

## **TO THE RECOMMENDATION OF USING “LINGUISTIC FINGERPRINTS” IN THE CRIMINAL PROCEDURE**

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**Abstract.** The author is a High Court judge of Criminal Division, and university lecturer. He wrote his PhD dissertation “Influencing testimonies in the criminal procedure” in 2008. His field of research includes the common area of forensics and applied linguistics, forensic linguistics. In his present research, he is discussing the questions of using linguistic evidence in forensics and criminal procedures, primarily from the perspective of identification and verification theory. It occurs more and more often that a forensic linguist is hired during the criminal procedure, who assists in drawing conclusions about the authors and the making of different texts by analyzing them. A forensic linguistics expert may also provide a lot of information on the linguistic data coming from what was heard during the confessions (effects of word usage, sentence structure, wording, stereotypes). This is important when searching for the truth in criminal cases because often the meaning of linguistic communication is not found in the particular words. Thus the judge is expected during making a decision to be familiar with the accomplishments of forensic linguistics, and of other related sciences, such as sociology, sociolinguistics, and psychology. The research method is the study of forensic files. The aim of

his research is to lower the rate of false judicial decisions, and to increase the extent to which judges' decisions cover reality.

**Keywords:** forensic linguistics, criminal procedure, testimony, criminalistics questioning interrogation, forensic linguistics experts, linguistic profiling, authorship analysis

## KOMENTARZ NA TEMAT PROFILOWANIA JĘZYKOWEGO PODCZAS POSTĘPOWANIA KARNEGO

**Abstrakt.** Językoznawca sądowy jest coraz częściej zatrudniany podczas postępowania karnego jako biegły sądowy będący organem pomocniczym przy ocenie lingwistycznej danego tekstu oraz przy określeniu jego autora. Espert zajmujący się lingwistyką kryminologiczną może również dostarczyć wiele istotnych informacji na podstawie usłyszanych zeznań (np. na temat doboru słownictwa czy struktury zdań). Tego typu informacje są bardzo ważne dla dotarcia do prawdy w sprawach kryminalnych, ponieważ często całościowa analiza językowa daje lepsze rezultaty niż interpretacja pojedynczych słów. Dlatego sędziemu wydającemu orzeczenie sądu powinny być znane najnowsze osiągnięcia Lingwistyki kryminalistycznej i dziedzin z nią związanych takich jak socjologia, socjolingwistyka czy psychologia. Autor jest sędzią Sądu Najwyższego Republiki Węgierskiej w dziale kryminalnym i wykładowcą akademickim. Metoda badawczą zastosowaną w badaniach na potrzeby tego artykułu była analiza aktów sądowych a celem badania jest obniżenie poziomu wydawania błędnych orzeczeń sądu i zwiększenie zakresu w jakim orzeczenia sądu obejmują rzeczywistość.

**Słowa kluczowe:** lingwistyka kryminalistyczna, językoznawstwo prawnicze, zeznania, profilowanie, profiling, biegły

## Introduction

The relationship between law and language by exploring the role of legal discourse in a wide array has a determining significance in the criminal procedure. The understanding of legal discourses and practices includes not only the legal rules, institutions, but also other social categories and values where language-discourse is involved in various aspects of social life. The language and grammar interpretation in judicial practice is one part of the law and language science, but it also has other major areas (Elek 2014:109).

Criminology is a concept used in legal science, and it refers to the study of criminal investigation. It is a practical branch of science that examines the methods of perpetrating crimes, their instruments and the ways of solving them. A common field of criminology and applied linguistics is forensic linguistics, and forensic phonetics (Pápay 2007:102).

For the legal profession and particularly for judges, language is not merely a means of communication, but an object of analysis. Linguistics (the scientific study of language) is a relatively young discipline that in many ways did not come into its own until the latter half of the XX.th century. The fact that judges and linguists frequently engage in the same professional activity –analyzing language - strongly suggests that each can learn from the other (Meijes 1993: 269).

