

Reading Between the Lines

Dr. Rob Leonard's Forensic Linguistics Program Is Attracting Students to a Fast-Growing and Intriguing Legal Field

by Neena Samuel

Imagine a murder suspect facing the possibility of life imprisonment because of a contracted verb form. This is what happened in the case of Brian Hummert, who was accused of strangling his wife to death in York County, Pennsylvania, in 2004. He tried to exonerate himself by pointing to anonymous letters his wife had received before her death, one purportedly from a stalker and the other from a jilted lover who claimed responsibility for the murder.

As an expert witness in that case, Robert Leonard, Ph.D., rock star turned Fulbright Scholar turned linguistics professor at Hofstra University, testified that he noticed rare and striking similarities between Hummert's writing samples and the two supposedly anonymous letters. Hummert would contract negative phrases (for example, "I do not" would always be "I don't"), but he never contracted positive ones ("I am" would always remain "I am" and never "I'm"), a pattern that Leonard found was repeated in the other letters. It was a valuable clue in the case against Hummert, who was convicted of first-degree murder in 2006. Jury members reported that Rob Leonard's testimony helped form their opinion that the man had faked the letters and killed his wife, and that the murder was premeditated.

The emerging field of study that helps unearth such clues and patterns is forensic linguistics, the scientific study of language as it applies to issues of law. Rob Leonard is one of the world's experts, having worked on a number of high-profile cases in addition to the Hummert case, including the JonBenet Ramsey murder, arson threat letters against married actors Taye Diggs and Idina Menzel, and the doctored tape case involving the Canadian prime minister. He has consulted with the FBI and trained its agents in the use of forensic linguistics in threat assessment and counterterrorism. He is also director of Hofstra's recently launched graduate program in forensic linguistics, the first of its kind in the United States. When the New York State Education Department gave Hofstra the power to grant master's degrees in this discipline, it joined a very select group of universities worldwide that offer such a degree program.

"What in the law is not language?" Leonard asks. "We give decisions in language, we make our appeals, we give testimony, we lie, we solicit to murder, we bribe, we perjure ourselves, all with language." Forensic linguists analyze human language to show patterns and provide expert opinions, but they do not determine guilt or innocence – that, he says, is for the judge and jury.

"It's a subject, and expertise, whose time has come," says Leonard, noting that even while Hofstra was awaiting state approval for the program, seven students had already signed up. Afterward, that number swelled more than threefold. "Law enforcement, intelligence agencies, law firms and individuals are becoming aware, as they never have before, that here is a way to scientifically and dispassionately analyze one of the most important sources of legal evidence – language."

In the Hofstra program, students first master the core tools of linguistics, including phonetics, morphology, syntax, semantics and dialectology, before tackling advanced courses where they analyze criminal and civil cases involving issues such as extortion, espionage, bribery, trademark protection, and defamation.

Leonard's research partner, and the program's advisor, Roger W. Shuy, Ph.D., has consulted on more than 500 cases, testified as a linguistics expert in more than 26 states as well as before both houses of Congress, and has written more than 50 books on the subject. Also teaching in the program is James R. Fitzgerald, former FBI chief of forensic linguistics and the only agent in the



history of the agency who is both a forensic linguist and a profiler. He has worked on many infamous cases such as the D.C. sniper and the murders of JonBenet Ramsey and Daniel Pearl (the American reporter killed in Pakistan).

Fitzgerald also played a key role in the notorious Unabomber case. "There was essentially no other tangible physical evidence in the case. No fingerprints, no DNA, no meaningful indented writing on his documents, and no eyewitnesses except for the '87 Utah sighting, which resulted in the iconic composite sketch, but which in reality provided little in terms of investigative value,"

he says. "So when I showed up to the Unabom Task Force in San Francisco in July of 1995 as a brand-new criminal profiler, I suggested to the leadership

there that the Unabomber's prolific writing habits offered the best potential evidence to his identity."

It turned out that Fitzgerald was right. Back then what he did wasn't called forensic linguistics, but his comparison of 14 documents by the Unabomber with those of numerous suspects, including a former professor named Ted Kaczynski, resulted in a search warrant for Kaczynski's remote Montana cabin. "It was the first time ever that this kind of language evidence was used for a search warrant in a criminal case at the state or federal level," Fitzgerald notes. The search uncovered mountains of evidence linking Kaczynski to bombs that killed three and injured 23. He is now serving a life sentence.

