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LANGUAGE AND LINGUISTICS ON TRIAL: HEARING RACHEL JEANTEL  
(AND OTHER VERNACULAR SPEAKERS)  
IN THE COURTROOM AND BEYOND

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Rachel Jeantel was the leading prosecution witness when George Zimmerman was tried for killing Trayvon Martin, but she spoke in African American Vernacular English (AAVE) and her crucial testimony was dismissed as incomprehensible and not credible. The disregard for her speech in court and the media is familiar to vernacular speakers and puts Linguistics itself on trial: following Saussure, how do we dispel such ‘prejudices’ and ‘fictions’? We show that Jeantel speaks a highly systematic AAVE, with possible Caribbean influence. We also discuss voice quality and other factors that bedeviled her testimony, including dialect unfamiliarity and institutionalized racism. Finally, we suggest strategies for linguists to help vernacular speakers be better heard in courtrooms and beyond.\*

*Keywords:* AAVE, vernacular dialects, forensic linguistics, language attitudes, sociolinguistics, of what use is linguistics?

‘Da’s how I speak. He cannot hear me that well.’—Rachel Jeantel, in courtroom testimony, *State of Florida v. George Zimmerman* trial, June 27, 2013, pp. 229–30 of court reporter’s transcript

‘Ain’t no justice. That’s why they got that statue of her and got her blindfolded. Common sense would tell you if anybody need to see, she do. There ain’t no justice.’—Memphis, in August Wilson’s play, *Two trains running*, 1992

‘Finally, of what use is linguistics? ... in the lives of individuals and societies, speech is more important than anything else. That linguistics should continue to be the prerogative of a few specialists would be unthinkable—everyone is concerned with it in one way or another. But ... there is no other field in which so many absurd notions, prejudices, mirages and fictions have sprung up. ... the task of the linguist is ... to dispel them as best he can.’—Ferdinand de Saussure 1966 [1916]:7

**1. INTRODUCTION.** The epigraphs above serve as entrée to the central themes of this article. The first is from Rachel Jeantel, the nineteen-year-old African American ‘star witness’ for the prosecution in the 2013 trial of George Zimmerman for killing Trayvon

\* This is a revised version of John R. Rickford’s Presidential Address at the 2016 LSA annual meeting, significantly improved by collaboration and coauthorship with Sharese King, and by suggestions and critiques from referees Walt Wolfram and Anne H. Charity Hudley. We thank them and *Language* editor Greg Carlson, and are honored to be included in his final issue. Earlier versions of this paper were presented at Cornell, Stanford, Stony Brook, Florida International University, and the University of the West Indies, Barbados, and at NWAV and American Dialect Society meetings. We acknowledge feedback received there, although we cannot thank individuals who offered helpful comments. We must single out for recognition, however, our army of dedicated undergraduate research assistants: Carra Rentie, Aurora Martinez Kane, Jonathan Kim, Marly Carlisle, Habib Olapade, Angelica Previte, Mia Melissa Mathias, Mysia Anderson, Ellie Redding, Avery Young, Gabrielle John, Alexander Wade, Kenneth Smith, and Rachel Crovello. Our article also benefited greatly from the assistance of graduate students Keith Cross, Katherine Hilton, Taylor Jones, Andrea Kortenhoven, Quentin Sedlacek, and Janneke Van Hofwegen. Last but not least, we drew on the advice and expertise of Professors and/or Doctors Frank Anshen, Arto Anttila, John Baugh, Celia Blake, Renée Blake, Phillip Carter, Michel DeGraff, Diana Eades, Jennifer Eberhardt, Penny Eckert, Crawford Feagin, Jim Fox, Lisa Green, Rebecca Greene, Anne Charity Hudley, Sharon Inkelas, Dan Jurafsky, Paul Kiparsky, William Labov, Sonja Lanehart, Mark Liberman, Yoshiko Matsumoto, Michael Montgomery, Peter Patrick, Rob Podesva, Angela E. Rickford, Russell J. Rickford, Gillian Sankoff, Arthur Spears, Meghan Sumner, Julie Sweetland, Tom Wasow, Alicia Wassink, Robert Weisberg, Donald Winford, and Paul Zenke. Lastly, we owe a special thanks to lawyers and others involved in the Florida v. Zimmerman trial—including Andy Cantor, Shelly Coffey, and Mark O’Mara—who helped us to secure recordings and transcripts and provided useful information. Responsibility for any errors in this article remains our own.

Martin. Jeantel spoke in the everyday vernacular that Brown (1968) called ‘Spoken Soul’ and linguists call ‘African American Vernacular English’ (AAVE).<sup>1</sup> But jurors, partly because they could not hear, understand, or believe her, disregarded her testimony and acquitted Mr. Zimmerman.

The second quote is from Memphis, a character in one of August Wilson’s plays. His despairing cry that ‘There ain’t no justice’ echoes the frustration of many who felt that Zimmerman’s acquittal was an abrogation of justice, and indeed the phrase ‘Black lives matter’ was coined by one woman (Alicia Garza), reacting on Facebook to the systemic racism she saw in Trayvon’s killing and Zimmerman’s acquittal.<sup>2</sup> But note Memphis’s language too. Like virtually every character in Wilson’s famed ten-play *Pittsburgh cycle* (or *Century cycle*), Memphis speaks in a variety of AAVE similar to Jeantel’s, one based on the vernacular in the African American Hill Street district of Pittsburgh in which Wilson grew up. The playwright has noted that at first, ‘I didn’t value and respect the way blacks talked—the everyday poetry of the people I’d grown up with’.<sup>3</sup> And his initial characters, voiced in high-flown literary language, were ‘stilted’ and ‘stiff’. It was only when he realized that ‘art is within the language of the people’, and began listening to the vernacular around him and putting that in the voices of his characters, that they became vibrant and authentic and his career as a Tony- and two-time Pulitzer-winning dramatist took off.<sup>4</sup>

The final epigraph, exactly a century old, is from the venerable Ferdinand de Saussure. It reminds us of the central importance of speech in everyday life, but also of the many prejudices and fictions about speech and language that exist in the minds of the general public, and of our responsibilities as linguists to dispel them. The central role of the Zimmerman trial in the birth of the influential #BlackLivesMatter movement and the central role of AAVE in the ignoring of Jeantel’s testimony in that trial remind us of the central importance of language in the lives of individuals and societies. Working for justice can take many forms, but for linguists, we believe it should include listening to vernacular dialects more closely and hearing their speakers more clearly and more fairly, not only in courtrooms, but also in schools, job interviews, apartment searches, doctors’ visits, and everywhere that speech and language matter. Dispelling fictions about and prejudices against vernacular speech is a task that linguists are best qualified to undertake. And in the spirit of Saussure, it is a duty to which we should feel as called, even obliged, as to the theoretical, descriptive, and experimental work that fills our lives. This is the message of this article, constructed, in the first instance, around close examination of Rachel Jeantel and her language in the trial of George Zimmerman.

In 2012, at the time her friend Trayvon Martin was fatally shot in Sanford, Florida, by George Zimmerman, Rachel Jeantel was a student at Miami’s Norland High School.<sup>5</sup> (See Photo 1.) As noted, Martin’s killing and Zimmerman’s acquittal (on July

<sup>1</sup> As Lanehart and Malik (2015:3–4) note, several alternative terms are in use by linguists today, including African American English (AAE), African American Vernacular English (AAVE), African American Language (AAL), and African American Vernacular Language (AAVL), but ‘[r]egardless of which term researchers use ... they all refer to a language variety that has systematic phonological ... morphological ... syntactic ... semantic ... and lexical ... patterns’. See also Green 2002:5–7.

<sup>2</sup> See <http://www.usatoday.com/story/tech/2015/03/04/alicia-garza-black-lives-matter/24341593/>.

<sup>3</sup> The quotation is from Plummer & Kahn 1996.

<sup>4</sup> The remaining quotes from August Wilson are from Rickford & Rickford 2000:28–29, based on an interview with him conducted at Stanford University by John R. Rickford on January 14, 1999. For more on Wilson, see [https://en.wikipedia.org/wiki/August\\_Wilson](https://en.wikipedia.org/wiki/August_Wilson).

<sup>5</sup> On the date of Trayvon Martin’s killing, February 26, 2012, Jeantel was eighteen, Martin seventeen (their birthdays only three weeks earlier), and Zimmerman twenty-eight. Zimmerman, of mixed White and His-

13, 2013) helped to spark the powerful, increasingly influential #BlackLivesMatter movement.<sup>6</sup> That movement began as a protest against the ‘extrajudicial killings of Black people by police and vigilantes’ and the injustice Black people face in seeking restitution in the courts.<sup>7</sup>



PHOTO 1. Rachel Jeantel, Trayvon Martin, George Zimmerman.<sup>8</sup>

Why should Rachel Jeantel and her testimony in this historically significant trial be of interest to linguists? As a close friend of Trayvon Martin, talking with him by cell phone about Zimmerman’s profiling and following him until moments before his death, Jeantel was akin to Trayvon’s being in the courtroom himself, testifying on his own behalf. She was the prosecution’s star witness, testifying for nearly six hours, longer than any other single witness at the trial. However, her vernacular speech was pilloried on social media, and one of the six jurors (B37) said, in a TV interview with CNN’s Anderson Cooper after the trial (July 15, 2013), that she found Jeantel both ‘hard to understand’ and ‘not credible’. In the end, despite her centrality to the case, ‘no one mentioned Jeantel in [16+ hour] jury deliberations. Her testimony played no role whatsoever in their decision’ (Juror Maddy, as reported in Bloom 2014:148). In a sense, Jeantel’s dialect was found guilty as a prelude to and contributing element in Zimmerman’s acquittal.

Not only was Jeantel’s vernacular pivotal in the disregard of her critically important testimony in this case, but in numerous other cases in the United States and around the world in which witnesses or defendants use a vernacular rather than the mainstream variety, they tend to be misunderstood or discredited, and encounter dialect unfamiliarity

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panic parentage, was the volunteer neighborhood watch coordinator at the gated Retreat at Twin Lakes. However, as Wendy Dorizal, of the Sanford Police Department, reminded him and his group in August 2011, they were ‘not supposed to confront anyone’ and ‘using a gun in the neighborhood watch role would be out of the question’ (Robertson & Schwartz 2012).

