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Forensic Linguistics – Challenges and Opportunities



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Blackmail letters, threatening letters, defamatory letters, ransom notes, accusatory letters and claims of responsibility constitute criminal offenses and/or are drafted in the context of criminal offenses. The question of authorship is therefore often of crucial importance, since appropriate answers allow for inferences regarding the identity of the offender. Analyzing such texts is the task of forensic linguistics or, to be more precise, authorship attribution or author identification. Authorship identification is based upon the recognition that the authors of incriminating texts usually think about what they want to communicate to the victim (or the recipient) but barely about how they communicate. In other words, authors tend to be unaware of the fact that the language that they use is, in and of itself, a clue worth investigating. Forensic text analysis involves both the analysis of single incriminating texts and comparative analyses. This article addresses possible areas of application of this relatively recent ancillary discipline of criminology, and presents a number of specific examples in order to illustrate the potential contributions of linguistics to criminal investigations, elucidating both the methods and procedures used and the insights that they might yield.

1. LINGUISTICS AS AN ANCILLARY DISCIPLINE OF CRIMINOLOGY AND JURIS- PRUDENCE

As indicated both by its name and its intended role, forensic linguistics is primarily an ancillary discipline of criminology. In other words, forensic linguistics involves the application of the methods and procedures of and insights gained from linguistic research to texts that are deemed relevant in a criminal investigation. The most common question that forensic linguistics is expected to answer concerns the authorship of a specific text. In addition, authorship attribution sometimes also plays a role in civil law¹, for example in the context of

copyright law and its infringements (i.e., plagiarism) or when it comes to contested interpretations of texts or utterances. The second application can be relevant for a number of different areas of the law, including contract law, product liability law, and competition law. Should the court be unable to commit itself to a specific interpretation of a contested phrase or text, it may decide to use a linguist as an expert witness. Non-linguists must often concede that they understand an utterance in a certain way without being able to make it transparent how they came to endorse a specific interpretation. In such cases, a linguistic expert is called upon to provide a description of the relevant linguistic

rules, as well as grammatical and textual dimensions, in order to demonstrate how someone might come to favor a specific interpretation. This procedure might lead to two different conclusions: either one of the interpretations is clearly more plausible than the other, or both parties may be equally right (for example, because the text contains an ambiguous phrase).²

The recognition that the tools of linguistic analysis might be used in the context of incriminating texts dates from the end of the 1960s. A pivotal event that pushed forward this recognition was the conviction of serial killer John Reginald Christie in the UK (Coulthard/Johnson 2010, 5). Christie confessed to murdering over a dozen women and his confession led to the exoneration of Timothy John Evans, another suspect previously condemned to death. In 1967, Jan Svartvik, a linguist at the University of Gothenburg, performed a posthumous analysis of Evans' witness statement, which provided indirect corroboration for his innocence. Svartvik's analysis showed a clear stylistic difference between those parts of the text in which Evans ostensibly confessed to the murder and the rest of his testimony, which, in turn, led to the conclusion that the relevant passages constituted the interpretation of the interrogating police officer rather than Evans' verbatim statements. The subtitle of Svartvik's stylistic analysis ("a case for forensic linguistics") has served as the name of this new subfield of linguistic inquiry ever since (Svartvik 1968).

In Germany, the Federal Criminal Police Office first started to acknowledge the potential value of stylistic analyses in the context of its investigations relating to the "Red Army Faction" (RAF) terrorist group in the 1970s. By analyzing letters claiming responsibility for various acts of terrorism (especially the abduction of business

executive Hanns Martin Schleyer), the investigating authority hoped to be able to make inferences regarding the possible authors and, indirectly, regarding possible accomplices. The 1980s and 1990s saw several major criminal trials in which philologists and linguists were used as expert witnesses. Because these trials attracted considerable media attention, the wider public also started to become aware of the possible benefits of using linguistic textual analysis in the context of criminal law. Since then, it has become common practice to rely on linguistic expertise in cases of blackmail and confession.