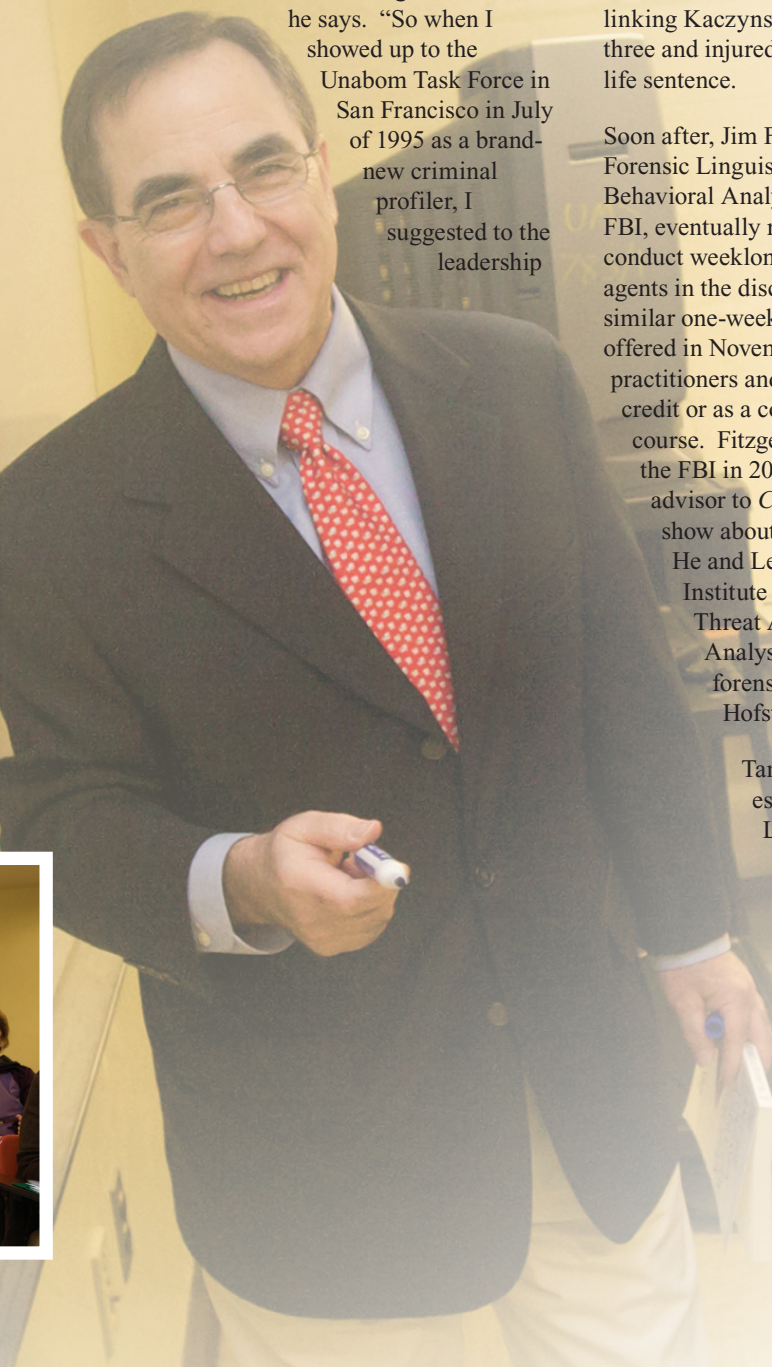
Soon after, Jim Fitzgerald established the Forensic Linguistics Service of the Behavioral Analysis Unit-1 (BAU) at the FBI, eventually recruiting Leonard to help conduct weeklong "boot camps" to train agents in the discipline. Both now teach a similar one-week course at Hofstra, offered in November and April to practitioners and students for graduate credit or as a continuing education course. Fitzgerald, who retired from the FBI in 2007, is also technical advisor to *Criminal Minds*, the TV show about his old unit, the BAU. He and Leonard co-direct the Institute for Forensic Linguistics, Threat Assessment and Strategic Analysis, the research arm of the forensic linguistics program at Hofstra University.

Tammy Gales, Ph.D., an established member of Leonard's research team, will join the Hofstra program as a professor in fall 2012. Her examination of the linguistic aspects of threatening communications has changed the way many scientists and practitioners are viewing threats. She is well known in the field,

having presented her work at international conferences and published widely in journals. Gales has worked with Rob Leonard on scores of cases such as the *Apple v. Amazon.com* and *Apple v. Microsoft* trademark cases, the *Jarvis Masters* habeas corpus death penalty case, and the investigation into whether then-Supreme Court Justice nominee Sonia Sotomayor had plagiarized her Princeton honors thesis.