<sup>6</sup> See [https://en.wikipedia.org/wiki/Black\\_Lives\\_Matter](https://en.wikipedia.org/wiki/Black_Lives_Matter), <https://www.washingtonpost.com/blogs/post-partisan/wp/2015/02/27/from-trayvon-martin-to-black-lives-matter/>, and <http://time.com/time-person-of-the-year-2015-runner-up-black-lives-matter/>.

<sup>7</sup> See [blacklivesmatter.com/about/](http://blacklivesmatter.com/about/), created by the ‘Official #BlackLivesMatter Organization founded by Patrisse Cullors, Opal Tometi, and Alicia Garza’. And note from this site that the movement has since broadened to resist the ‘dehumanization’ of Black people more generally and the multiple ways in which they are ‘deprived of basic human rights and dignity’. And of course, ALL lives matter. ‘Black lives matter’ is only necessary, as a slogan, given police and other institutional practices that involve discrimination against Black people.

<sup>8</sup> Photo credits: Jeantel: Jacob Langston—Pool/Getty Images; Martin: from the family of Trayvon Martin; Zimmerman: Gary W. Green—Pool/Getty Images.

or prejudice in courtrooms and potentially unfair judicial outcomes (see §2 below). Moreover, lawyers, judges, and foundations committed to social equity and justice seem almost completely uninformed about how ‘language can stand as a barrier to justice or equal opportunity’.<sup>9</sup> Most linguists seem unaware of the extent and nature of the problem too, but since linguists have some of the technical skills needed to address the issue, linguistics seems like a good base from which to begin to push for change, even as we reach out to colleagues in law and other fields. In addition to pursuing its theoretical and descriptive concerns, linguistics, like history, sociology, and other academic fields, needs to make applied contributions to the understanding and solution of racial discrimination, criminal injustice, and other social problems.<sup>10</sup>

We proceed as follows. We first discuss other court cases in which English vernaculars from the United States, Australia, Africa, and the United Kingdom were either mis-transcribed or misunderstood (§2), bearing in mind that interpreters are not generally provided for ‘dialects’ of a language, only for foreign ‘languages’. We then return in §3 to the specific case of Rachel Jeantel’s dialect, analyzing her morphosyntax, phonology, and lexicon in detail to see how vernacular it was, whether it was more like AAVE or Caribbean Creole English (CCE), and the extent to which it might have posed intelligibility problems for speakers unfamiliar with AAVE or CCE. Drawing on qualitative and experimental evidence from other works, in §4 we consider whether the credibility and intelligibility problems that led jurors to disregard Jeantel’s testimony were due more to factors of attitude (e.g. dialect and racial prejudice) and conventional courtroom procedures (e.g. little or no juror access to court reporters’ transcripts) than to Jeantel’s dialect or her voice quality. We then turn to evidence of ways in which dialect and institutionalized racism negatively impact AAVE and other vernacular speakers in education, employment, housing, medicine, and other areas of everyday life (§5). Finally, we summarize our conclusions and propose actions that linguists and others might take to provide justice to speakers like Jeantel (§6).

**2. INTELLIGIBILITY ISSUES INVOLVING ENGLISH VERNACULARS IN OTHER CASES.** We know, from decades of dialectology and sociolinguistics research (e.g. Matthews 1938, Wolfram 1969, Macaulay 1977), that nonstandard or vernacular dialects (varieties that include ‘structures that are not mainstream or standard’; Wolfram & Schilling 2015:16) are spoken most frequently and fluently by ethnic minorities and/or by less educated, working-class, or poor people worldwide.<sup>11</sup> From forensic linguistics research (e.g. Eades

<sup>9</sup> This quote is from John Baugh, June 22, 2016, in an email discussion of a letter from a program officer for a foundation concerned with ‘Gender, Racial and Ethnic Justice’, who said that an LSA-initiated request for a project on linguistic discrimination in the criminal justice system ‘falls outside the scope of our grant-making on criminal justice reform’. The problem is: we have talked to several lawyers, judges, and law professors who report that they have never noticed or considered the impact of dialect difference in criminal justice.

<sup>10</sup> See Labov’s (1982:173) ‘principle of debt incurred’: ‘An investigator who has obtained linguistic data from members of a speech community has an obligation to make knowledge of that data available to the community, when it has need of it’; Wolfram’s (1993) ‘principle of linguistic gratuity’: ‘Investigators who have obtained linguistic data from members of a speech community should actively pursue positive ways in which they can return linguistic favors to the community’; and Rickford’s (2016) foreword to a new book (Lawson & Sayers 2016) in which both principles are cited many times.

<sup>11</sup> As Wolfram and Schilling (2015:16) note:

[t]he term [‘vernacular dialect’] is used in much the same way that the term ‘vernacular language’ is used to refer to local or native languages of common communication which contrast with the official language or languages of a country. Vernacular varieties have often been referred to as ‘nonstandard’ or ‘non-mainstream’ dialects, but we prefer the term ‘vernacular’ because it seems more neutral ... . As with

2010:88–92), we also know that vernacular speakers are often misunderstood or unfairly assailed and misjudged in court. In discussing precedents to the Zimmerman trial and Jeantel's testimony, we concentrate on cases that involve English vernaculars. But of course the issue is broader. See, for instance, Wodak-Engel (1984) on Viennese working-class speakers in Austria, and Jacquemet (1996) on Mafia gang members in Italy.

At the simplest level, intelligibility issues posed by such vernaculars involve the lexicon. For instance, an Aboriginal witness in a judicial inquiry in the Northern Territory, Australia, referred to 'a half moon shining'. A cross-examining counsel, certain there was no literal half-moon that night, tried to impugn his testimony. But an interpreter, aware that, in Aboriginal English (AE) of the north-east Arnhemland variety, *half* means 'small part', hence 'crescent moon', asked the witness to draw the moon he saw, validating his testimony (Cooke 1995:91). As Eades (2010:89) notes, the AE interpreter, 'on stand-by for witnesses who did not speak enough English', was crucial in resolving the potential cross-dialect comprehension problem here.

Another AE example from Australia (this one from Koch 1985:180) involves both lexicon and phonetics. In a Central Australia case, an AE-speaking witness referred to 'Charcoal Jack, *properly* his father'. But it was misrepresented in the official transcript as *probably his father*, suggesting witness uncertainty. This was due partly to *p/b* variability in AE, and partly to the court transcriber's unawareness that *properly* in AE means 'real', distinguishing the biological father from his brothers, who could also be referred to as *father* in AE.<sup>12</sup>

A more complex case of intelligibility error, involving syntax and phonology, comes from the testimony of a Jamaican Creole (JC) speaker testifying in a police interview in the United Kingdom. What the witness said on the audio recording is given in 1a. But his statement in the written transcript was mistranscribed as in 1b.

- (1) a. wen mi ier di bap bap,                    **mi drap a groud** an den  
       when I heard the bap bap [the shots], I fell to the ground and then  
       mi staat ron.  
       I started to run.

b. When I heard the shot (bap, bap), **I drop the gun**, and then I run.

As Brown-Blake and Chambers (2007:277) note, this 'potentially dangerous transcription error' interprets *drop* as a transitive rather than intransitive verb, and the following *a* as a Standard English indefinite article (but transcribed as 'the' not 'a') rather than the JC preposition *a* 'to'. The phonetic similarity between JC *groud* (/groʊ/) 'ground' and /gon/ 'gun' also contributes to the error. Fortunately, according to Celia Blake (p.c.), 'there was no actual legal consequence of this transcription error because luckily, the transcription was checked against the audio recording by a Jamaican Creole interpreter (Paul Chambers—the second author) who picked up the error'. (See Hutchins 1999 for experimental work on miscomprehension of Jamaican and other CCE speakers in the courtroom.) But this case, like the preceding one involving AE *half-moon*, depended critically on the intervention of an interpreter for what US courts might regard as an En-

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standard dialects of English, a number of different social and regional factors go into the labeling of a vernacular, and any attempt to define a vernacular dialect on a single dimension is problematic. Vernacularity, like standardness, exists on a continuum so that particular speakers may exhibit speech which is more or less vernacular.

<sup>12</sup> This case was also cited by Eades (2010:90). It is no accident that several of her examples involve Aboriginal English, not only because she lives and works in Australia, but also because she and others have published extensively (see, for instance, Eades 2004) on problems involving AE in Australian courts.

glish dialect requiring no interpreter. According to the *US Guide to Judiciary Policy*, vol. 5, Ch. 2, sec. 210.10a, an interpreter is only required for speakers of ‘a language other than English’, as quoted in 2.<sup>13</sup>

- (2) A judge must appoint interpreters in judicial proceedings in the United States, if the judge determines that a party or a witness speaks only or primarily a language other than English ... so as to inhibit that person’s comprehension or communication in the proceeding.

In England, ‘Jamaican Patois’ is one of 176 ‘rare languages’ (ones that are rarely spoken in the United Kingdom) for which interpreter services are provided, along with Acholi, Belarusian, Ewe, and—more directly relevant to this article—other English-based varieties like English (Pidgin), Guyanese, Krio, and Nigerian Pidgin (Ministry of Justice 2015:28). Despite this, as Paul Chambers (p.c.) reports in 3, some judges, lawyers, and police still resist using JC interpreters.

- (3) The (Chartered) Institute of Linguists ([https://en.wikipedia.org/wiki/Chartered\\_Institute\\_of\\_Linguists](https://en.wikipedia.org/wiki/Chartered_Institute_of_Linguists)) has categorized Patois as a Rare Language. ... However in real terms, in court, there were many lawyers and judges who were initially very skeptical of the use of a JC interpreter. However their opinions have changed over the years, having experienced the difference an interpreter makes to the accuracy and flow of the delivery of evidence. ... many (including police) still resist using the full service of a JC interpreter mainly in an effort to save funds. The excuse often given is ‘we can understand most of what is being said’. This sometimes results in an interpreter being sought when a trial is part-heard and there is difficulty in agreeing on facts or understanding instructions or evidence.

To show how various components of language can combine to produce varieties of vernacular English that might be challenging, if not incomprehensible, to the average English speaker from North America or the United Kingdom, consider the following statement in Krio (Creole English) from a native of Sierra Leone, West Africa.<sup>14</sup> Krio is one of the ‘rare languages’ for which interpreters are provided in the United Kingdom, but not necessarily in the United States.