The role of the linguistic methods during the interrogation

Testimony is the tool that courts use more than any other to verify facts during criminal procedures. However, it is also one of the most common sources of errors. If courts establish a statement of facts or criminal responsibility based on incorrect testimony, they fail to fulfil their duty to uncover the truth.

In my opinion, courts presently rely too heavily on judicial experience and intuitive action when formulating decisions based on testimony. This paper will argue that scientific knowledge should play a greater role in the evaluation of testimony; this would help resolve or reduce the contradictions that arise in the field of judicial belief, improve the reasoning and soundness of judgments, and eliminate occasional judicial mistakes.

The question is whether modern legal science has broken loose from a solely logic-based approach. Is the system ready to embrace other branches of science, such as psychology and linguistics? (Ophir 2013: 33) Have the principles and methods of psychology or the axioms of linguistics worked their way into the legal system? Does the system give due recognition to such approaches? These sciences have given rise to a plethora of rules that judges need to know and apply in order to eliminate distortions of justice during criminal procedures.

Shifting between specialized branches of science is difficult, and judges are often reluctant to venture into other fields of science, even though it may enrich their activities with new aspects and viewpoints. The scientific literature of law does not really elaborate the rules and norms of the types of questions and questioning techniques applicable in court proceedings.

Testimony bears an extraordinary significance among the different types of information, means of evidence and other factors that courts employ to establish rational belief. When judges evaluate testimony, they should first analyse the unconscious process of giving testimony; then, based on their findings, they should examine certain questions related to those factors that influence the conscious process of giving testimony. These factors include language and questioning techniques, which have a clear effect on the acquisition of knowledge, the preservation of the originally acquired knowledge and the communication of this knowledge. They can influence the content of testimony in very specific ways. When considering these circumstances during the judicial evaluation, the court may identify the influential factors in the given case (with the help of a linguistics expert), measure their impact, and decide which conclusive information should be accepted as evidence that a judge can use to establish internal belief. Rational judicial belief is clearly preferable to a boundless, or even emotional and irrational internal belief when it comes to making a decision based on the court's free and internal conviction (Király 2000:90).

My own experience affirms that it is possible to obtain appropriate and valid evidence from witness testimony. However, even when judges are aware of the norms of how testimonies are formulated, they must remain sceptical of witness testimony throughout the trial. One can strive to obtain a trustworthy testimony, but mistakes cannot be entirely excluded when it comes to evidence provided by the witness. No tactics or methods can entirely preclude mistakes.

In the continental (civil) law system, the judge is the primary interrogator at a trial, meaning he or she is often the one who poses leading questions to the accused or the witnesses. The most common example is the routine judicial question asked when the testimony provided in court contradicts the testimony given during the investigation phase: "Did you remember better at that time?" But attorneys may be reluctant to admonish the judge such transgressions; they may consider it presumptuous or disadvantageous to ask the judge to rephrase the question because it involves unlawful influence, or to instruct the subject not to answer the judge's question. Moreover, attorneys usually cannot make motions until the judge's questions have been fully asked and answered.

Provisions of the Hungarian Criminal Procedure Code prohibit questions that may have an influential effect. The presiding judge must

ensure that the questioning does not violate the human dignity of the accused. The judge must forbid any answer to a question that is liable to influence the accused; includes the answer in itself; is not related to the case; has been asked by an unauthorized person; violates the authority of the court; or repeats a previously asked question. The same rules apply to the interrogation of witnesses (Section 290 (2) (3) of Act XIX of 1998 on the Criminal Procedure Code).

The law obliges the presiding judge to control the content, manner and even the legitimacy of the questions. Members of the court and the prosecutor are subject to these provisions, meaning the judge cannot allow any incidental leading questions from the prosecutor to be answered. The question is not related to the case if it falls outside the scope of the indictment and the statement of facts of the crime. It is the exclusive right of the presiding judge to decide whether a question meets these requirements, and the decision is beyond dispute.

