

The Role of Forensic Linguistics and Case Studies, Demonstrating the Effectiveness of Linguists' Contribution to the Investigations

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This paper explores the multifaceted role of forensic linguistics in which linguists have assisted in the investigation of crime authorities.

The purpose of the study is to represent the role of forensic linguist in the detection of crimes, and it also covers the investigation of methods and authorship, as well as the identity and affiliation of the perpetrator.

Using a prescriptive method, the study explores the task and work of forensic linguists and forensic text linguistics, and also illustrates the methods of forensic linguists through four case studies, with the help of which the linguists tried to wrap up two cases.

The study demonstrates that in many cases it is essential to involve a forensic linguist in certain investigative phases, even in relation to certain cases, such as voice recordings or written texts (suicide notes, blackmail letters, text messages).

The mentioned cases clearly testify the extent to which linguists can play a role when an investigation stalls at a certain point, and the authorities need authorship investigation, voice recognition, the discovery of linguistic evidence, text analysis, comparison with other texts and the profiling of the perpetrator.

Keywords: forensic linguistics, case studies, incriminated texts, idiolect, linguistic fingerprint

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Motto: “It is good for the linguist to know that he can be useful, and that applied linguistics need not to be identical with language teaching or machine translation”³

Forensic linguistics in a nutshell

There are some instances at certain stages of an investigation where the authorities cannot solve the case, and the linguist has to be involved to investigate the case. Investigating agencies usually ask forensic linguists to help them narrow down the possible suspects, based on their gender, age and education. They may also try to describe the region⁴ and social milieu from which the offender may have come, based on the incriminated text. In many cases, it is essential to involve a forensic linguist to localise the offender, who can extract from the offender’s letters stylistic elements and idioms that are specific to a particular region or person, or find dialects in the offender’s voice that are also localised to a particular region. In such cases, a branch of applied linguistics – known as forensic linguistics – comes into light.

Forensic linguistics is an interdisciplinary field of linguistics that deals with the use of language in justice, law and crime. Forensic linguistics is concerned with questions that focus on the use of language in legislation and criminal proceedings that require linguistic analysis. Questions such as “whether the transcript of a witness statement is the same as the confession” or “whether the anonymous blackmail letter could have been written by the accused or by someone else” may both arise. The forensic linguist expert is responsible for examining authorship as well. One may also seek to find out whether the author of the text seized as evidence is the same as the author of another text written by the suspect during the investigation; at the same time, one may also examine the demographic-sociological variables that characterise the author of the incriminated text.⁵

The International Association of Forensic Linguists (IAFL) summarises the main tasks of forensic linguistics in five points, which are the study of legal language, comprising legal documents, the use of languages in courts, police and prisons, court translations and interpreting services, professional linguistic expert opinions, and linguistic support in the drafting of legislation and official documents.⁶

Criminal linguistics is the most practical area of forensic linguistics, with two tasks: analysing linguistic evidence and detecting linguistic crimes. Linguistic crimes were first listed by Roger Shuy as being related to speech acts.

Within forensic linguistics, we study incriminated texts, i.e. textual, written products used in the vernacular, which in most cases can be linked to a speech act and appear in written form. This includes subtypes of anonymous letters such as threatening letters,

³ Professor of Linguistics Jan Svartvik 1967, Göteborg.

⁴ MÁTYÁS 2024a.

⁵ SZAKÁCSNÉ FARKAS – VÁGÓ 1988.

⁶ NAGY 1980.

blackmail letters, unsolicited fan letters, signed letters, in which case there is doubt about the identity of the writer, as in the case of a suicide note.