- (4) a nem ruben em kōrōma. mi na salonman.  
 ‘My name is Reuben M. Koroma. I am a Sierra Leone man.’  
 a wan gi yu na wan krio parebul dis mōnin. no memba  
 ‘I want to give you a Krio proverb this morning: Don’t think about’  
 usay yu go fōl dawn, bōt memba usay yu bōk yu fut.  
 ‘where you fell down, but think about where you stubbed your toe.’

The provision of an interpreter for precisely this variety became an issue in a New York court in 2003. In *People v. George Smith*, No 3519/01, 2003 NY, defendant John Smith moved for a mistrial after a Krio interpreter was used for the testimony of Sierra Leone complainant Gerald Sambolah, whom Smith had slashed with a box cutter. Smith’s lawyer contended that Krio ‘is not some kind of language that one ... goes to a univer-

<sup>13</sup> But note, at sec. 215 (a) (2), regarding witnesses: ‘The statute leaves the decision of whether an interpreter is needed to the judge’s decision’. For more information, see ‘Court Interpreting Guidance’ at <http://www.uscourts.gov/rules-policies/judiciary-policies/court-interpreting-guidance>.

<sup>14</sup> For the transcript and gloss of this Krio example, a video version of which is available at <https://www.youtube.com/watch?v=8Dfn7HSnS1w>, we are indebted to John Victor Singler (p.c.), who used the orthography of Fyle & Jones 1980.

sity and studies ... It's nothing more than a Patois [and] English with a bad accent'. The judge in this case denied the mistrial motion, however, citing historical and sociolinguistic information that 'Krio, although related to English, is a separate and distinct language that cannot be readily understood without an interpreter' (Misc Lexis 322, NY Sup Ct Bronx, Minutes, p. 190). We should note that an interpreter was allowed for the nonstandard English variety in this US case only because Krio was classified by the judge as a separate language.

Before we turn to other cases that, like Zimmerman's, involve AAVE as a crucial component, it should be noted that African Americans are much more likely to be in jail or prison than White Americans. Earlier estimates (Walker et al. 1996:194, NAACP 2009) are that they were 'six times more likely' than White Americans to be incarcerated, but a 2014 estimate is even worse, indicating that Black men are in state or federal prisons 3.8 to 10.5 times more often than White men (Bureau of Statistics, 9/2015). Despite these grim disparities and the fact that AAVE has been the US English dialect most examined by linguists for quite some time (Schneider 1996),<sup>15</sup> there is, as Eades (2010: 89) noted, 'almost no linguistic research which examines African American interactions in the legal process'. Nevertheless, there are at least four court cases involving African Americans, from 1955 to 2015, in which AAVE has saliently been displayed, and misunderstood or mistranscribed.

The first case involves the 1955 trial of J. W. Milam and Roy Bryant (who subsequently brazenly confessed to the crime in *Look* magazine, 1/24/1956) for the murder of fourteen-year-old Emmett Till in Mississippi. Asked in court to identify the gunman who took Emmett from his house, Rev. Wright pointed a gnarled finger at J. W. Milam and announced in a loud, clear voice, 'Thar he Ø!' (Mark Gado, *Mississippi madness*). Now it may be that the Rev. Wright's exact words were mistranscribed—in modern AAVE as in Standard English, no copula contraction or deletion is allowed in stress-favoring clause-final position. Or it may be that this is a Southern (especially Mississippi/Louisiana) African American usage that was more prevalent in earlier times.<sup>16</sup> But clearly this key African American witness spoke in AAVE.

The second case involves 'Young Beartracks' from East Palo Alto, California, tried in 1965 for the murder of 'Chicago Eddie'. This is one of two California cases involving AAVE discussed by anthropologist Daniel Swett (1969) as examples of linguistic and cultural bias in the American legal system. Young Beartracks did admit to having killed Chicago Eddie, but he defended his actions on the grounds that the latter 'had been about to attack him with a razor' and 'put him [the defendant] in the dozens' (Swett 1969:98).<sup>17</sup> Nevertheless, Young Beartracks was found guilty of second degree

<sup>15</sup> 'African AmE has been the most prominent topic of writings on AmE in general, with more than five times as many publications devoted to it than to any other group or, in fact, category of the list' (Schneider 1996:6).

<sup>16</sup> Anne H. Charity Hudley commented that '[y]ou don't need copula absence here with the demonstrative—Southern African-American English speakers can easily say *there he Ø*, *there she Ø* (the ellipsis may well be for *goes not is*). Lisa Green has told us (p.c.) that 'her parents and grandfather [from Louisiana] clearly used it (and others their age and younger do)' (cf. Green 2002). And Crawford Feagin (cf. Feagin 1979) sent us the following example from King (1972 [1879]:789), who attributes its use by White children to Black models: 'in Natchez, on the Mississippi, I noticed that some of the white children, even those who attended private schools and were evidently kept from street communion with the negroes as much as possible, copied the ... colored man's speech. Our landlord's son, for instance, pointing to our carriage which had arrived at the door, said "Da he", which was plantation slang for "There it is".'

<sup>17</sup> 'A verbal game of talking negatively about someone's mother (or sometimes other relatives ...) by coming up with outlandish, highly exaggerated, sometimes sexually loaded, humorous ritual "insults" ...' (Smitherman 2000:115).



murder and sentenced to five years to life. A key factor in this conviction appears to have been communication difficulties of various sorts. According to the prosecutor, 'it would have been easier to bring out the facts of the case if witnesses were unable to speak English, so that competent interpreters could have been used' (ibid.). Jurors later said that 'the greater part of the testimony had been incomprehensible to them' (Swett 1969:99).

The third case involves several omissions and mistakes that the authors of this article noted in the police transcript of a 2015 recorded jail call from an African American suspect in a San Francisco Bay Area city, near East Palo Alto. See, for instance, the examples in 5–8.

- (5) *He come tell (me) bout I'm gonna take the TV* was mistranscribed as '??? I'm gonna take the TV' (with the entire initial clause incomprehensible to the transcriber).
- (6) *They done got it* was mistranscribed as 'They got it'.
- (7) *They done tore that room up* was mistranscribed as 'They **just** tore that room up'.
- (8) *I'm fitna* [= immediate future] *be admitted* was mistranscribed as 'I'm **fit** to be admitted'.

From this case, and a fourth California case in which the senior author of this article was recently involved, it appears to be the case that AAVE's preverbal tense-aspect and modality markers (*come* of indignation, completive or resultant state *done*, immediate future *finna/fitna*; see Spears 1982, Rickford 1999, Green 2002) might frequently be the source of miscommunications with and mistranscriptions by police, secretaries, court reporters, and jury members who do not speak or are not familiar with AAVE. This, as we will see, may also have been the case in the Zimmerman trial.<sup>18</sup>

An anonymous court reporter has also told us the following.

- (9) I can't tell you how many times I've wanted to stand up in the middle of court and scream get me an Ebonics interpreter. They don't exist. In my opinion, I think they should ...

This remark reminds us that in 2010 the Drug Enforcement Association (DEA) put out a call for nine Ebonics translators in the Southeastern United States 'to help interpret wiretapped conversations involving targets of undercover drug investigations' (Bluestein 2010, but see also Alim & Perry 2010). Clearly the need for AAVE translators or interpreters has been recognized in the United States for assisting police investigations, but not (yet) for assisting witnesses or defendants (or transcribers and court reporters) in prison and the courtroom.

**3. JEANTEL'S LANGUAGE IN PRETRIAL DEPOSITIONS AND INTERVIEWS, COURTROOM TESTIMONY, AND A POST-TRIAL TV APPEARANCE.** AS we prepare to examine Jeantel's English in the courtroom, deposition, and other contexts related to the Zimmerman trial, it is important to remember how crucial her testimony was to the prosecution's case. Her story directly contradicts Zimmerman's—for instance on the key detail that Trayvon Martin was running AWAY from Zimmerman instead of running TOWARD or stalking and waiting to attack him. This point comes through even in this short excerpt from the

<sup>18</sup> Moreover, as Walt Wolfram (p.c.) has noted: 'One of the important conclusions from these and other studies is that the responsibility for avoiding miscomprehension seems to be disproportionately borne by the subordinate group. As Wolff's 1959 study in West Africa attests, the burden is on the linguistic/social subordinate to make themselves comprehensible, not for the dominant to try to comprehend'.

first day of Jeantel's testimony (see the italicized portions in particular), which will also serve as an introduction to her language.<sup>19</sup>

- (10) Excerpt from Courtroom Testimony of Rachel Jeantel (RJ), day 1 (Prosecutor Bernie de la Rionda (BR) questioning), as recorded by the court reporter (CR) and annotated by us [ $\emptyset$  = zero *is/are* copula, or zero plural, possessive, or third singular present tense *-s*]

RJ: He said he  $\emptyset$  from—he—I asked him where he  $\emptyset$  at. An he told me he  $\emptyset$  at the back of his daddy $\emptyset$  fiancée $\emptyset$  house, like in the area where his daddy fiancée—BY his daddy $\emptyset$  fiancée $\emptyset$  house. Like—I said, 'Oh, you better keep running.' *He said, naw, he lost him.*

BR: Okay. Let me stop you a second. This—this lady [the Court Reporter] has got to take everything down, so you make sure you're—Okay. So after he said he lost him, what happened then?

RJ: And he say he—he  $\emptyset$  by—um—the area that his daddy $\emptyset$  house *is*, his daddy $\emptyset$  fiancée $\emptyset$  house *is*, and I told him 'Keep running.' *He—and he said, 'Naw, 'he'll just walk faster.* I'm like, 'Oh oh.' And I—I ain't complain, 'cause he was breathing hard, so I understand why. Soo

BR: What—what happened after that?

RJ: And then, second $\emptyset$  later—ah—Trayvon come and say, 'Oh, shit!'

CR: [Unintelligible—requesting clarification] 'Second later?'

RJ: A couple second $\emptyset$  later, Trayvon come and say, 'Oh, shit!'

BR: Okay. Let me interrupt you a second. When you say, the words, 'Oh, shit,' pardon my language, who said that?

RJ: Trayvon.

BR: He said it to YOU?

RJ: Yes.

BR: Okay. And after he used, pardon my language, he said, 'Oh, shit,' what happened then?