Knowledge of questioning techniques and the various effects of specific types of questions must be part of the interrogator's basic knowledge. In the absence of this knowledge, one cannot appropriately apply the rules of criminal procedural law on questioning. People who are "experienced influencers" ask more questions than those who are unskilled, and they also pay more attention to the answers. However, the questioning clearly determines the answers (Rogers 2000:48). This can be true in every field of life, including the courtroom.

Elaboration on the rules and norms of questioning techniques and types of questions applicable in judicial procedure is essentially missing from the scientific legal literature. Unfortunately, the arguments carried forward in the literature of forensic science cannot be fully applied to judicial procedure.

The application of those specific techniques of communication that are allowed during an investigation and take place partly during informal conversations prior to the interrogation proper cannot even be considered during the trial (Mikolay 1995:54). The judge has no chance to get to know the person being interrogated before starting to record his or her testimony.

It must be pointed out that most forensic science handbooks emphasise the importance of proper questioning techniques. Still, countless scientific studies show that certain questions can distort both the answers and subsequent remembrance as well. Heavy questioning can make an interrogation more complete, but less accurate.

For this reason, many experts consider listening to be the best method of obtaining as much precise information as possible during interrogations. But judicial procedures do not allow for cases to be carried out at a comfortable pace, so the method of allowing the subject to speak without questions must be combined with targeted questioning.

Questioning must primarily serve as a stimulus to help a witness remember. Questions must not be leading, suggestive, or include the answer in itself; otherwise, the interrogator may force his or her own belief on the witness. In practice, it is very difficult for interrogators to pose questions without betraying their intentions in one way or another. It is also difficult to recognize and restrict leading questions, and it is important to distinguish between a witness' voluntary testimony and answers given under pressure from the prosecutor, as this provides an element of control when evaluating the testimony. Judges need to consider many aspects at the same time.

After the court has completed its questioning, the prosecution and defence may pose questions to the witnesses. The presiding judge has the right to forbid witnesses to answer any given question. Theoretically, this ensures that questions may be raised without diminishing the credibility of the procedure. The disadvantage of raising such questions is that they may turn out to be leading, suggestive, disturbing, obscuring, etc. Naturally, when restricting questions, one must keep in mind that the failure to clarify all details that are necessary to solve the case may result in an unsubstantiated judgment.

The greatest risk of influencing lies in the questions that the prosecution and defence attorneys put to witnesses. Since these parties have a direct interest in the outcome of the case, their questions may exert influence on the witness either deliberately or involuntarily. Here, we are in the realm of influential motives and possibilities that exceed those of judicial questioning, and it is therefore necessary to differentiate between the two types of interrogations. When evaluating witness testimony, the judge must always determine what the witness said voluntarily and what he or she said in response to a question.

Questioning may cause the witness to make a statement about his or her obtained knowledge that presents the original knowledge in a different light. In this regard, the most difficult practical issue is the wording of the question itself. It is important that the questioning be designed to reveal the mind of the witness and support recall rather than allow the questioner to transfer his or her will – what he or she wants to

hear – to the witness. Witnesses must reveal the original content of their consciousness, not testify according to the will of the questioner.

When it comes to the revelation of original knowledge, the procedural rules that ensure the impartiality of questioning by the parties are extremely significant. These rules qualify as a guarantee: On the one hand, they ensure that the exercise of one's rights takes place within the given legal framework, and on the other hand, that this will not influence testimony in a way that hinders the establishment of the objective of truth above all else.

There is a significant difference between asking a multiple-choice question and offering subjects the opportunity to answer on their own.

When we ask a question, we not only want to receive information but we also communicate something, like what we are thinking about or what we expect from other people. "Questioning" means control and leading.

This is true for every question, regardless of its content or grammatical structure. Questions always implicitly contain many assumptions and presumptions that the participants – both the questioner and the questionee – are not always in command of (Lemp 2002:397).

The questions can affect the formulation of testimonies, and the extent to which these effects may be taken into consideration by a judge. In my opinion, the evaluation of testimonies in the criminal justice system must cease to be an empirical, intuitive and instinctive process and must become a conscious, critical, controlling and balanced procedure based on scientific methods (Nagy 1966).