The new techniques have also opened up new areas for criminals, as anonymous letters can now be sent by e-mail or SMS, the victim can be identified on a social networking site or chat room, and the perpetrator can blog or create a website. The work of the forensic linguist can be divided into two parts: on the one hand, he can assist the investigative services by establishing information about the author of the incriminated text; on the other hand, he may be asked to carry out a comparative analysis during the evidentiary process in order to compare the incriminated text with the suspect's writing. Other genres that can be studied by forensic linguistics comprise confessions. With regard to oral confessions, however, it is substantial to interrogate (ask the question) in such a way, that they solely involve new information for the interrogated person to the extent necessary, otherwise his confession becomes unverifiable, and the interrogated person should also be provided the opportunity to present a coherent confession.⁷

The examination of written linguistic evidence using linguistic methods is also referred to in the literature as forensic stylistics and stylistometry. The primary task of forensic linguistics is to test authorship, which identifies who wrote the text in question, and also examines whether the text may have been written by the suspect. The method of authorship analysis is called linguistic profiling. A person's linguistic profile can be created because everyone "uses language differently", i.e. the idiolect of the author – his individual language variant – can be isolated from the text and profiled on the basis of the multiple features that can be inferred from the text. An individual's idiolect is determined by factors such as the individual's personality, affiliation and communicative environment.

Incriminated texts are usually quite short, and the offender's objective is to avoid revealing his identity, so he tries to manipulate the text. Another difficulty is that the author may deliberately distort his language and disguise himself in order to make it harder for the authorities to trace him. There are diverse types of distortion: the author's objective may be to disguise his own language use, or it may be to imitate the language use of another person. Distortion can occur at different linguistic levels: spelling, grammar, lexemes, stylistic, or content distortion.⁸ The inventive author may try to distort the signs of gender, age, education, literacy, or even occupation as well.⁹ The author can only distort what he is aware of. In an optimal case, the linguist can determine the gender, age, location, dialect, education and other characteristics of the author, based on the linguistic signs left behind.¹⁰ Even if the perpetrator tries to distort the language used, certain factors can be inferred, because the perpetrator can only manipulate certain levels of language, and he is incapable of doing it consistently.¹¹ However, the manipulation can be detected after a while, because the offender can only distort certain language features, and cannot manipulate many of them, which are unique to him, because his language use

⁷ NYITRAI 2020; NYITRAI 2021.

⁸ SZEGEDI 2018.

⁹ SZEGEDI 2018.

¹⁰ SZEGEDI 2013.

¹¹ SZEGEDI 2013.

is not conscious.¹² Although, for example, one may distort one's spelling in order to be perceived as uneducated, one may escape this conscious distortion in the case of a longer text, but literacy is also reflected in other language use features, not only spelling. Another method of authorship analysis is the comparative analysis, where the linguist compares the incriminated text with the suspect's text, a procedure that is essential in the context of a trial, yet, also for prisoners serving a prison sentence.¹³

Linguistic evidence can be both written and spoken language. Within forensic linguistics, the former is dealt with by forensic text linguistics, while audio materials are examined by forensic phonetics. The task of forensic phonetics is to identify the speaker and to exclude him from the list of the possible speakers. Acoustic-phonetic analysis can be complicated if the speaker deliberately tries to make his voice unrecognisable, and if the incriminated audio material is short or the recordings are made in noisy conditions.

The objective is always to find the perpetrator of the crime and to prove the suspect's guilt or innocence. Our linguistic fingerprints can also convey messages and evidence about who the perpetrator might have been, who might have written the letter, whose voice we hear on an audio recording, thus the linguistic expert can also profile the perpetrator in terms of age, gender, ethnicity, social milieu and other attributes.¹⁴

The concept of forensic linguistics was introduced by the linguist Professor Jan Svartvik,¹⁵ whose work *The Evans Statements. A Case for Forensic Linguistics* is the beginning of a series of events that could be memorable in the context of the linguistic investigation of criminal cases.