RJ: *The nigga  $\emptyset$  behind me.*

CR: I'm sorry, what? (22:7–23:7)

RJ: [Slowly, deliberately] *The nigga's behind—the nigga  $\emptyset$  behind me.*

BR: Okay. He used the N word again and said the nigger is behind me?

Considering for the moment only morphosyntactic features in this extract, we can tell immediately that Jeantel's usage is highly vernacular, since all nine of her potential possessive *-s* tokens (e.g. in the repeated NP *his daddy $\emptyset$  fiancée $\emptyset$  house*) are unmarked, as are both potential tokens of plural *-s* (in *second $\emptyset$* ). Moreover, six of her seven deletable present-tense singular copula tokens are absent.<sup>20</sup>

Largely because of these and other aspects of vernacular usage that we go on to document more fully, Jeantel's speech was widely pilloried on social media and in the

<sup>19</sup> This excerpt and others throughout the article come from the official transcript of Rachel Jeantel's testimony prepared by the court reporter for case no. 2012CF1083A, STATE OF FLORIDA, Plaintiff, vs. GEORGE M. ZIMMERMAN, Defendant, in Courtroom 5D, Seminole County Courthouse, Sanford, Florida, June 26 and 27, 2013. We are grateful to the Stanford Center for Race and Ethnicity in Language (CREAL) for covering the cost of this transcript.

<sup>20</sup> AAVE only deletes *is* and *are* variants of the copula, not *am* (which is deletable in Caribbean creole and vernacular Englishes), and not in clause-final positions (cf. the intact clause-final *is* in *the area that his daddy $\emptyset$  house is, his daddy $\emptyset$  fiancée $\emptyset$  house is* in 10 above). Generally, and unlike Caribbean Englishes, it does not delete *was* either. Some of the tokens of copula absence in 10 are open to interpretation as deletions of either *was* or 'historical present' *is*. We have chosen the latter interpretation.

press. Here are only six of the thousands of similarly deprecating—even virulent—critiques of her testimony that surfaced online.

- (11) ‘She is a dullard, an idiot, an individual who can barely speak in coherent sentences’—Jim Heron, Appalachian State<sup>21</sup>
- (12) ‘Sorry, but this is the blather of an idiot’—Thomas Stratford<sup>22</sup>
- (13) ‘This lady is a perfect example of uneducated urban ignorance ... When she spoke everyone hear, “mumble mumble duhhhh” im a miami girl, duhh-hhh.’—Sheena Scott<sup>23</sup>
- (14) ‘[RJ] cannot even speak English ... she speaks Haitian hood rat ... ’—edteach, quoted by Nic Subtirelu in *Linguistic Pulse*
- (15) ‘This inarticulate, fat drughead is unemployable and another welfare parasite sucking on the government teat.’—Tom Robinson, LSU<sup>24</sup>
- (16) ‘Everyone, regardless of race, should learn to speak correct English, or at least UNDERSTANDABLE English ... . I couldn’t understand 75% of what she was saying ... that is just ridiculous [sic]!’—Emma, comment on MEDIAite<sup>25</sup>

By carefully analyzing Jeantel’s usage in nearly fifteen hours of trial-related events in which she was recorded,<sup>26</sup> we show that her speech is neither ‘inarticulate’ nor ‘incoherent’, but a systematic exemplification of the grammar of AAVE, with some resemblances to, if not influences from, CCE varieties. Jeantel lives in a city and neighborhood with people originally from Jamaica and other countries in which Caribbean English creoles or vernaculars are spoken, and additionally her mother is from Haiti and her father from the Dominican Republic, and she is fluent in both Haitian Kweyol (Creole, French-based) and Spanish.

### 3.1. GRAMMAR (MORPHOSYNTAX).

SOME GRAMMATICAL FEATURES OF AAVE, WITHOUT QUANTITATIVE ANALYSIS. Rachel Jeantel’s recorded speech includes several well-known grammatical features of AAVE (cf. Rickford 1999:6–9, Green 2002:34–103), including the following.

- (17) Auxiliary-subject inversion in embedded indirect questions, without *if/whether* complementizer
  - a. But I do remember him asking me **have I** ever got a gun before  
(deposition; 3/13/2013)
  - b. I was asked **was I—did I** go to the doctor or anything  
(deposition; 3/13/2013)
- (18) Existential *it*, not *there*
  - a. Monday **it** was a rumor going around his school.  
(Piers Morgan interview; 7/19/2013)
  - b. **It’s** a lot of text message(s) missing  
(deposition; 4/24/2013)

<sup>21</sup> <http://www.miamiherald.com/2013/06/26/3471243/alternate-juror-dismissed-in-trayvon.html>

<sup>22</sup> <http://www.policymic.com/articles/52697/rachel-jeantel-s-language-is-english-it-s-just-not-your-english>

<sup>23</sup> <http://www.miamiherald.com/2013/07/16/3502851/rachel-jeantel-on-cnn-talks-about.html>

<sup>24</sup> <http://www.miamiherald.com/2013/07/16/3502851/rachel-jeantel-on-cnn-talks-about.html>

<sup>25</sup> <http://www.mediaite.com/tv/democrat-rips-black-english-on-fox-black-leaders-have-to-stop-making-excuses-for-rachel-jeantels-speech/>

<sup>26</sup> The total includes a twenty-three-minute pretrial interview with the state prosecutor Bernie de la Rionda, 8.25 hours of pretrial deposition over two sessions with attorneys from both sides (led by defense attorney Don West), 5.75 hours of courtroom testimony, and a forty-five-minute post-trial CNN-TV interview with Piers Morgan. Only the courtroom testimony and CNN interview have been seen or heard by the general public. The pretrial interview is available online, with a (somewhat inaccurate) transcript, but the lengthy pretrial deposition is not. We are grateful to the Florida State Attorney’s office and to the O’Mara Law Group for making materials available.

- (19) Stressed *BIN* as remote phase marker  
I **BIN** knew I was the last person to talk to Trayvon. (= ‘had known for a long time’) (deposition; 3/13/2013)
- (20) Invariant habitual *be*  
a. That’s where his headset **be** at (testimony; 6/26/2013)  
b. Sometimes my friends **be** texting for me, when I’m busy (deposition; 4/24/2013)
- (21) Preterit *had*<sup>27</sup>  
And then the phone just shut off, and then I **had** called back and he answered. (testimony; 6/26/2013)
- (22) Preterit *ain’t* (= ‘didn’t’)<sup>28</sup>  
They **ain’t** [= ‘didn’t’] call my number. (testimony; 6/26/2013)
- (23) Negative concord  
The Crump interview **don’t** mean **nothing** to me. (testimony; 6/26/2013)

These features provide our first indications that Rachel Jeantel is an authentic speaker of AAVE. This impression is solidified by other grammatical features of AAVE that occur even more frequently, thus permitting quantitative analysis.

ABSENCE OF POSSESSIVE, PRESENT TENSE, AND PLURAL *-s*. Table 1 shows the relative absence in Rachel Jeantel’s speech of three *-s* suffixes repeatedly studied in AAVE and other English vernaculars: third singular present tense *-s*, possessive *-s*, and plural *-s*. Her third present and possessive *-s* are almost categorically absent (99% and 95% of the time, respectively), while plural *-s* is absent less often—27% of the time.

∅ THIRD SINGULAR PRESENT <i>-s</i> : ‘It make ∅ him hungry.’	99% (119/120)
∅ POSSESSIVE <i>-s</i> : ‘His <b>daddy∅ fiancée∅</b> house’	95% (107/113)
∅ PLURAL <i>-s</i> : ‘A couple <b>second∅</b> later’	27% (42/157)

TABLE 1. Absence of three English *-s* suffixes in Rachel Jeantel’s speech.

Figure 1 compares Jeantel’s rate of third singular present tense *-s* absence to the rates for AAVE-speaking teenagers from East Palo Alto, California (Rickford 1992), Harlem, New York (Labov et al. 1968a), and Detroit, Michigan (Wolfram 1969). It shows that her high rate of third singular *-s* absence (99%) is comparable to that of the two East Palo Alto working-class teenagers Foxy and Tinky, whom we have studied intensively (see also Rickford & Price 2013), and indeed the differences between the three of them are not statistically significant. The rates of present *-s* absence reported for the Harlem groups ARE statistically different from Jeantel’s, but these represent means from between six and nine individuals, some of whom could have present *-s* absence rates comparable to Jeantel’s; without individual usage data, we cannot tell for sure.<sup>29</sup>

<sup>27</sup> As Rickford and Theberge Rafal (1996:233) note, AAVE preterite *had* often occurs ‘in clauses which begin with *then*, marking the action as chronologically subsequent to the previously related event’ rather than prior to it (contrast pluperfect *had*).

<sup>28</sup> Unlike its use for English *am not*, *isn’t*, *aren’t*, *hasn’t*, and *haven’t*, the use of *ain’t* for preterit *didn’t* appears to be distinctive to AAVE. Its derivation from *didn’t* involves the deletion of an initial voiced stop in a verbal auxiliary, a general process exemplified in several other AAVE and Caribbean English preverbal markers (see Rickford 1974:109).

<sup>29</sup> The group rates for the Harlem Cobras and Oscar Brothers are calculated by summing separate pre-consonantal and prevocalic data in single and group styles provided in Labov et al. 1968a. Statistical differences

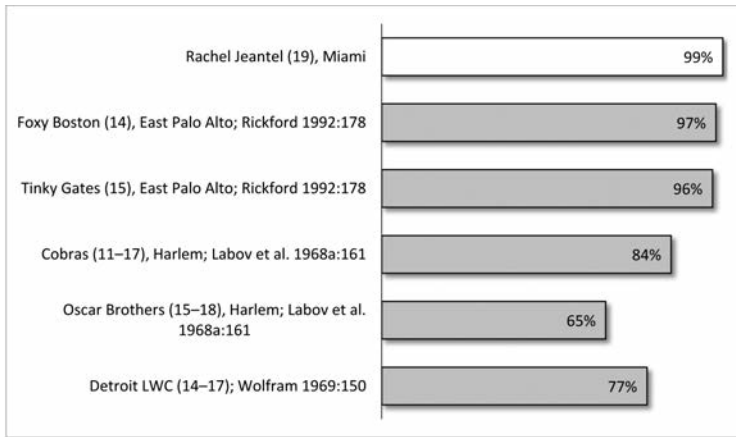


FIGURE 1. Rachel Jeantel's third singular present tense *-s* absence rate compared with rates of African American teenagers (ages in parentheses) in earlier studies. (*Ns*: Jeantel: 120, Foxy: 69, Tinky: 56, Cobras: 161, Oscar Brothers: 357, Detroit: n/a.)