It remains difficult to use a multidisciplinary approach that traverses several specialized branches of science. Scientists often keep away from other fields that might otherwise enrich their understanding with different attitudes or viewpoints. The use of psychological and linguistic methods alone is certainly not sufficient to establish a statement of facts. The revelation and evaluation of influencing factors and questioning techniques – especially specific psychic functions such as perception, remembrance, attention, imagination and structure of personality – can provide courts with much information that could make it easier to investigate and formulate a fair and well-grounded judgment.

## **The linguistics expert in the criminal procedure**

A linguistics expert appears relatively rarely in a criminal procedure. In most cases the defense entrust such experts with drafting an expertise. (Trunkos 2014:10). The reason for the reluctance on the part of the authorities is that the main working tool for judges, prosecutors and lawyers is language. It is not easy to admit that there are questions where even their linguistic competence is not sufficient. Also, the view on linguists can be further complicated by the contradictory situation of the court not necessarily understanding the point of the expert's opinion, if it is too thorough and strives for objectiveness. In case of considering understandability however, and trying to be as simple and clear as possible, linguistics experts may seemingly be saying little more than what is obvious for everyone. In this case, the contribution of the linguistics expert may appear as unnecessary. The judicial practice is not unitary about the necessity of the linguistics expert in the criminal procedure

Hart' opinion that the reported decisions remain few, the trend is clear: expert testimony on the meaning of ordinary language is inadmissible at trial. The first reason of this is it does not help the trier of fact decide whether the challenged language is defamatory. The second reason is it likely to distort the fact-finding process by „transforming a common sense issue into a technical one” dominated by „virtually incomprehensible pseudo-scientific jargon”. The third reason is to exclude such testimony at the summary judgment stage that expert testimony on the meaning of ordinary language is useless because the determination of whether given language is susceptible of a defamatory construction is a question of law for the court, not a question of fact that might be illuminated by expert testimony. Courts considering the usefulness of expert testimony on the meaning of language in ordinary usage because such testimony would not be of any real help to the trier of fact. Jurors are „eminently qualified” to gauge the meaning of language. The meaning of language in ordinary usage is a matter of „common sense” that „does not call for expert testimony” (Jonathan 1996:8).

Tiersma on the opposite opinion and he thinks that unfortunately judges have often been reluctant to admit linguistic testimony on the meaning of conversations. Of course, judges can certainly understand ordinary conversation, but at least in some

situations, linguists can contribute to a better understanding of what happened (Meijes 1993:269). The law, however, is going to have a harder time accepting the help of linguist than it probably should. In one case, when tried to offer an expert opinion about the meaning of a prenuptial agreement, the judge said „that she didn't need to be told by a linguist what the English language meant and so this testimony was rejected (Gary:995).”

The burden of using the opinion of a forensic linguistics expert is that a linguistics expert's report can very rarely provide a 100% proof (Pápay 2007:102). This can be understood by considering the deficiencies in the methodology of authorship examinations and in the examination materials. The expert opinions that are still useable for the court usually only assume the identity of the author, or the exclusion of the identity of authorship (Szilák 1981:114).

The third reason is the unsuccessful examination when usually the amount of examination material is too small, or it is not possible to form an opinion as a result of non-comparable types of texts. The expert linguist's opinion appears in the criminal procedure typically as indirect evidence.

## **The tasks of the linguistics expert in the criminal procedure**

The tasks of the linguistics expert can include:

### **Interrogations**

The criminology linguistics expert deals with confessions obtained during the criminal procedure, when he or she is comparing the linguistic information in the confession, for example, the wording, sentence structure and composition, to other evidence, for example, to a blackmailing letter. Investigating authorities can ask a text linguist in such cases to help in narrowing down the circle of possible suspects, thus, based on the written evidence, to describe a group from which the perpetrator possibly originates.

At this point, however, it is important to emphasize that the records holding the confessions very often contain only the essence of

the confession. In these cases, the written records already contain the word usage and vocabulary of the investigator, so they do not faithfully reflect what has been said. In certain instances, the alteration may question the usability and validity of the confession.