Some years ago, most texts were drafted manually or using a typewriter. Today, most people use word processing software or email services for this purpose and, as a result, the examination of handwritten and typewritten items has become obsolete. What remains is the text itself, the linguistic analysis of which includes the structure of form and content, style, and errors. The analysis encompasses all levels of the text, including diction, syntax, spelling, punctuation, recognizable formal characteristics and, last but not least, the overall impression.

Even though forensic linguistics is a very particular and heavily practice-oriented area of application, it still is a subdiscipline of linguistics. Some of the key challenges therefore involve finding scientifically justified and legally admissible answers to specific questions raised by investigators or a court of law. Such questions might include whether a given person might have authored a given text or whether some text might have been authored by a non-native speaker. The first step is to translate these questions into scientific questions that can be answered using linguistic methods and procedures. For example, linguistics does not have the tools to confirm that a certain

text has been authored by a given person. However, assuming that a linguist receives item A that has demonstrably been authored by the person in question, he or she will probably be able to determine whether item B, an anonymous incriminating text, has been authored by the same person. Although such distinctions might be misconstrued as unnecessary hairsplitting, in fact they act as a safeguard against giving unsubstantiated answers to questions that, using its current methods and level of knowledge, linguistics is not (yet) able to address conclusively.

Investigators often call upon linguistic experts after other forensic methods have been exhausted, although the analysis of incriminating texts could, in many cases, produce important insights in the initial stages of an investigation as well. This tendency is frequently associated with a lack of (appropriate) knowledge regarding the possibilities of linguistic analysis, as a result of which its potential often remains unexploited. The linguistic features of a text (such as a conspicuously large number of errors) might, in certain cases, exhibit specific patterns that are not immediately noticeable to the average observer. For example, whereas a non-linguist might attribute a large number of errors to a lack of solid writing skills, linguistic analysis might reveal that, in fact, they are the result of a deliberate camouflage strategy. The technology requirements of linguistic analysis are relatively modest. Since physical form is irrelevant and the analysis only concerns the text itself (including its content and structure), digital copies are appropriate for its purposes (cf. Dern 2009, 62). By contrast, handwritten copies cannot be used, since humans tend to unwittingly introduce modifications into the text which render it useless.³

2. THE TASKS OF FORENSIC LINGUISTICS

The key objective of forensic text analysis is authorship attribution (also called author identification), since the author's identity often serves as an indication of the offender's identity. There are two main procedures of forensic text analysis: single-item analysis and comparative text analysis. When the expert has a single piece of text, the primary aim of the analysis is to work out biographical information about (i.e., categorize) the author. Subsequently, the results of such categorizations might be included in the offender's personal profile.

2.1 Categorizing an anonymous author
Biographical information becomes apparent in a person's language use to the extent that it is associated with the acquisition or development of linguistic competence. The analysis of style and errors (and, in certain cases, of text structure) might give some indication of the following areas:

Level of education

The author's level of education becomes apparent in the incidence of errors, the way of expression, and the extent to which the text conforms to the norms of the given genre. However, since certain genres like that of blackmail letter have no prescriptive norms, authors tend to follow the rules pertaining to business letters or requests submitted to administrative agencies. If an author manages to preserve the appropriate style throughout the text, uses foreign words correctly, and writes without many errors, this can serve as an indication of the author's writing skills and, concomitantly, his or her level of education. Further indications of higher levels of education (including possibly a tertiary degree) include a clear structure and rigorous organization. Common signs of lower educational levels are spelling mistakes (especially in the

case of foreign words like intelligance, exceed or potasium), incorrectly used words (such as circuli vitiosi instead of circulus vitiosus or vicious circle)⁴, contaminations (such as irregardless instead of regardless or irrespective)⁵, and stylistically awkward formulations (such as lets assume You are anxious that proceedings are proceeded with)⁶. Specific formulations may also be indicative of educational levels by virtue of revealing something about the author's general knowledge (we will exert some influence on the stock exchange and the Internet)⁷.