Case studies related to forensic linguistics

The Timothy John Evans case

On 30 November 1949, 25-year-old Timothy John Evans, although confessed at Merthyr Tydfil police station in Wales to killing his wife Beryl and 14-month-old daughter Geraldine, gave four contradictory statements to the police.¹⁶ In one of his confessions, he reported that his wife wanted to abort their child and after telling the story to an acquaintance who had given him a drug to kill his wife, sadly, she subsequently died of poisoning. Timothy then left the town. According to his next testimony, he had received a drug from a downstairs neighbour, (the 51-year-old John Reginald Halliday Christie), and after taking it, found his wife dead. Christie was an expert in medicine and, after consulting the pregnant wife, administered the drug to her. After the husband returned home, Christie told him the bad news that Beryl had bled to death. The question arose as to what to do with the child, and Christie said a couple he knew would raise the little girl. The husband had got rid of his wife through the drainage canal and when asked where his family had gone,

¹² SZAK ÁCSNÉ FARKAS – VÁGÓ 1988.

¹³ CZENCZER 2014.

¹⁴ ÜRMÖSNÉ SIMON 2019.

¹⁵ SZEGEDI 2018.

¹⁶ SEPPÄNEN 2013.

he said they had gone on holiday. In his next statement at Notting Hill police station, he reported that his wife had accumulated a lot of debts and in the course of an argument he strangled her with a rope.¹⁷ In his fourth statement, also referring to his wife's debts, he testified that he strangled her, referring to the ongoing argument, and when others asked about his wife, he referred to a holiday in Brighton. Timothy Evans was hung in 1950 as the authorities found no other clues and no other suspects. In 1953, however, three women's bodies were found by a lodger in a wall cavity in the kitchen, and suspicion was then cast on the jailed John Christie, who had not only been involved in theft but had also murdered his wife and strangled two women. Suspicion was also aroused by the name of the aforementioned John Christie, who shared a building with Evans. Some politicians also became suspicious of Evans' conviction, so the four confessions were re-examined and a public inquiry led by Sir Daniel James Brabin was launched in 1965. The linguist Professor Jan Svartvik was involved in analysing the confessions and concluded that all four different confessions recorded by the police officers could not have been written by Evans, because some of them were written in different styles of speech and had different grammar.¹⁸ Since Timothy Evans was illiterate and uneducated, the two statements that his wife had got into debt and ended her life could not have been derived from him, because the style, grammar, and the standard language of these two statements suggested an educated, cultured man. Such a reported language use, related tense agreement, i.e. "She said, she was going to take the baby down to Brighton" could not have been used by an illiterate person of the mental capacity of a 10-year-old child like Evans. Nor could Evans have used standard verb agreement, substandard verb forms, elliptical subject use and conjunctions such as the following sentences illustrate:

- "She asked me where Beryl and the baby was"
- "At 12.55 a.m." – which he had already testified at the trial as "5 to 1 train"
- "from which I used to borrow it"
- "She was incurring one debt after another"
- "Whilst", "in a bit of a temper", "in his presence"

He could not have used the sentences enumerated before, if only because, according to the experts, he had the vocabulary of a 14-year-old child, and the speaker's idiolect did not indicate illiteracy.¹⁹

From the aforementioned examples, it can be seen that Evans's language use did not reach the standard level of language use.²⁰ The latter, 1965 investigation, with forensic linguistic research hand in hand, led to the conclusion, that it was not Timothy Evans who ended his wife and his little girl's life, but John Reginald Halliday Christie with a criminal record, therefore Timothy Evans was posthumously pardoned 15 years after his hanging.

¹⁷ SVARTVIK 1968.

¹⁸ SVARTVIK 1968.

¹⁹ SVARTVIK 1968.

²⁰ SVARTVIK 1968.