Regarding the text of the interrogation, one may analyze whether it deviates – and if so, to what extent – from the average vocabulary of the witness or the accused or not.

The linguistics expert can also answer the question whether there has been coercion or threatening during the interrogation.

It can also happen that one analyzes a recanted confession or a confession sent from home or from prison by the accused. The expert is able to show whether it was provided voluntarily or under coercion.

It can happen that the services of a children's psychologist and a text linguist are utilized together in cases when children under the age of 14 must be interrogated during a criminal procedure, and the task is to ask questions from the interrogated person in a way that he or she is able to understand and answer the questions asked, based on his or her age. This is because children are inclined to answer questions that they otherwise did not understand, thus, it becomes especially dangerous to use yes-or-no questions in the criminal procedure.

### **The examination of crimes committed through language (crimes of hate, harassment)**

There are several crimes that may be committed by means of language, or in which the words of the accused play a critical role. These include bribery, conspiracy, perjury, threat and solicitation. In many such cases, a judge must decide what an accused meant by words that allegedly prove one of the elements of the crime (Meijes 1993:269).

### **Domain expert**

Because of the differences between the legal languages of different legal traditions, there is, between those languages a „linguistic screen”. Translating from one of these languages into the other requires penetrating that screen. The greater the differences between the languages and legal cultures in question, the greater is the difficulty (Randall 2016:1025). The judge needs the help of the linguistics expert in the absence of adequate linguistic skills. The domain (linguistics)

expert role may be significant in multilingual legal/administrative work (Chiocchetti, Ralli – Wissik 249).

**Cooperation in the solution of crimes that can be provable via language.**

One of its significant domains is the question of the criminology- and criminal procedural law-related application of linguistic evidence. Criminology continuously researches and widens the circle of information carriers that can assist in making the solution and verification of crimes easier. These carriers include information provided by forensic linguistics experts.

If the law is going to recognize the contributions that linguists can make to the interpretative enterprise, the law must first recognize that legal propositions, like factual propositions, are indeed subject to proof. „At that point, the law will have to confront the need explicitly to specify a standard of proof for legal propositions, to assign a burden of proof for legal propositions, and to address the other practical problems concerning proof that it now generally sweeps under the rug where legal propositions are concerned (Lawson 995).”

A linguistics expert has a fundamentally different role in the criminal procedure than the graphologist. The graphologist examines the manual side of formulating a text, for example the authenticity of a signature (Juhász-Szilák 1974:64). As opposed to that, a linguistics expert examines the mental, linguistic side, for example, establishes the authorship of a text by using descriptive linguistic and comparative methods.

It is a primary question in criminal procedure whether it is necessary to involve a linguist at any stage of the criminal procedure, and if so, what their task is. There are linguistic features which may refer to age, gender, level of education, origin, place of residence, occupation, religion, creed, foreign nationality or foreign linguistic circumstances. One is able to infer from a text the social-demographic characteristics of the author of the given text. We may call this linguistic profiling. And from this we may conclude that it is not enough to examine the grammatical specifications of a text, but also the characteristics of the text structure need to be revealed, the individual style, which is beyond composition, thus having a so-called super-

textual nature (Szilák 1984:117). A text is telltale, it gives away its author's gender, profession, it will reveal whether it had been dictated or made up by its writer. As forensic linguists say, it is not the hand that writes, but the brain. People usually do not think about language, or the significance of speech, thus, it is not obvious how to consult with a linguistics expert either, as people do not realize that language and the use of language can be a great pitfall for man either in writing or in speech. Criminal linguistics is not only an applied branch of linguistics, but also a scientific branch of sociolinguistics as well, as without sociological threads, it is not possible for an expert to work with language. During linguistic profiling a personality image is created, and in such cases one has to determine who is who based on language use. For example, one can create a language profile about the author of an anonymous letter. It can be determined whether it is a man or a woman, its approximate age, from which part of the country it comes, what its profession is, what kind of friends it has.