Figure 2 shows Jeantel's possessive *-s* absence rate to be very high (95%), and higher than that reported for the other AAVE-speaking individual teenagers or groups in the literature. Foxy's 86% rate does not differ significantly from Jeantel's 95% ( $p = 0.334$ , by Fisher's exact test, two-tailed), but the difference between Jeantel's 95% and the rates for Tinky (53%) and the groups from Harlem (63%) is of even greater statistical significance ( $p \leq 0.0001$ , chi-square with Yates correction, two-tailed). This may reflect influence from Caribbean varieties like Jamaican or Haitian, where possession in attributive position is usually marked by adjacency without inflection (Jamaican *jaan buk*, Haitian *liv Jan* 'John book').<sup>30</sup> Patrick (2004:432) notes that possessive or genitive *-s* 'does not occur' in basilectal or even mesolectal Jamaican Creole English, but is characteristic of Standard or Acrolectal Jamaican English, of the kind documented by Deuber (2014). Winford (p.c., Sept. 2016) reports similarly for Trinidadian Creole English. Relatedly, Singler (p.c., Sept. 2016; see also Singler 2007:135), discussing Liberian Settler English in Sinoe, 'the speech of modern-day descendants of the African Americans who immigrated to Liberia in the nineteenth century', reports an overall rate of 88% (84/95) among fifteen elderly Settlers, but 100% for those in the group who are not teachers (0/46). These may well represent the rate of possessive (non)marking among the ancestors of today's AAVE speakers.

As seen in Figure 3, Jeantel's plural *-s* absence rate (27%) is twice as high as the rates previously reported for Foxy and Tinky (13% and 11%, respectively), and the difference is statistically significant in each case (as measured by Fisher's exact test, two-tailed, at  $p < 0.0001$ ). The differences are even more statistically significant when the rates for the Harlem Cobras and Oscar Brothers are considered ( $p < 0.0001$  in each case), although rates up to 33% may also be within the range of individual AAVE speakers, particularly in some Southern rural varieties, as Walt Wolfram (p.c.) has noted. At the same time, this may be another feature in which Jeantel shows some in-

from Wolfram's lower working-class (LWC) Detroit group could not be calculated since the *Ns* or absolute frequencies are not available in his 1969 text.

<sup>30</sup> Thanks to Michel DeGraff for the Haitian example, although he notes that in certain dialects in the north of Haiti, *liv a jaan* is also possible. This latter analytic version is similar to the *buk fi jaan* alternative in Jamaican.

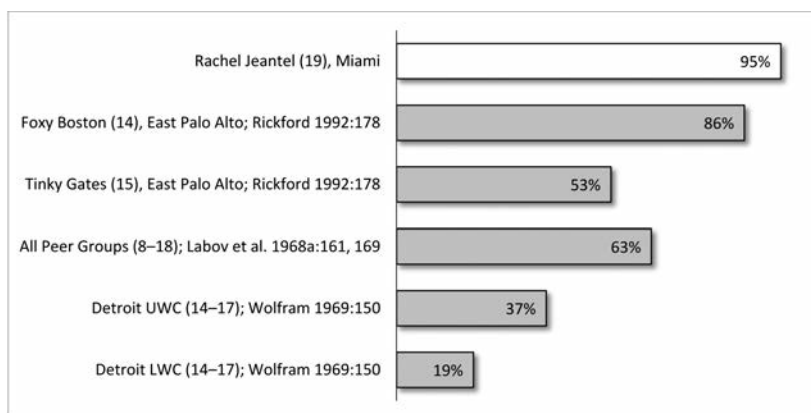


FIGURE 2. Rachel Jeantel's possessive *-s* absence rate compared with rates of African American teenagers in earlier studies. (*N*s: Jeantel: 113, Foxy: 22, Tinky: 15, All Peer Groups: 88, Detroit: n/a.)

fluence from Caribbean varieties that are common in her Miami neighborhood. Note, however, that Jeantel is behaving like all of the AAVE speakers in earlier studies insofar as she displays a much lower rate of *-s* absence for the plural than for the possessive or third singular present.

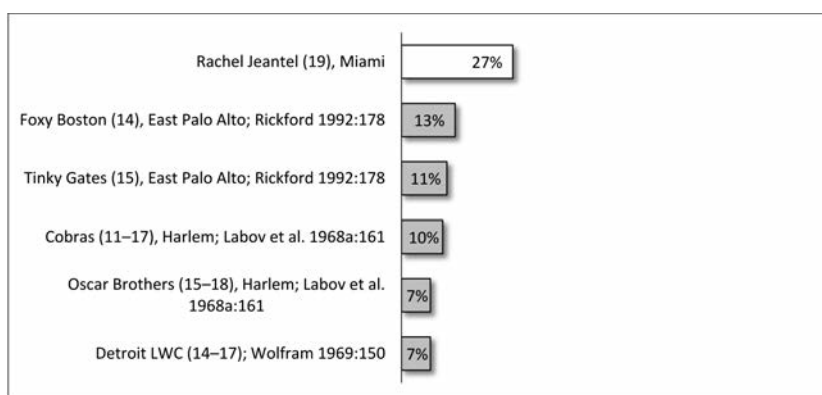


FIGURE 3. Rachel Jeantel's plural *-s* absence rate compared with rates of African American teenagers in earlier studies. (*N*s: Jeantel: 157, Foxy: 107, Tinky: 167, Cobras: 304, Oscar Brothers: 506, Detroit: n/a.)

Moreover, while Jeantel's *-s* absence rate for the latter two variables does not vary between courtroom testimony and her appearance on Piers Morgan's CNN show (see Figure 4), her plural *-s* absence rate plummets to 11% in the Piers Morgan interview, making it fully comparable to the rates of most of the other speakers in Fig. 3 (7–13%), showing that she is sensitive to this major grammatical constraint in AAVE. This feature provides a clear but relatively rare instance of Jeantel style-shifting toward Standard English in her recorded speech.

One can see Jeantel's shift to a lower rate of plural *-s* absence in this short excerpt from the Piers Morgan interview, in which three of her four potential *-s* plurals are marked (*birthdays, parents, funerals*).

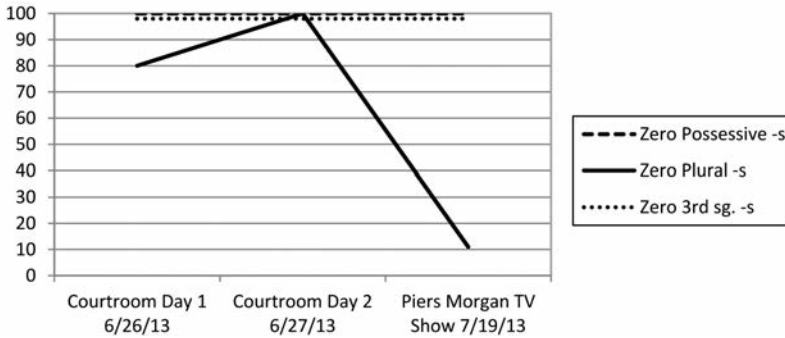


FIGURE 4. Jeantel's dramatic reduction in plural *-s* absence on the Piers Morgan show contrasted with her invariance in her use/nonuse of the other English *-s* suffixes.

- (24) Excerpt from Rachel Jeantel's interview with Piers Morgan on CNN interview, July 2013, showing increased plural *-s* marking in this context:  
 My mother birthday, his mother birthday, i's a lot of birthdays up in there ...  
 So, death—creep me out. I don't—don't do death at all. I even told my parents—don't—I'm not going to they funeral $\emptyset$ . I'm not doing none of that. I don't like funerals.

The much higher rate of *-s* marking for plurals than for possessives or third singular present tense is also found in Caribbean and other creole varieties. For instance, Patrick (2017) reports a 50% *-s* rate in mesolectal Jamaican, and as Deuber (2014:107) notes for acrolectal Jamaican, '[i]n contrast to third singular *-s* on verbs, *-s* as the regular plural marker for nouns is only very rarely omitted [2% in 1,435 tokens] in the present data'. Winford (2014:301), drawing on Plag (2008), notes that 'creoles show a much stronger preference for "inherent" inflection such as number, degree, etc. which are not required by the syntax, than for "contextual" inflection such as agreement between subject and verb'. Plag himself (2008) relates that distinction to stages and processes of interlanguage exemplified in other cases of English second language acquisition or SLA (cf. Pienemann 2000), and to the PROCESSABILITY THEORY that was developed (Pienemann 1998) to explain 'why learners follow a well-defined universal path in the morphosyntactic development of their second language' (Plag 2008:119). It would take us too far afield to summarize this theory in detail, but note that according to its predictions, 'plural marking on nouns occurs already at stage 2' of SLA, while '[s]ubject-verb agreement occurs rather late, at stage 5, since inter-phrasal information exchange is not available prior to this stage' (Plag 2008:124). In short, the systematicity that Jeantel is exhibiting in distinguishing between plural and third singular *-s* marking appears to be representative of a much more general (psycho)linguistic phenomenon.

ABSENCE OF COPULA/AUXILIARY *is* AND *are*. Turning now to Jeantel's absence of copula and auxiliary *is* and *are*, we find that, contrary to the opinions of social media critics who claimed she had no grammar, Jeantel follows the classic qualitative rules of AAVE in terms of where you can and cannot delete inflected forms of BE. Drawing on data from Harlem, Labov first noted (1969:720–21) that 'the finite forms *is* and *are*' appear 'without exception' in clause-final position, and this is also true of Jeantel's speech, as in 25.

- (25) He by the area where his daddy fiancée house **is**.

Labov (1969:719) also noted that in AAVE, first-person singular *am* is regularly contracted to 'm, but not deleted, and this is the case with Jeantel too, as in 26.

(26) **I'm** holding back.

It is noteworthy that Anglophone Caribbean varieties like Bajan (Barbadian) and Guyanese, unlike AAVE, allow some deletion of *am*, albeit at a lower rate than for *is* or *are* (Rickford & Blake 1990:267), as in the sentence in 27 from Peter, a Barbadian fish vendor.

