? SCOTLAND

Quality Inn claimed that the prefix “Mc” would project feelings of ____.
ECONOMY, FAVORABILITY

It’s important to note that forensic linguistics isn’t all what? DOOM,
GLOOM, CRIME

They ran into a problem, however, when MCDONALD’S sued them over the use of “Mc,” claiming that Quality Inns was infringing on their trademark use of the PREFIX. A number of linguists were brought in to testify on both sides, debating the question “Will the use of ‘Mc-’ lead consumers to associate the McSleep Inns with McDonald’s, allowing Quality Inns to benefit from McDonald’s popularity?” One lawyer comedically stated that “McDonald’s is not entitled to a ‘McMonopoly.’” However, the judge disagreed, ruling that the name “McSleep” INFRINGED on McDonald’s trademark, and that Quality Inns would not be allowed to use the name going forward.

Spell: MCDONALDS PREFIX INFRINGED

Who did McDonald’s sue? QUALITY INNS

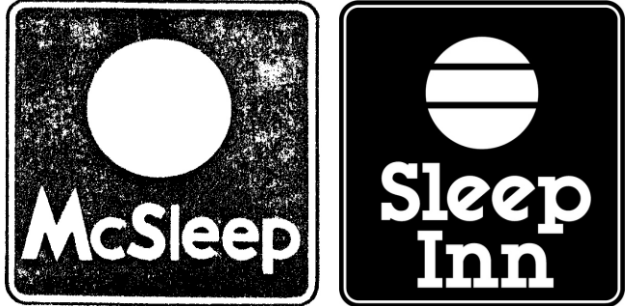
The judge ruled that Quality Inns would not be allowed to use the name going ____.
FORWARD

The prefix in question was what? MC

One lawyer comedically stated that “McDonald’s is not entitled to a what?”
MCMONOPOLY

What question was this trial attempting to answer? DOES THE USE OF
“MC-” INFRINGE ON MCDONALD’S TRADEMARK, ETC

VAKTivity: Side-by Side Comparison of the original logo design pre-lawsuit, and the current design with the updated name



<http://www.ipaaustralia.com.au/applicant/quality-inns-international-inc/trademarks/473701/>
<https://logotypes101.com/logo/sleep-inn>

Do you think Quality Inns' use of "Mc-" is infringing on McDonalds' trademark, or do you think they should have been allowed to use it?

Creative Writing: We've talked about linguistic evidence being used in criminal trials and business lawsuits. Tell me about a topic or field you're interested in that you think could relate to linguistics research and explain how it would relate. (Think outside of the box – there are very few topics out there that you can't relate linguistics to somehow!)

Kaley Frye grew up in Orlando, FL, and is currently a student at Emory University studying psychology and linguistics. Outside of class, she enjoys a variety of hobbies, including being a member of Emory's Concert Choir and competitive ballroom dance team.

Resources:

- Forensic Linguistics - History (liquisearch.com)
- Forensic Linguistics: Intersection of language and law - Legal Desire Media and Insights
- introduction_to_special_issue_on_forensic_linguistics_european_perspecti ves.pdf (cambridge.org)
- Timothy Evans: Wrongfully Executed - The CrimeWire
- This Is How The Unabomber Was Finally Caught (grunge.com)
- How the Unabomber's unique linguistic fingerprints led to his capture (theconversation.com)
- WHAT'S IN A NAME? MCDONALD'S, QUALITY INNS GO TO COURT TO FIND OUT - The Washington Post