Writing skills

Another characteristic closely associated with that of the level of education is the question of whether the author is a professional whose job involves writing. One might make the general assumption that persons with higher levels of education are more likely to have a job that requires writing skills. Text segmentation and layout, as well as the use of connectors like conjunctions (e.g., although, if), adverbs (subsequently, heretofore), pronouns (he, those) and segmentation marks (e.g., numbered lists or internal references like the former, the latter, see above, or in conclusion), can also play an indicative role. Clear indications of a "writing profession" include formulations and characteristic textual elements that demonstrate the author's ability to comply with the specific norms of writing business letters (rather than just a fleeting familiarity). Moreover, Dern (Dern 2003, 49) suggests that a German individual who went to school before 1996 and thus learned the pre-reform spelling rules but works at an organization that officially requires its employees to follow the new spelling rules implemented in 1996 might tend to mix obsolete forms with current ones. Such a tendency might allow for a rough estimation of the author's age.

Native speaker competence

The question of native speaker competence becomes relevant if the author makes a large number of errors or the author indicates that he or she is of foreign origin. In such cases, the main focus of inquiry is whether the language competence manifested in the text is that of a genuine non-native speaker or that of a native speaker wanting to appear as a foreigner. In order to be able to recognize such shams, it is crucial to gather data concerning the errors committed by authors trying to present themselves as non-native speakers in a systematic way.⁸ Provided that there is some indication that the author might not be a native speaker, so-called mistakes of inference might, in an ideal case, shed some light on the author's native language.⁹ So-called false friends (i.e., pairs of words that sound similar in both languages but differ significantly in meaning) are of crucial importance in this context. For example, the primary meaning of the Russian word спектакль (spectacle) is performance, whereas this meaning is obsolete in German, and the primary meaning of the word Spektakel is noisy disturbance.¹⁰ If a letter contains both substantive references to Russia and false friends of this kind, this would strongly suggest that the author has (very) good Russian language skills and might even be a native speaker of Russian.¹¹

Qualifications/occupation/specialized knowledge

In some cases, for example of product extortion, offenders tend to make very specific statements regarding their actions, which often contain references to specialized knowledge. By analyzing relevant phrases, a forensic linguist might be able to determine whether the author has, in fact, acquired this specialized knowledge in the course of professional or personal activ-

ities or, alternatively, they are only trying to create the impression that they have some kind of specialized knowledge. Technical language use might manifest itself not only in specific words and their inflection (e.g., sands or milks as technical plural forms in geology or the milk industry), but also in groups of words or phrases. Readers lacking the relevant specialized knowledge might wrongly identify technical language use as an error or peculiarity. However, it should be noted that technical terms increasingly find their way into standard language (“technicalization”) and, even in the most arcane fields, vast quantities of digital information have become accessible to almost anyone.

Region of origin

The author’s region of origin might manifest itself in regionalisms or dialect expressions. The way in which authors write might reflect the way in which they speak, including some phonetic characteristics of their local dialect. For example, if an author misspells the word “bedrängen” (to hassle) as “beträngen”, this might indicate that they come from a Mid-German or Southern German dialect region, in which speakers tend to pronounce the voiced consonants b, d and g with greater energy (“fortition”), making them more similar to their unvoiced counterparts p, t and k. Additionally, the author’s regional origin might become apparent at the level of inflection as well. A case in point is an anonymous letter sent to a Member of Parliament in Germany, which contains two instances of the inflected form “Trotteln” (dorks)¹². In standard German, the plural of Trotteln (dork) is Trottel rather than Trotteln, which might lead to the conclusion that the author committed an error. However, the letter only contains one further spelling mistake (the conjunction dass is spelled as das) and therefore it is very

unlikely that the author would consistently misspell the word Trotteln. In the regional dialect of Southern Germany, Trotteln is considered to be the accurate plural form of Trotteln and, thus, this usage might give an indication of the author’s region of origin.¹³