(27) I Ø tekkin off de heads (cited in Rickford & Blake 1990:258)

The fact that Jeantel provides no similar examples suggests that her system is closer to that of AAVE than to Caribbean English or Creole.

Finally, Labov (1969:719) noted that '[t]he cases of *i's*, *tha's* and *wha's* provide other examples in which the copula is frequently represented' in contracted form. This is also evident in Jeantel's speech, as in 28.

## (28) Tha's ol' school people

Turning now to quantitative aspects of Jeantel's copula use, let us consider Figure 5, which compares Jeantel's rates of copula absence for *is* and *are* combined to similar figures for the AAVE teenagers from East Palo Alto (Rickford 1992, Rickford & Price 2013), Harlem (Labov et al. 1968a), and Detroit (Wolfram 1969). The East Palo Alto data are especially interesting. At ages fourteen and fifteen, Foxy's and Tinky's 90% and 81% copula absence rates, respectively, are higher than Jeantel's 77%, but only the former difference is statistically significant.<sup>31</sup> Re-recorded under similar conditions when they were two and five years older,<sup>32</sup> respectively, both Foxy and Tinky have a 70% copula absence rate, and this is not statistically different from Jeantel's rate. The 68% rate for the Detroit lower working-class (LWC) teenagers looks comparable too, although we cannot tell for sure without absolute frequency data. The rates for the Oscar Brothers and Cobras in Harlem ARE lower than Jeantel's,<sup>33</sup> in a statistically significant sense, but as noted before, these are group means and could include individuals more similar to Jeantel. Moreover, copula absence is harder to compare across different studies than *-s* absence data because of the differences in the large set of categorical and indefinite cases that researchers exclude (see Blake 1997).<sup>34</sup> Overall, Jeantel's rate of copula absence is comparable to that of at least some African American teenagers recorded in other African American communities (East Palo Alto, and perhaps Detroit).

In terms of internal constraints on the CONDITIONING of copula absence, which most variationists consider more important than absolute rates (see Poplack 2000:14–15), Jeantel's usage, shown in Table 2, follows the classic pattern: deletion or absence of the copula is favored by *are* over *is*, by pronoun over NP subject, and by a following *gonna*,

<sup>31</sup> Pairwise comparisons: Jeantel and Foxy at fourteen, significant,  $p = 0.0015$ ; Jeantel and Tinky at fifteen, not significant (n.s.)  $p = 0.3373$ ; Jeantel and Foxy at sixteen, n.s.,  $p = 0.1166$ ; Jeantel and Tinky at twenty, n.s.,  $p = 0.1172$ —all by Fisher's exact test, two-tailed.

<sup>32</sup> The caveat is worth noting, since, as Rickford and McNair-Knox (1994) and Rickford and Price (2013) show, the copula absence rates of Foxy and, to a lesser extent, Tinky vary dramatically with age, and by interviewer race and situation.

<sup>33</sup> The rates from Labov et al. 1968a, like Jeantel's, are for *is* and *are* absence combined, across all following grammatical environments: Jeantel at nineteen and Cobras (11–17), significant,  $p < 0.0001$ ; Jeantel at nineteen and Oscar Brothers (15–18), significant,  $p = 0.0003$ —both by Fisher's exact test, two-tailed. Note that the median age for the Cobras is fifteen (mode = 15, mean = 14.1), and the median age for the Oscar Brothers is 16.5 (mode = 17, mean = 16.5).

<sup>34</sup> Blake's (1997:60) table 1 conveniently summarizes the differences between the 'Don't count' conventions followed in the earlier Harlem, Detroit, and East Palo Alto studies. The only difference between our current analysis of Jeantel and the 'don't count' strategy followed by Rickford and colleagues (1991) is that we decided to exclude questions, persuaded by 'Blake's guide'.



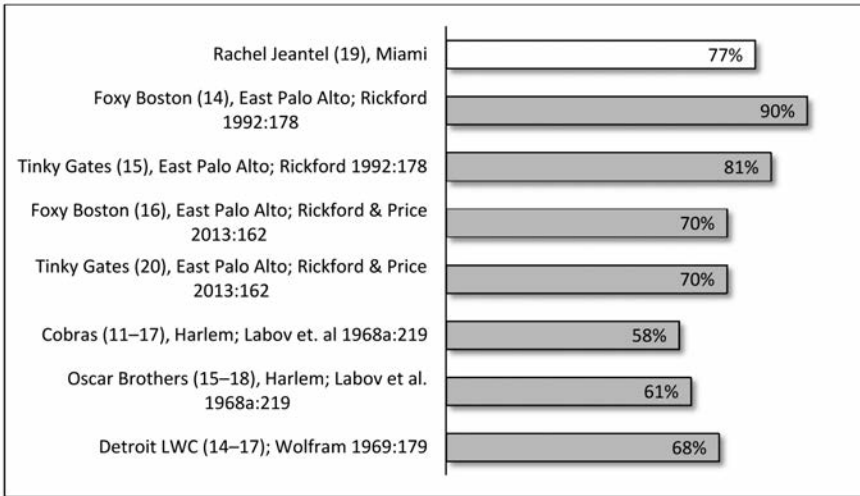


FIGURE 5. Rachel Jeantel’s *is + are* absence rate compared with rates of African American teenagers in earlier studies. (Ns: Jeantel: 193, Foxy at 14: 154, Tinky at 15: 256, Foxy at 16: 283, Tinky at 20: 286, Cobras: 575, Oscar Brothers: 285, Detroit: n/a.)

Verb + *ing*, and adjective over locative and NP. See Sharma & Rickford 2009 for a summary of earlier studies of AAVE and Caribbean varieties, and for explanation of the auxiliary vs. nonauxiliary favoring in all studies.

FACTOR GROUP	FACTOR	% ZERO	(N)
Copula type	<i>are</i>	86%	(70)
	<i>is</i>	71%	(122)
Subject type	Pronoun __	82%	(137)
	Noun Phrase __	64%	(56)
Following grammatical environment	__ <i>gon(na)</i>	93%	(14)
	__ Verb + <i>ing</i>	82%	(79)
	__ Adjective	84%	(37)
	__ Locative	72%	(43)
	__ Noun Phrase	40%	(20)

TABLE 2. Percentage copula absence in Jeantel’s speech, by internal constraints.

When the results of a fixed-effects, multivariate logistic regression using these same data are considered (Table 3), the favoring of *are* over *is* and of pronoun over NP subject is still evident in the estimates, but the associated probabilities are nonsignificant. However, the effects of a following \_\_ *gon(na)*, \_\_ V+*ing*, \_\_ Adj, and \_\_ Loc, compared with a following NP as a control, are all significant. The pattern is essentially the same as is found in all previous studies of copula absence in AAVE and the Caribbean, except that the coefficient for Jeantel’s following \_\_ Adj (2.729) is slightly higher than for a following V+*ing* (1.9100), while it is usually the other way around. Once again, Jeantel’s variation is systematic and essentially follows the same patterns found in Black vernacular or Creole English-speaking communities in the New World.

**3.2. PHONETICS AND PHONOLOGY.** Having discussed illustrative aspects of Jeantel’s morphosyntactic system, we now turn to some features of her phonetics and phonology, beginning with her vowel system, and we again look for evidence of systematicity and/or for resemblances to AAVE vs. CCE usage.

	COEFFICIENTS ESTIMATE	SE	z-VALUE	Pr(> z )
(intercept)	-1.0421	0.5496	-1.896	0.057
CopulaType:are	0.6622	0.4557	1.453	0.146
SubjectType:Pronoun	0.5879	0.4140	1.420	0.1556
FollGrammEnv:Adj	2.0413	0.6600	3.093	0.0019 **
FollGrammEnv:gon	2.7279	1.1454	2.382	0.0172 *
FollGrammEnv:Loc	1.6399	0.6002	2.732	0.0062 **
FollGrammEnv:V+ing	1.9100	0.5580	3.423	0.0006 ***

TABLE 3. Fixed-effects logistic regression modeling of Jeantel's *is* + *are* copula absence, by copula type (control = *is*), subject type (control = NP \_\_), and following grammatical environment (control = \_\_ NP).

MERGER OF *PIN* AND *PEN*, AND OTHER PHONETIC FEATURES. The *PIN*–*PEN* merger, in which the vowels of these lexical sets merge in prenasal environments, is traditionally associated with Southern speech (Labov et al. 2006, Thomas 2007), but this feature has also been found in the speech of African Americans in both southern and northern regions (Edwards 1997, Gordon 2000, Labov et al. 2006). Usually, the vowels converge on [ɪ], so that one has to ask in AAVE and Southern dialects (excluding Miami and South Florida) whether one means a ‘writing *PIN*’ or a ‘sticking *PIN*’. Despite the fact that this is usually described as an AAVE and NOT a CCE feature, recent research has shown that not all African Americans use it (Cogshall & Becker 2010, Wroblewski et al. 2010). To date, no analysis has been done on *PIN*–*PEN* merger in Miami for Black or White speakers. As a result, our expectations for Jeantel's speech are solely based on what the literature shows is typical for African Americans elsewhere.

Figure 6 shows data from Jeantel's court testimony. We examined vowels in oral (*KIT* and *DRESS*) and nasal (*PIN* and *PEN*) environments. A total of sixty vowels were collected and plotted on the graph (*PEN*: 10, *PIN*: 10, *BIT*: 15, *BET*: 25). The results show that *PIN* and *PEN* vowels overlap more in the F2 dimension than F1. These results suggest a near merger.

In addition to the results from Jeantel's court testimony, we present in Figure 7 the results from an independent analysis of Jeantel's speech in her Piers Morgan TV appearance, conducted by Alicia Wassink and Laura Panfilli at our request at the University of Washington. They find *PIN* and *PEN* to be proximal, but not merged, similar to our court testimony results.