The use of language, either in writing or in speech, can be a mark as distinguishing as a fingerprint – also intonation, accent, pitch of voice, which can albeit be subject to change, but is also unique. The perpetrator does not even notice how characteristic, routine and consequent is the way he or she is using certain phrases, conjunctions and suffixes, from the smallest units of language to the longest ones. Most people have characteristic sentence-structuring, and usage of words, conjunctions and suffixes. It may sound as a cliché, but women are more emotional than men, and what men may tell with a half-sentence, a woman can describe in three or four well-rounded sentences (Szilák 1984:117).

The forensic linguistics expert also creates text analysis and authorship analysis, he or she examines in such cases for example, if two texts share the same author, if it was written by dictation, or was someone forced to write it. It can happen, namely, that a letter has an originator, but was written by someone else actually. It can also be a task for a linguistics expert to create the linguistic profile of an unknown person based on his or her terrorist threat. It had been established in a criminal case as the result of a successful linguistics expert examination, that the perpetrator was a policeman. The expert drew this conclusion based on the dense and tight structure of sentences.

In another case the court decided that the accused had been guilty of a terrorist act as a multiple repeat offender, and sentenced to 2 years and 4 months of incarceration, and 4 years' restriction from

participating in public affairs. The accused had written a letter which contained threats regarding the detonation of state institutes. His guiltiness was also supported by his confession given after the linguistics expert opinion had been created, so he was not disputing the fact that the threatening letter was written by him (Court of Budapest, Decision Nr. 7.B.855/2009/33, and JR 147/2010/5).

The deliberate modification of the text can be a one-way process, by which we mean that only an educated person can present him- or herself as uneducated, but it is not possible to go the other way round. However, this is independent from the fact that in every fictional text there are real elements that provide information beyond the will of the composer. So the writer attempts to mislead do not necessarily prevent the conclusion regarding to which group the author belongs, and the approaching of his or her persona.

According to another decision, the accused have been sentenced to 4 years of incarceration, 4 years' restriction from participating in public affairs and 4 years' restriction from exercising a lawyer's profession, for being an accomplice in the crime of forgery of stamps, for being an accomplice in the crime of fraud, and for the crime of forgery of private documents. The accused, a lawyer by profession, and his accomplices got hold of 1489 pieces of fee stamps, worth 10 000 HUF in nominal value each, which have previously been already used. Traces of past use have been cleared by steeping them in a solution of hypo, and by ironing. The accused, previously a lawyer by profession, by exploiting the legal possibilities of civil court procedures, aimed to obtain illegal profit by the repeated use of these fee stamps. In order to achieve this, he filed complaints based on delivery contracts with identical content against fictitious, non-existent defendants, and complaints based on lease contracts with identical content against fictitious defendants in the name of fictitious plaintiffs, to different county courts of the country. On all documents used in the court cases, he paid the necessary fees with stamps. However, he dropped the lawsuit before the time of the trial had been set, thus, he filed an application to have 90% of the paid fee reimbursed. The county courts also decided on paying 90% of the fees back in their decisions regarding the discontinuation of the cases. The sums have been partially picked up by the secondary accused, and partially by other people, so they made a total illegal profit of 13 401 000 HUF.

Based on his examination of the attached court documents of the above case, the linguistics expert confirmed the fact – otherwise

already personally experienced by the primary and secondary court – in his report, that the memos in the examined case had been created by filling out the same updated sample, and all the memos come from the same composing and executing author, who might be identical to the primary accused. The expert helped to establish that in all trials, the identically worded lease contracts and delivery contracts attached all come from the same composer, and the declarations and other records filed in the case may be coming from the same author based on their composition (15.B.920/2004/59. of the Court of Budapest declared on April 10<sup>th</sup>, 2008, and the decision 3.Bf.216/2008/6. of the High Court of Justice in Budapest).

The linguistics expert's examination conducted during the criminal procedure usually involves the analysis and identification of texts with short length, and thus they do not include all the grammatical specifics of the perpetrator. Due to that, besides all the levels of linguistic description, one needs to uncover the text structure characteristics as well, in order to get to know the truth in the fullest possible measure.