In most cases, it is impossible to make any conclusive inference regarding the author’s gender. Although impressions like “women are more loquacious than men” or “women tend to make moral and social arguments more often than men” might sometimes be based on personal experience, they are scientifically untenable. By contrast, depending on the type of communication, a linguist might be able to categorize authors in terms of their age, if only in a rudimentary way, such as “young person,” “adult” or “elderly person” (Schall 2004, 558). In this context, written manifestations of developments in the spoken standard language, more specifically the use of substandard neologisms, vogue words or newly coined phrases, might be indicative (Schall, *ibid.*). Non-compliance with established conventions of the genre might also be suggestive. For example, in a nationwide online blackmail campaign in Germany, the offenders ended their incriminating messages with the informal phrase Liebe Grüße (Best wishes) rather than the more formal expression Mit freundlichen Grüßen (Sincerely yours) that might have been preferred by adults familiar with the rules of writing a business letter. The initial inference that the authors might be young was later confirmed when the offenders were identified as young adults between the ages of 17 and 23.¹⁴

2.2 Authorship attribution

Whereas the primary aim of single-item analyses is the rudimentary categorization of the author, comparative analyses of two or more reference texts and an incriminat-

ing text, or of two or more incriminating texts, are performed with the objective of authorship attribution. The most common configurations are the following (Schall 2004, 560). The linguist, (a) uses reference items in order to examine whether a suspect is likely to have authored a specific incriminating text (which might lead to the suspect's exoneration), (b) investigates whether multiple incriminating texts associated with a single criminal offense could have been written by the same author or (c) conducts an analysis in order to determine whether two or more criminal offenses might be related to each other, based upon similarities between the incriminating texts associated with each.

Such analyses are performed in two steps: all relevant texts are subjected to a single-item analysis, which is followed by a comparative analysis. For example, if the linguist has identified specific configurations of errors in one of the texts, he or she will examine the incidence of the same kinds of errors in the other text(s) as well. The more similar the texts are in terms of writing style, the more reason to conclude that their authors are identical. However, such conclusions are always formulated probabilistically and forensic linguists almost never use the expression "with a probability bordering on certainty", which is very commonly used for other kinds of forensic evidence. The reason for such caution is usually not a lack of clear indications of identical authors but is rather due to theoretical reasons having to do with the nature of language as an object of inquiry. Since any natural language is used by individual speakers and shared by a community at the same time, it is impossible to establish a one-to-one correspondence between any single utterance and a single speaker or vice versa. As such, although expressions like

"linguistic fingerprint" might be ubiquitous in media reports, they should be taken with a grain of salt. They are mere metaphors, relying on well-known images and used with the aim of making linguistic findings more accessible to the public. From a linguist's perspective, there are at least three crucial differences between a person's idiolect and their biological fingerprint. Unlike their fingerprint, a person's idiolect (a) is not stable over time, (b) is not truly individual, i.e., there are no linguistic characteristics that can be attributed to a sole person only and (c) cannot be easily distinguished from another person's idiolect.

When taken at face value, certain criminal cases seem to prove the contrary, perpetuating the myth of linguistic fingerprints that pinpoint a specific individual. However, the truth is that certain expressions frequently used by a person can acquire salience in the course of an investigation and ultimately serve as a critical piece of evidence that links the offender to the offense. A case that was truly spectacular in this regard is that of the so-called "Unabomber," an anonymous perpetrator who, well into the 1990s, would regularly send mail bombs to US universities and airlines (hence the name). Ultimately, the offender wrote a letter in which he promised to stop the killings provided that a 30-page manuscript that he had authored was published. After the letter had been made public, a man reported to the FBI that the phrase "coolheaded logician", which appeared in the letter several times, strongly reminded him of his brother's way of expressing himself. By no means did this phrase uniquely identify the brother; however, as a characteristic element, it caught the other brother's attention, whereas to outsiders it was just an expression like any other. Subsequently, police

officers conducted a search in the incriminated brother's house and found a shorter text that contained a series of expressions that had been used in the 30-page manuscript as well. The brother's authorship of the manuscript and, concomitantly, his responsibility for the letter bomb killings was established using comparative linguistic analysis (Coulthard 2004, 432 et seq.).

A similar case, in which a comparative linguistic analysis yielded crucial evidence, occurred in Germany two years ago. In March 2011, an individual planted explosives near the soccer stadium in the town of Dortmund and threatened to detonate them. Since the offender had attempted to blackmail a drugstore chain the year before, his blackmail letters were on file at the Federal Criminal Police Office. The blackmail letters on file were analyzed from a linguistic perspective using the KISTE data collection and analysis system and subsequently compared to the letters sent in the current case. The comparative analysis found several resemblances and the expert opinion prepared on the basis of these resemblances concluded that the two authors were probably identical. This conclusion was later corroborated using other forensic techniques.