Although the *PIN*–*PEN* merger data are indeterminate with respect to whether Jeantel sounds more AAVE-like or more Caribbean, a few other features of Jeantel's vowels hint at Creole influence. An influence of Haitian Kweyol is observable with respect to the vowel /i/. Jeantel's /i/ is less peripheral and more backed. This may be an influence of Haitian Kweyol, since it does not have the same tense/lax distinction we observe in English in the high front vowels (Johnson & Alphonse-Férère 1972). Interestingly, Wassink and Panfilli (p.c.) also see possible influence from Haitian in the fact that Jeantel produces words like *opinion* as [o<sup>w</sup>pijm] with the high tense vowel one would expect to see in Haitian Kweyol or Spanish. And in their analysis of vowel trajectories, they also find that Jeantel's /i, a, u/ were very monophthongal, which is more characteristic of Caribbean Anglophone Creoles and less characteristic of AAVE and other American Englishes with diphthongal offsets, especially for the tense vowels.

CONSONANT CLUSTER REDUCTION. Consonant cluster reduction (CCR), the process by which the final consonant (specifically *t* or *d* in this article) is deleted in syllable-final, same-voice consonant clusters (e.g. *fast* → *fas*), is a feature that has been investi-

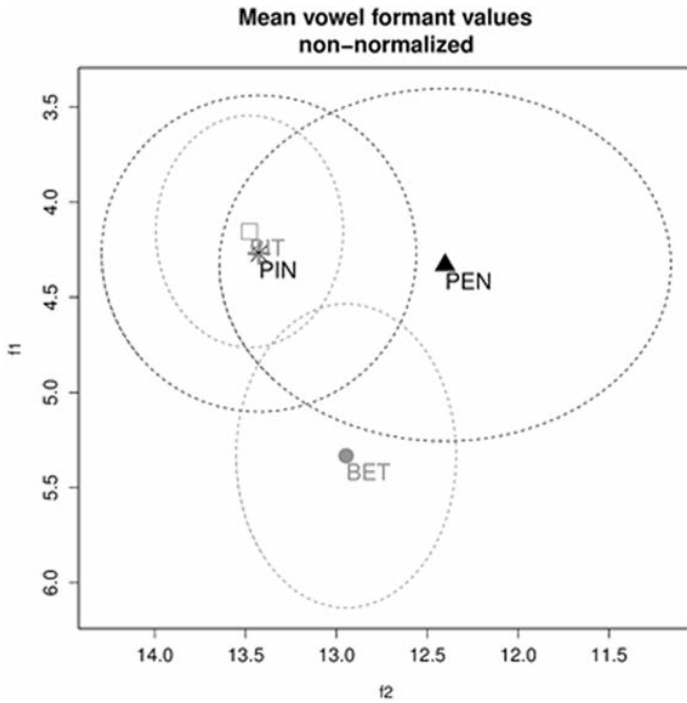


FIGURE 6. Jeantel’s vowel formants for PIN and PEN (black) and KIT and DRESS (gray) vowels, in courtroom testimony, showing overlap but not a complete merger in prenasal environments.

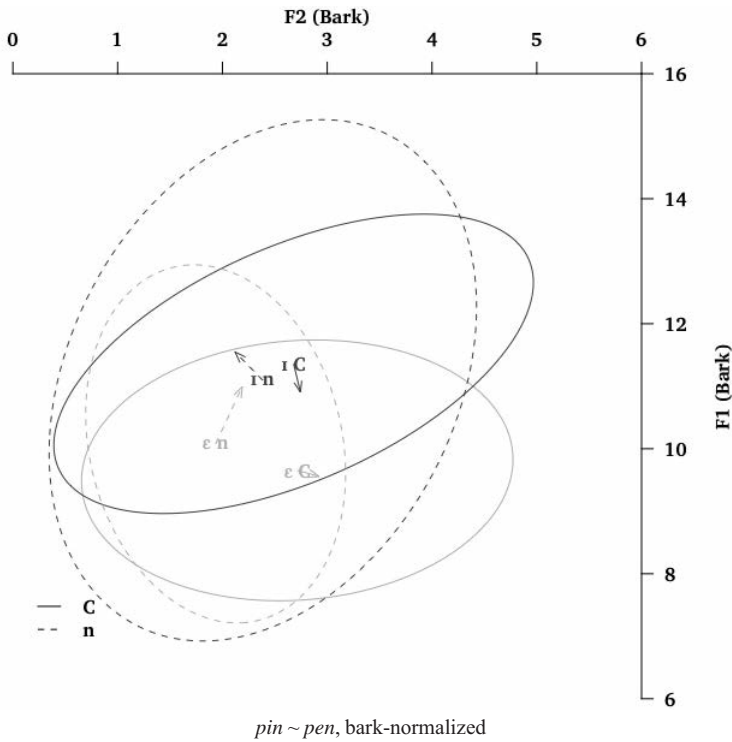


FIGURE 7. Jeantel’s formants for /e/ (gray) and /ɪ/ (black), in prenasal (dashed lines) and oral environments (solid lines), in her appearance on the Piers Morgan TV show, revealing an overlap, but not a complete merger, in prenasal words. Vowel plot courtesy of Alicia Wassink and Laura Panfilli at the University of Washington.

gated in many earlier studies of AAVE and other English dialects. Figure 8 shows Jeantel's rate of CCR (in her pretrial interview with the lead prosecutor, her testimony, and her Piers Morgan TV interview), compared with the mean rates of the Aces, Oscar Brothers, and Jets in Harlem in the late 1960s (Labov et al 1968a:128, single-style recordings) and urban Jamaican Creole English in Veeton in the 1990s (Patrick 1999: 46). Jeantel is most similar to the Aces, sharing with them the highest overall rates of reduction (88% and 84%, respectively). The means for the other Harlem groups do differ significantly from hers,<sup>35</sup> but again, these are group means in which some individuals are probably more like Jeantel. The fact that the Aces were also in Harlem in the same time period indicates that a higher CCR rate was within the normal range of teenagers in that speech community. (The Oscar Brothers, for instance, are not statistically different from the Aces.) Rachel Jeantel is not an outlier.

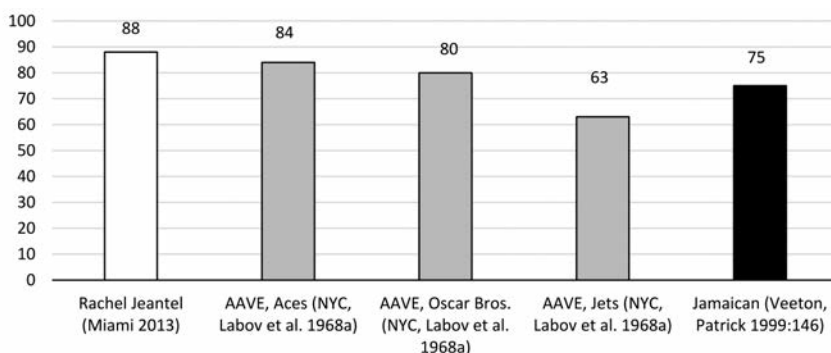


FIGURE 8. Overall consonant cluster reduction in clusters ending in *t* or *d* for Jeantel vs. Harlem AAVE teenage peer groups and Jamaican urban speakers. (Ns: Jeantel: 155, Aces: 104, Oscar Brothers: 324, Jets: 477, Jamaican: 2,323.)

We are also interested in constraints on Jeantel's CCR reduction across various environments, especially in terms of two intersecting factors, the phonological effect of a following consonant (*fast forward*) vs. a vowel (*fast always*), and the morphosyntactic effect of whether the word in which the cluster occurs is monomorphemic (*fast*) or bimorphemic, with a past-tense suffix (*pass+ed*). Jeantel is like every group in Figure 9 insofar as her CCR is most likely to occur in monomorphemic words before a consonant, and least likely to occur in past-tense words preceding a vowel. She is also similar to all of the Harlem AAVE peer groups, as well as urban mesolectal Jamaican, in showing a strong phonological constraint, with considerably more *t,d*-deletion (17–50% more) in final clusters before consonants than before vowels. She is different in this respect from the Trinidadian groups, who show little or none of the phonological effect (1–4% difference between a following consonant and vowel) and a weak morphosyntactic effect, too, although the upper working class (UWC) do show more of a reduction in CCR (7–10%) between monomorphemic and past-tense words. Beyond this, there are two subpatterns. For the Oscar Brothers and Jets, the morphosyntactic constraint is stronger than the phonological constraint, and the CCR line slopes sharply down from left to right (e.g. Oscar Brothers, 97% and 69% for monomorphemic words, 49% and

<sup>35</sup> Pairwise comparisons: Jeantel and Aces, n.s.,  $p = 0.3540$ ; Jeantel and Oscar Brothers, significant,  $p = 0.0278$ ; Jeantel and Jets, significant,  $p = 0.0001$ ; Jeantel and Jamaican, significant,  $p < 0.0001$ —all by Fisher's exact test, two-tailed. (Aces and Oscar Brothers, n.s.,  $p = 0.6353$ ; Aces and Jets, significant,  $p < 0.0001$ ; Aces and Jamaican, significant,  $p = 0.0477$ .)

17% for past-tense words). For Jeantel, the Aces, and urban Jamaican, the phonological constraint is stronger than the morphosyntactic one, producing the down-up-down or zig-zag patterns seen in Fig. 9 (e.g. for the Aces, 98%, 83% before a following consonant, and 64%, 43% before a following vowel). In sum, Jeantel is clearly systematic in her CCR use, and is more similar in her patterning to the US AAVE groups than to the Caribbean groups (although the resemblance to urban mesolectal Jamaican is striking).

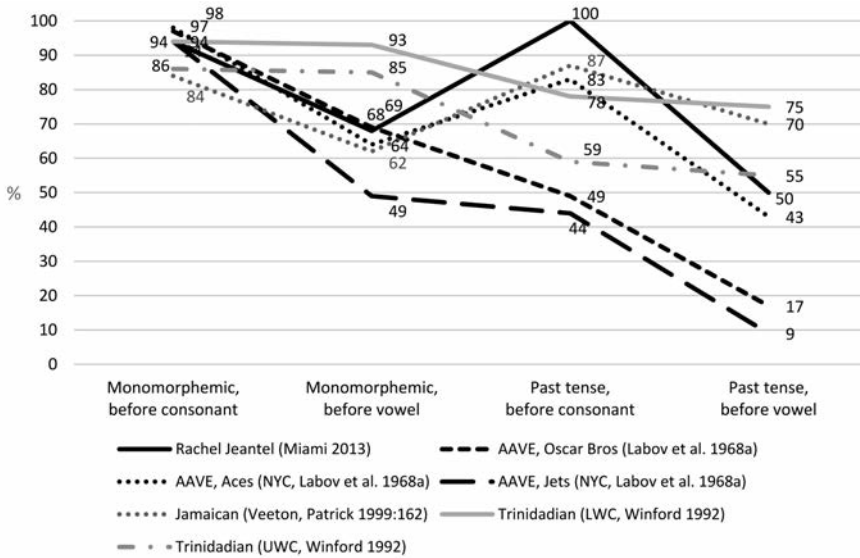


FIGURE 9. Percentage of consonant cluster reduction by phonological and grammatical environment in syllable-final clusters ending in *t* or *d* for Jeantel and various AAVE and Caribbean groups. (Ns: Jeantel: 155, Aces: 104, Oscar Brothers: 324, Jets: 477, Jamaican: 2,323, Trinidadian LWC: 784, Trinidadian UWC: 1,157.)