The JonBenét Ramsey case

The death of a 6-year-old Colorado girl, JonBenét Ramsey, has been an unsolved crime for more than 25 years, treated by authorities as both a kidnapping and a murder. The girl had been a pageant contestant and had a brother Burke, a few years older than her, with whom she had a rocky relationship.²¹ The girl had been taken to the doctor several times for various bruises and Burke had shown signs of mild autism. According to the experts, he also involved JonBenét in his sick games, against her will, and this may have caused JonBenét's chronic urinary tract infection and possible vaginal injury.²² Finally, on 26 December 1996, the charming Maneken girl JonBenét passed away.

Although the case appeared at first reading to be a kidnapping, several signs pointed to something else: among others, the length of the ransom note, which consisted of two-and-a-half pages. It was suspicious because a ransom note of this length had never been seen before at the FBI. According to experts, no kidnapper would write a two-and-a-half-page letter in a stranger's house and then never come back with his demand. According to Fitzgerald, the letter could have been written by a woman, because of typical maternal phraseology such as "when you get home" and "listen carefully", and the excessive use of exclamation marks and acronyms.²³ The expert had not seen such a long ransom note within 60 years and found it inconceivable that a stranger could have written the message. It was shocking that some of the lines in the ransom note were taken from films, and it was well known that the couple, Patsy and John, were known to be film buffs. In the letter, the threat "If we catch you talking to a stray dog, she dies" is taken from the ransom note of the film "Dirty Harry", while "Don't try to grow a brain!" is from a scene in the film "Speed". The Ramseys were known to have been big movie fans, and the house was also full of movie posters.²⁴ More than half of the writing experts used in the original investigation attributed the writing to Patsy, the mother. It was suspicious that the suspected kidnapper had torn pages from Patsy's notebook and then placed it back exactly where it was in the hallway. It was also astounding that he wrote the letter at the kitchen table and then took it to the upstairs stairwell. He also put her pen back in its original place after writing the nearly three-page-long note. Experts measured the time it took to write the text, which lasted for 21 minutes, and it is likely that it could have taken much longer if the wording was included. And all this with the parents asleep in the house and the abducted victim lying dead in the basement. No wonder that it rose suspicion that this is an excessively bold and incomprehensible behaviour on the part of an intruder. Since the gist of the three-page letter could have been condensed into four sentences, it seems as if the writer was too focused on justifying the hostage's death.²⁵ If the audio recordings are anything to go by, even during the distressed call, John can be heard saying in the background: "We're not talking to you." The switchboard operator claimed to have heard a third voice in the background, which most likely was Burke, the brother, who had been

²¹ The True Crime Edition 2022.

²² The True Crime Edition 2022.

²³ ÜRMÖSNÉ SIMON 2023.

²⁴ The True Crime Edition 2022.

²⁵ The True Crime Edition 2022.

instructed to be silent by his father. However, this contradicted the parents' testimony that Burke had slept through the events.

According to James Kolar's investigation, the murder was presumably committed by Burke, the older brother, after an evening of playing with his sister, Burke opening Christmas presents, and the little girl supposedly threatening to tell the parents, which the older brother could not tolerate, and he used a tool to strike JonBenét on the head with a huge blow. There was also a theory²⁶ that the girl had also consumed pineapple, presumably the brother's ration, which may have also upset him. The parents, realising that they could lose both their children at the same time, took a desperate step: Patsy wrote the ransom note while John, the husband, tried to disguise the incident as a forced entry.²⁷ The ransom note was, undoubtedly, attributed to Patsy alone by more than half of the writing experts, although neither the parents nor the victim's brother were charged. In 2008, after the introduction of more modern DNA procedures, the parents were officially cleared of the charges, but Patsy the mother was no longer worthy of the accusation. In the 2016 digitally recorded audio recording, experts heard the following phrase in the 911 call: "We're not talking to you!" John Ramsey's voice calling for help. "What did you do? Help me, Jesus!" – Patsy Ramsey. "What did you find?" – asked a thinner voice, most likely Burke Ramsey, JonBenét's brother, the possible owner of the voice. Dispatcher Kim Archuletta also overheard the background conversation and had a feeling that Patsy might have rehearsed the call: "I sensed something was wrong because we had to read the caller's mind. The frantic panic in her voice sounded falsely rhapsodic and about as if she had said: "Okay, we called the police and now what?" "What I really didn't understand was why he had broken the line while I was still calling him."²⁸