2.3 The problem of shared authorship

When it comes to claims of responsibility, authorship attribution is associated with special challenges. Whereas defamatory, accusatory and blackmail letters are usually written by a single person, many claims of responsibility are drafted and revised in groups and commonly consist of excerpts from various texts and text passages (e.g., position papers). Although in such cases, the text cannot be attributed to a single author (Fobbe 2011, 44), investigating authorities often cherish the hope that forensic text analysis will be able to

identify those suspects that participated in the drafting process.¹⁵ However, from a linguistic perspective, this task is nearly impossible to accomplish since, in addition to establishing authorship, the forensic linguist would also require the ability to distinguish between multiple authors within a single text. The situation is usually further complicated by the fact that certain passages have been taken from other publications and/or are treated as shared resources within a given community (Fobbe 2011, 45). In the trial of an animal rights activist that took place in Vienna in 2012, the authorities were trying to identify the defendant as the author of a claim of responsibility. However, they failed to take these crucial considerations into account and, as a result, analyses were performed on some texts that demonstrably had not been written by the defendant.

3. REQUIREMENTS FOR THE MATERIAL TO BE ANALYZED

In order to be suitable for the purposes of comparative analysis, the material must fulfill certain length requirements. This problem usually affects incriminating texts rather than reference texts. Over a third (35 percent) of incriminating texts analyzed and archived at the Federal Criminal Police Office are only up to 100 words long and another 29 percent are between 100 and 200 words in length.¹⁶ Moreover, the incriminating text and the reference text should preferably be of a similar genre. For instance, when analyzing a blackmail letter, business and private letters authored by the suspect should be used as reference material. The reason for this is that the linguistic characteristics of texts depend heavily on the genre and, if the incriminating text and the reference text are too far apart from each other in this regard, this might lead to stylistic differences contaminating the analysis. In other words, if the

material used is too heterogeneous, this can make it considerably more difficult to establish that the authors are, in fact, identical. Furthermore, reference material should be recent, because personal styles can shift due to changes in life circumstances or simply due to the passage of time.

4. PROCEDURE

The analysis of incriminating texts is a procedure consisting of multiple steps described in detail below. The first step involves the assessment of physical appearance. If the text to be analyzed is a letter, the extent to which it complies with the conventions of the genre, including formal elements like the address block, salutation, and segmentation of the body, might be of relevance. This step of the analysis extends to other issues as well, including the problem of finding an appropriate ending in the context of a blackmail attempt and the question of how the author signs the letter. Some offenders tend to hide behind conventional formulations; others omit most of the critical elements mentioned above, and still others exhibit creativity by finding individual solutions. Whatever the case might be, such decisions can be interpreted as indirect evidence of individual characteristics. The analysis of formal elements provides some indication of the author's writing experience and, in some cases, even of their familiarity with the (internal) requirements imposed by certain organizations.¹⁷

4.1 Error analysis

The core components of textual analysis are error analysis and stylistic analysis. Whereas claims of responsibility and position papers tend to be characterized by low error rates and a mostly elaborate style, many other texts contain a large number of errors, which is in part due to the extreme-

ly incriminating situation in which such letters are drafted and in part due to limited writing skills. However, it would be unjustified to equate a large number of errors with a lack of appropriate writing skills. Not all errors are equally informative, since even very experienced writers might make careless mistakes when it comes to capitalization, hyphenation, or punctuation. Just as with regard to style, only error patterns are indicative and single instances of error are usually not. In some cases, however, a single error might play an indicative role as well. The analyst must always remain aware of the possibility that any mistake might be the result of a deliberate camouflage strategy, for example when authors intentionally misspell some words in order to create the impression that they are relatively uneducated. When native speakers try to pass themselves off as non-native speakers, they tend to commit other kinds of errors than those of genuine non-native speakers, especially gross grammatical mistakes (then you says number of credit card). Both camouflage strategies (i.e., passing off as relatively uneducated or as a non-native speaker) can usually be exposed based upon the distribution of errors within the text, which tends to be inconsistent, with the end of the text and passages addressing complex issues containing fewer mistakes than the remaining parts. Accurately and inaccurately spelled words or phrases that are in adjacent positions might be especially indicative of the true level of the author's writing skills (Fobbe 2011, 172 et seqq.).