Now with a full-fledged Master of Arts in Forensic Linguistics program requiring two years of full-time (or three years of part-time) study as well as an internship, Hofstra is poised to meet a growing need for these scientifically trained experts, and is attracting students from all backgrounds. Among those now enrolled in the program is Lisa Rogers, an Oxford-educated book editor and crime-novel fan who was looking for a career change. Another, Dana Mattson, already had an undergraduate degree in criminal justice and a master's degree in teaching English to speakers of other languages, when she moved from California to New York to enroll at Hofstra. "The quality of instruction has far exceeded my expectations," she says. "I'm hoping that more law enforcement agencies and law firms begin to realize what an asset a forensic linguist can be." Student Ruth Grant hopes to use her degree to eventually open her own consulting firm or work as an investigator aiding attorneys on cases.

Laura Pelcher studied linguistics as an undergraduate at SUNY Albany and loved it. "It was a major I just happened upon, but I found it to be truly fascinating – the juxtaposition of an organized language system and the messy output always challenged me to think in different ways," she says. After graduation, she bounced around in jobs in journalism and nonprofits before she learned about Hofstra's graduate program. The courses she's taken so far have shown her the pivotal roles context and history play when examining speech. "Understanding how language has changed allows me to understand how it may be changing today and how the legal system needs to account for that," she says. Pelcher, who will soon



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be doing an internship and working on her master's essay, is not yet decided about future plans. "Whether I continue on to a Ph.D. or enter the job force, I want to promote the use of linguists in the courtroom as a way to further the cause of justice," she says.

Not only current students but also law enforcement and legal experts say they benefit from Leonard's extensive experience in the classroom and courtroom. "Rob Leonard is approachable and knowledgeable, and he keeps an unbiased approach that wins him the respect of those he works with," says Justin Barlow, the lead detective during the investigation and trial of Chris Coleman, who was convicted of killing his wife and two young sons in Columbia, Illinois. Barlow worked for months with Leonard, who was brought in to help analyze a series of threatening letters, emails and spray-painted messages that were eventually traced back to Coleman. "Forensic linguistics had never been used in an Illinois case before, and watching Rob work opened my eyes to how valuable a tool this field of science is in law enforcement," says Barlow, now a U.S. marshal.

Leonard says his own love affair with language began as an undergraduate at Columbia College. At the time, though, he was more famous as a founding member, along with his brother, George, of the rock 'n' roll group Sha Na Na. Among the band's more memorable gigs was opening for Jimi Hendrix at Woodstock and performing on Johnny Carson's *Tonight Show*.

"I was contractually obligated to not take classes on Mondays or Fridays because of gigs, so I chose the only language not offered on those days: Swahili," he recalls. He loved it, and when the chance came to study in Kenya as a Fulbright Scholar, he could not turn it down. He quit the band, and wound up living in Africa for seven years. By 1990, he was at Hofstra as a professor of linguistics.

In 2010 Sha Na Na reunited for a performance at Hofstra's Live at 75 Festival (aided by acts such as Public Enemy, Salt-N-Pepa, Lisa Lisa, Fountains of Wayne, and Trey Songz). On YouTube, Rob Leonard can be seen singing "Teen Angel" at Bill Graham's "Last Show From Fillmore East." Fans have posted more than a hundred videos of Sha Na Na on the site. And, as a result of the revival of interest, a "juke box musical" about Rob and his brother changing members of a Columbia glee club into rock stars had its West Coast premiere in November 2011 at the City Lights Theater in Silicon Valley.

What's next for Rob Leonard?

Recently featured in the July 23, 2012, issue of *The New Yorker* magazine (read it at hofstra.edu/newyorker), he's currently investigating threats of violence made anonymously to elected officials, consulting with Apple on its trademark infringement case against Amazon, and reviewing his testimony in an execution appeal by a Buddhist monk who has spent 19 years in solitary on death row in San Quentin, California. His students help with research, rework cases, and are slated to partner with Hofstra's law clinics to help indigent clients.

Meanwhile, CBS's *Criminal Minds*, the show where Jim Fitzgerald serves as technical advisor, is set to debut a new character – a crime-solving forensic linguist played by Jeanne Tripplehorn – during its eighth season this fall.