At the behest of Agent Ron Walker, husband John, grabbed his friend Fleet White by the arm and went straight to the basement wine cellar to search for his little girl – without logically checking the upstairs playrooms first – where he promptly found her body. He removed the plaster from her mouth, then clutched her lifeless body to him, took her into the dining room and put her on the floor, destroying a vitally substantial investigative site and any DNA samples.

Subsequently, as evidence, experts tested a brand new pair of underwear in factory packaging and the laboratory revealed the presence of foreign DNA. However, the DNA found on the girl's underwear could also have come from anyone, not necessarily the killer, and could have been found on the fabric during the manufacturing process.²⁹

Detective Lou Smith was asked to come out of retirement to assist in the case three months after the murder by the District Attorney, who believed that an outside intruder may have killed the victim. Detective Smith insisted that the intruder entered the house through an open basement window, despite police claim that the window was too narrow for an adult to fit through and that cobwebs covered the shutters.³⁰ According to Detec-

²⁶ The True Crime Edition 2022.

²⁷ The True Crime Edition 2022.

²⁸ The True Crime Edition 2022.

²⁹ The True Crime Edition 2022.

³⁰ The True Crime Edition 2022.

tive Smith,³¹ the killer intended to take the little girl with him, but something must have disturbed him, and he decided to carry out his horrific crime on the spot. It is also likely that he still wanted to take the body with him, but was unable to climb out of the window with the limp body. Leaving JonBenét behind, the killer could have left through the door. Gary Howard Oliva was also a suspect in the investigation, and the fact that John Mark Karr had perjured himself in the frame-up, made the case more subtle to solve. In any case, there was no sign of forced entry, the basement windows were covered in cobwebs and the Ramseys were not very helpful to the investigators. All in all, experts claim, that the JonBenét murder will join the ranks of unsolved cases.

The Coleman and the Jenny Nicholl case

The Coleman case was a famous case of the respected professionals Robert Leonard and James Fitzgerald.³² Chris Coleman, a father of two, first mentioned to friends in 2009 that he was receiving threatening messages from an unknown person on a regular basis. Initially, he was the recipient of the threats, but later the threats became more aggressive and extended to his family. Coleman therefore asked his neighbour, who worked as a police officer, to set up a camera at his house so he could see if anything unusual or suspicious was happening in the area. The husband, while exercising one day, called Sheri, his wife, who did not answer the phone. Coleman, allegedly frightened that something had happened to her, asked the neighbour–policeman to check on them, who found Coleman’s wife and children strangled. The graffiti on the wall said: “U have paid!” The police suspected Coleman, but they did not have enough direct evidence against him. After two linguist experts were brought in to investigate, it was found that the writing style of the killer and Coleman’s were very similar. The use of “U” occurs in short messages and text messages, while it is less common in e-mails. Since both the killer and Coleman used “U” in e-mails, and Coleman also regularly omitted apostrophes, as did the killer, the suspicion was increasingly focused on him. After more evidence was found against him linguistically, Coleman was sentenced to three life sentences.

The Jenny Nicholl murder was investigated by the police when they brought in a forensic linguist to help them by analysing the messages, which led to the identification of the killer, David Hodgson. The expert examined the style of Jenny’s previous text messages and the style of the text messages her father received after her disappearance.³³ The forensic linguist expert’s examination revealed that the message was out of the ordinary, as Jenny spelled “my” and “myself” correctly in her messages, while her last messages used the pronouns “me” and “meself” instead, which is most typical of the Yorkshire dialect. Although David Hodgson was convicted in court on the evidence against him, her body was never found.

³¹ The True Crime Edition 2022.