When native speakers attempt to mimic the style of a non-native speaker, the deception can often be detected on the basis of the co-occurrence of a large number of misspellings and missing grammatical categories (e.g., articles) and fully intact syntactic structures. For instance, the sentence "du haben dann geld immer dabei"

(you have then money always with you) correctly implements the rule that certain German verbs such as “dabei haben” form a so-called Klammer (i.e., complements intrude between both elements of compound verbs). However, sometimes it might be very challenging, or even impossible, to distinguish a native speaker with very limited writing skills from a non-native speaker (Schall 2004, 557).

4.2 Stylistic analysis

Stylistic analysis seeks to identify those linguistic characteristics of a text that are in some sense noteworthy but not necessarily incorrect, including frequently used words, distinctive word formations or phrases, syntactic preferences, or the idiosyncrasies of punctuation. Such peculiarities are considered in relation to each other rather than in isolation. Blackmail letters are often characterized by a stodgy and overly official style, which manifests itself in the excessive use of deverbal abstract nouns, such as provision or execution; empty verbs such as give consideration to (instead of consider) or lead to an increase (instead of increase), the passive voice, and formulaic adverbs such as undoubtedly or forthwith. When viewed in isolation, each of these features is inconspicuous; however, taken together, they produce a particular stylistic effect. When it comes to establishing possible authorship, no single word can have an indicative function. Instead, analyses rely on configurations of stylistic features, which of course might include the frequent use of a specific word.

It can be equally instructive whether the text consistently remains at a certain stylistic level or the author is unable to maintain the desired stylistic level, which leads to a fragmentation of style. Of course, one must not discard the possibility that the author might be using a deliberate camouflage strategy with the aim of

obscuring his or her superior writing skills. In such cases, the writing tends to be at a relatively low stylistic level, including informal or even vulgar expressions or grammatical constructs that do not conform to the norms of written language. However, if the text contains no or few mistakes despite its substandard style, this might be indicative of an educated author trying to hide the level of their writing skills.

Stylistic analysis reveals the specificities of the author’s idiolect to the extent that the material available so permits. The shorter the text, the more the stylistic analysis turns into a coincidental snapshot; the longer the text, the more robust the evidence regarding patterns within the author’s idiolect. This individual style, in turn, might support the investigation by providing some indication of the author’s biography. The term “individual style” should not be understood to mean that it is one of a kind and thus enables unique identification of a person (including their reliable distinction from other individuals). It only means that any given individual forms some preferences over the course of their linguistic socialization and is thus more likely to use certain elements of language than others. However, the possibilities are by no means unlimited, since any choice entails a number of mandatory lexical and/or syntactic consequences, because the grammatical system and structure of any language prescribe certain rules of usage and combination.

Time and again, statisticians attempt to perform stylistic analyses of linguistic material. Whether a statistical analysis can be carried out at all depends directly on the quantity of text available. Since most incriminating texts are very short, one must remain deeply skeptical concerning the possibilities of statistical methods, since limited data quantity tends to lead to bi-

ased results (Fobbe 2011, 118; Olsson 2007, 64 et seqq.). When data quantity is appropriate (such as in the above-mentioned “Unabomber” case, in which the reference text was over 30 pages long), computer-assisted analysis can make the linguist’s work significantly easier; however, quantitative analysis must always be followed by the qualitative assessment of computer-generated results.