A question of methodology could arise, whether it is necessary to inform the linguistics expert about the given case in advance or not. So in case of structural letters of similar content and purpose are sent from a specific point of the given country, then it is valid to ask whether the language of these texts is characteristic of the parlance of that region or not. If this question is not asked this way, the expert may not even consider this factor.

The text linguistics examination thus creates a synthesis of similar scientific branches – philology, traditional linguistics, stylistics, content analysis, and is occupied with the sub-areas of these branches, like originality analysis and syntax.

The so-called quantitative text analysis involves the quantitative analysis of certain writings, the quantitative comparison of two or more texts, the uncovering of the quantitative relations of variety and choice, and the introduction of the quantitative connections of the personal characteristics and compositional qualities of the author, namely, to what extent are the qualities of the individual reflected in the texts (Nagy 1980:24).

Examining the frequency of word classes can be considered as quantitative analysis, as the analysis of the absolute number of occurrences of elements found in the text.

The so-called economicalness of the text, so the ratio of content and text words, the richness of the vocabulary of the text, so the repetition of words, the specialty index, so the examination of what the specifics of vocabulary is.

For the analysis of texts of anonymous or fake authorship examined from the point of view of criminology, one should apply a complex method, namely, one needs to examine the quality of composition, the style of the work, the personal vocabulary of the work, the grammatical quality of the work, so the way it adheres to and deviates from the rules and the orthography of the work (Nagy 1980:63).

The so-called suicide notes belong to a separate category, where texts are not composed in a traditional linguistic environment, but shortly before death. In such cases, the task of determining the identity or external responsibility has a high priority (Nagy 1980:121).

It becomes a more and more ordinary task to analyze tattoos and graffiti from a linguistic point of view (Ibolya 2015:7).

The criminology text linguist examines written texts, for example, anonymous blackmailing letters and letters of threat, but this circle can contain letters of harassment and suicide notes as well. With the appearance of internet, computers and SMS, criminology graphology cannot be applied in many cases, thus the linguistics expert is the only choice for the examination of the text (Nagy 1980:5). It is an interesting phenomenon in the age of the internet that during linguistic profiling, it is much more difficult to determine the age of someone based on a written text, as the characteristic youthful slang is often learned by adults as well, so the analysis of this requires a multi-layered work.

Expert linguistic profiling is becoming more and more common in the world of Facebook and social media. For example, in the case when one tries to determine if a text (e.g. a harassing text) could have been written by the same person or not.

On Facebook, the decoding of fake names surfaces also more and more often. On Facebook again, the establishment of the quality of the text's reference to reality, namely, that how true are the contents of it (Ránki 2013:26).

One can draw serious conclusions from a knowledge about prison slang, as it takes time between a half and one year on average, until one learns it.

Prison slang, prison linguistics are a standalone branch of science, as an inmate is not an average person, but speaks at least three different group languages, so his or her own common language, prison language and the slang characteristic of his or her own confined criminal group (Fliegauf-Ránki 2006:133). For example, drug dealers have their own separate language. In many cases, the organizing unity can be recognized by the specific euphemisms.

The learning of a group language is similar to the learning of one's native language. A criminal can have group language on different levels. The first is the standard language, the second is the criminal group language (the language of drug dealers, cigarette smugglers), the third is prison language, and in the end the knowledge about the special language of law. It can be a task for the linguistics expert to decode the criminal group language.

In certain cases, linguistic wording characteristic of paranoid schizophrenics can also be proven, if, for example, there is a reference to angels or to God in a unique style of text.

## **Closing remarks**

All in all, it is not very common to obtain linguistics expert reports. It can be established however, that it is more and more accepted to use linguistics expert opinions for the sake of a more well-grounded exploration of facts in a criminal procedure. Courts can fulfill their duty to reveal the truth this way. In my opinion, the ideal situation would be if scientific linguistic knowledge had a larger role in the formulation of the judicial conviction in criminal cases.

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