³² HITT 2012.

³³ GRANT 2010.

Difficulties and conclusions

The aforementioned cases are testimony to the substantial role linguists can play when an investigation stalls at a certain point and the authorities need to examine authorship, voice recognition, linguistic evidence, text analysis, comparison with other texts or the profiling of the perpetrator. Finding the perpetrator of the crime and proving the suspect's guilt or innocence is the crucial aim of the collaboration between the authorities and the linguist.

As we could learn from the cases mentioned so far, forensic linguists managed to reveal the perpetrator, or contribute to the investigation by comparing standard and sub-standard language variants, which includes grammar use, lexical and morphological patterns, see the Timothy John Evans case. Concerning the JonBenét Ramsey case, linguists tried to clear up the case by gender bound discrepancies, comparison to film slogans, the length of the ransom note, and the utterances of audio recordings and sound pitch. As regards the Coleman and the Jenny Nicholl cases, the omissions of apostrophes and the irregular reflexive pronouns deriving from texting, revealed the perpetrator. Note, that in any context, the authority may even be a penal institution, where the suspect is serving his custodial sentence.³⁴

Forensic linguists often encounter obstacles. It is difficult, for example, to analyse tweets from the Twitter, where solely a limited number of characters can be typed.³⁵ Given the literacy and verbal competence of the offender, the source of the error may be the interaction of languages or language variants, namely interference. Typically, the mother tongue influences the foreign language or the primary, dominant language variant influences other language variants, but there is also a backflash interference. The quality and the quantity of the errors depend on the linguistic socialisation and the linguistic literacy of the author, and therefore, useful information can be obtained.³⁶ When determining the age of the perpetrator, the problem is that language use can be influenced by socio-cultural context and education. The language use of rural and cross-border people is more archaic, which may make the author appear older than he actually is.³⁷ Although one would think that in the digital age it is easier to preserve the anonymity of the author of the text, the linguist can help the authorities even if the offender does not use a pen, but a computer.³⁸

Roger Shuy, who has served as an expert witnessing in more than 200 civil and criminal cases in the U.S. and as a forensic linguist in 35 trials, likens the difference between linguists and lawyers to the difference between doctors and their patients: "The structure of a conversation or text is not always understood by a lay listener or a reader of a transcript. What a linguist detects in a conversation using the tools of discourse analysis is similar to what a doctor sees in an X-ray. The average lay person can recognise an X-ray, but this does not mean that he can recognise what an X-ray shows about the structure of the human body. The average lay person, if they hear or see a conversation, will recognise it. But it is the linguist who can identify the nuances in the structure of the conversation

³⁴ CZENCZER 2018.

³⁵ ÜRMÖSNÉ SIMON – NYITRAI 2021.

³⁶ FOBBE 2011.

³⁷ SZAKÁCSNÉ FARKAS 2011.

³⁸ ÜRMÖSNÉ SIMON 2023: 58.

that are necessary for accurate understanding.”³⁹ According to Shuy, it happens that the problem of interpretation is frequently caused by the contamination effect. For example, if two people are talking on a recording and one of them swears but the other does not, the listener may get the impression that they are both swearing, i.e. the listener may overhear something in a speaker’s text that is not there.

The development of technology has meant that most of the incriminated texts are no longer handwritten. A few decades ago, the use of typewriters was common, but nowadays we use printers or simply send letters by e-mail. The competence of the graphologist does not extend to non-handwritten texts, only the linguist can answer certain questions.

Forensic linguistics has evolved a lot over the years and will continue to do so with the technology available today. This process of development can be assisted if forensic linguistics also opens up to new fields that explore the territoriality of crime. The spatial perspective of crime geography⁴⁰ which is different from the traditional one, allows for the acquisition of additional information by linguists working in the field of forensic linguistics.

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³⁹ SHUY 1990.

⁴⁰ MÁTYÁS 2024b.

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