4.3 Structural analysis

The thematic arrangement of a text can also be instructive. A substantial body of literature addresses the typical and atypical features of blackmail letters, with the underlying consideration that individual idiosyncrasies are especially indicative of a person, whereas particularities associated with the genre are far less relevant. Such conventional elements include expressions such as no police, no tricks, as well as self-presentation as member of a group (we are a group of veterans).¹⁸ In addition, linguists have identified so-called thematic patterns that must be present in a text in order for it to qualify as a blackmail letter in the first place (Brinker 2002, 51 et seqq.), such as a demand for money, a threatened consequence in the event that the demand is not met, and a way of establishing contact or transferring the money. Beyond these mandatory thematic patterns, there are also optional thematic patterns that might appear in a blackmail letter, including self-presentation or assurances of seriousness. Since these patterns are redundant, i.e., not absolutely necessary to perform the act of blackmail, they always provide some indication of the author. Consequently, style is more than simply the manner in which the author expresses a certain idea; it is also a manifestation of the perspective from

which the author approaches the subject and puts the situation into words. As such, the analysis of thematic arrangement, as well as any indication of whether the offender perceives the act as moral reparation, a business transaction, or a game, can be equally instructive. If the offender provides some justification and seeks to legitimize his or her behavior, he or she has given a lot more thought to the possible consequences of his or her actions than someone who simply demands money (Dern 2009, 168). In addition, the incidence (or lack) of certain thematic patterns directs the attention to the author’s intellectual focus. When creating the offender’s profile as part of operational case analysis, such particularities can be used to evaluate the offender’s level of determination and, concomitantly, the threat that he or she poses to the community (ibid.).

CONCLUSION

A relatively young subdiscipline of applied linguistics, forensic linguistics offers analytical tools and theoretical knowledge that facilitate access to the language usage of criminal suspects. Just like voice and handwriting, language is directly linked to (Schall 2004, 550) and might be indicative of the person who uses it. This makes it all the more crucial that the analysis of such linguistic evidence conforms to scientific standards. The integration of linguistic expertise into criminal investigation creates awareness of the particularities of language as a “weapon of choice,” as well as of the potential benefits of forensic linguistics. In addition, it ensures that the reported findings are substantiated and recognized as evidence by a court of law.

¹ The commonly used linguistic term is authorship attribution. However, the Federal Criminal Police Office uses the expression “author identification” to describe the activities of forensic linguists. This expression deliberately follows the structure of “speaker identification”.

² Linguistic issues that might be of relevance in civil law are discussed in more detail in Fobbe 2011, Grewendorf 1992, and Kniffka 1990.

³ For examples of common transcription mistakes like failure to maintain the original layout, omissions, and additions, see Fobbe 2011 and Kniffka 1994.

⁴ Federal Criminal Police Office 2009.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ The example has been adapted from Schall 2004, 557.

⁸ Cf. Fobbe 2006. For a more detailed examination of inflection and syntax, see Fobbe (in preparation).

⁹ Non-native speakers might substitute unknown words with words from their native language, use verbatim translations, or borrow grammatical structures from their native language. Kniffka 2001 provides an extensive description of a case in which the author’s native language was identified as Hungarian.

¹⁰ For further examples see Bickes/Kresic 2000, 125.

¹¹ The analyst must never discard the possibility that such signs might be part of an elaborate camouflage strategy. However, the more mistakes of inference and the more consistent their distribution at different linguistic levels, the more likely it is that the language competence that manifests itself in the text is, in fact, authentic.

¹² Federal Criminal Police Office 2005.

¹³ Further lexical indications of Bavaria as the speaker’s region of origin are discussed by Schall 2008, 318.

¹⁴ Press release of the Ministry of Justice of the Federal State of Hessen dated 08.26.2011, <https://hmdj.hessen.de/justiz> (accessed 07/20/2013).

¹⁵ The Federal Court of Justice of Germany has repeatedly endorsed this position. In a deci-

sion dated 03.11.2010 it established that shared authorship reduces the evidentiary value of a text.

¹⁶ For the relevant data see Schall 2004, 551.

¹⁷ In a case handled some years ago by the Federal Criminal Police Office, the author used the abbreviation “O.U.” (“Ortsunterkunft” – cantonment) when dating his letter. Since this abbreviation had been customary in the East German National People’s Army, it gave an indication of the author’s region of origin (Schall 2004, 558).

¹⁸ This does not exclude the possibility of multiple offenders; however, experience shows that offenders tend to act alone.

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