**3.3. THE LEXICON.** Although linguists typically pay more attention to phonology, morphosyntax, and sentence-level semantics than to lexicon, words matter greatly in court contexts, and two aspects of Jeantel's lexicon are especially worth discussing: (i) occasional examples of possible influence from Haitian Kweyol, and (ii) the 'incendiary' words *nigga* and *creepy-ass cracka*, which Jeantel quoted Trayvon Martin as using. These set off a storm of controversy in the courtroom and social media and, with the help of the defense attorneys, helped to strengthen the case for Zimmerman's acquittal by making it seem that Trayvon was racially profiling Zimmerman rather than the other way around.

**POSSIBLE INFLUENCE FROM HAITIAN KWEYOL.** One striking lexical feature in Jeantel's speech that seems to reflect Haitian influence is her use of *for* in the sense of 'in order that', as in 29.

(29) I wanted to talk to my mother **for** I could—**for** she could agree for me to talk to her.

Compare this with Haitian *pou* as in 30.<sup>36</sup>

<sup>36</sup> Thanks to Michel DeGraff and Arthur Spears for their Haitian Kweyol insights.

- (30) Mwen te vle pale ak manman m pou mwen te ka—  
 1SG ANT want speak with mother 1SG for 1SG ANT can  
**pou** li te ka dakò pou mwen pale avè li.  
 for 3SG ANT can agree for 1SG speak with 3SG

As Michel DeGraff (p.c.) notes, the French counterpart with *pour* ‘for’ (unlike French *pour que* and Haitian *pou*) is always nonfinite, so it would not allow a following overt subject or TMA marker like *mwen te* or *li te ka* in 30. Jeantel’s *for* in 29 functions syntactically and semantically like Haitian *pou*.

Another instance of possible Haitian influence is Jeantel’s use of the phrase *live under my mother*, which threw defense attorney Don West for a loop in her pretrial deposition (3/13/13).

- (31) DW: Okay. How about you, are you employed?  
 RJ: No, I **live under my mother**.  
 DW: What do you mean by that?  
 RJ: She support my habit.  
 DW: Well when you say she supports your habit—  
 RJ: She give me what I wants.  
 DW: Can you be a little more specific?  
 RJ: She support me.  
 DW: I see. Okay. I see, she pays for you to do what you—everything.

This is not a regular Haitian expression, but is perhaps derived, as DeGraff (p.c.) has suggested, from Haitian *viv anba kay X* ‘live under roof [of] X’. It would be interesting to see how widespread this usage is among the Haitian immigrant community in Miami and elsewhere in the United States.

THE INCENDIARIES: *NIGGA*, *CREEPY-ASS CRACKA*. Early in her testimony (see 10 above), Jeantel quoted Trayvon Martin as saying the following to her on his cell phone.

- (32) The **nigga’s** behind—the **nigga Ø** behind me.

Now it was clear to Jeantel, as she explained to Piers Morgan on his CNN television show on July 15, 2013, that this was not the ‘old school’ use of the N-word for a person of African descent, but the ‘new school’ use discussed by Spears (1998), in which *nigga* (with that spelling) is unspecified for ethnicity and can ‘refer to anyone of any race or ethnicity’ (p. 241). The fact that Trayvon had used it to refer to George Zimmerman, who was not Black, should have made this obvious. But Jeantel, talking with Piers Morgan (PM) after the trial, spelled it out.

- (33) RJ: The whole world say it’s a racist word. Mind you—mind you, around 2000, that was not. They changed it around ... started spelling *N-I-G-G-A*. *Nigga*.  
 PM: What does that mean to you, that—that way of spelling it? What does that word mean to you?  
 RJ: That mean a male.  
 PM: A black male.  
 RJ: No, any kind of male.  
 PM: Black or white?  
 RJ: Bla- any kind—Chinese could say *nigga*. That’s my *chino nigga*. They could say that.  
 PM: And rappers and everything use it in the music?  
 RJ: They use it.  
 PM: And that’s what they mean?

RJ: Yes, but nigger ... I advise you not to be by Black people, cause they not gon' have it like that.

PM: Why?

RJ: Cause that's the racist word.

To all of the jurors, except Maddy, the Puerto Rican juror whose kids and other networks had taught her the distinction, Jeantel's (and Trayvon's) use of *nigga* came across as offensive. When Jeantel used the word *nigga* other jurors turned to Maddy, asking her, 'What did she say? Nigger? Isn't that a racist word?' (Bloom 2014:135). *Nigga* was bad enough, but *creepy-ass cracka*, Trayvon's characterization of the man following him (Zimmerman) as relayed by Jeantel eight minutes into the first day of her testimony, was even worse, in terms of its effects on jurors, at least the five who were White.

(34) All the other jurors ... were offended by 'creepy-ass cracka,' Maddy said, and they were *done* with Jeantel once they heard that. (Bloom 2014:135)

As Slobe (2016:613) has shown, whatever effect that phrase had on its own was amplified by defense attorney Don West, whose cross-examination of Jeantel 'positioned' its use by Trayvon Martin 'as evidence of a culture and individual with inherently violent, racially motivated intentions' in a putatively postracial and colorblind America. To illustrate this, Slobe (2016:623) annotates the following stretch of the court testimony to indicate West's use of stress (underlines), pauses (parentheses), and slow, deliberate speech (comment in angled brackets, followed by the stretch of talk to which the comment applies in curly brackets).

(35) DW: so it was racial  
 [0.5] but it was because Trayvon Martin  
 <slowly> {put race in this}  
 RJ: mm no  
 DW: you don't think that  
 <slowly> {creepy (.) ass (.) cracker}  
 [0.5] is a racial comment?  
 RJ: no

The effect is to turn Zimmerman's racism (recall his comment to the police dispatcher in his initial call about Trayvon: 'Punk asses—they always get away') on its head, placing the burden of it instead on Trayvon Martin and his friend and courtroom surrogate, Rachel Jeantel. For further discussion of how Jeantel's language was negatively voiced and represented by lawyers and others in the courtroom, see Sullivan 2016.

The negative effect of *cracker*,<sup>37</sup> defined by Smitherman (2000:100) as 'a derogatory term for a white person', is exacerbated by its occurrence in the *creepy-ass* frame. To begin with, few people have focused on the 'creepy' modifier, although Cobb (2013) did note that Trayvon had 'seemed fearful of the man following him around the subdivision' and Jeantel suggested to Trayvon during their fateful cell-phone conversation

<sup>37</sup> The *Dictionary of American Regional English* (Cassidy & Hall 1985–2013) offers two definitions for *cracker*:

- (i) A backwoodsman, rustic, countrified person; a poor White person. chiefly South Atlantic;
- (ii) By extension, A White racist, among Black speakers, derogatory.

The second is especially interesting, since this seems to be what Trayvon meant. He DID intend *creepy-ass cracker* to be derogatory, we think, complaining to Jeantel that he thought Zimmerman (who was neither a cop nor a security guard, with no obvious warrant for trailing people) was racist, and creepy. It is ironic that a word used by Blacks to characterize Whites as racist had the opposite effect in the courtroom, being interpreted by White jurors as evidence of the racism of two Black teenagers.

that Zimmerman might have been a ‘pervert’. The collocation of *creepy* with *ass* was even more bewildering and off-putting to non-AAVE speakers, but as Spears (1998: 238) has pointed out, *-ass* words ‘reflect a highly productive compounding process’ in AAVE. (See Collins et al. 2005 for further analysis.) The first element may be a noun, adjective, or even a full VP,<sup>38</sup> but the compound is always followed by a noun (*He’s a jive-ass fool*, but \**He’s jive-ass*; Spears 1998:236–37). Although *-ass* words sometimes ‘have the force of an intensifier’ (cf. Smitherman 2000:56), ‘this is not always the case’, Spears notes (1998:237), since *-ass* words primarily mark a discourse as being in UN-CENSORED MODE (UM):

In this [UM] mode, expressions that in censored contexts [like church or where elderly relatives are present] are considered obscene or evaluatively negative are used in an almost or completely evaluatively neutral way. (Spears 1998:232)

In short, the *creepy-ass* expression that was so shocking and alienating to the White jurors derives from a common, productive process in AAVE that is heard as neutral in uncensored mode. The *nigga* and *creepy-ass cracker* incendiaries are striking examples of dialect misunderstanding or clash in the courtroom.

**3.4. SUMMARY OF ANALYSIS OF JEANTEL’S LANGUAGE.** From our analysis of selected features of Jeantel’s grammar, phonetics, phonology, and lexicon, it is clear that her linguistic variation is systematic and not random (no surprise to linguists, since it accords with what we know about language from studies of many varieties), and that characterizations of her as speaking the ‘blather of an idiot’ were simply uninformed. It is also clear that, while she shows some striking examples of Haitian Kweyol or Caribbean English influence (no surprise given her mother’s background and the Miami speech community in which she lives), her system is primarily that of AAVE (no surprise since she was born and raised in the United States).

In the next section, we explore the limited intelligibility and credibility with which Jeantel was heard by White jurors, considering the extent to which this might have been caused by dialect differences between her AAVE and their standard/mainstream or White colloquial English. But before we do this, it is worth considering the following quotation from Toni Morrison (1975) to which an anonymous referee has drawn our attention:

The function, the very serious function of racism, is distraction. It keeps you from doing your work. It keeps you explaining, over and over again, your reason for being. *Somebody says you have no language, so you spend twenty years proving that you do.* Somebody says your head isn’t shaped properly, so you have scientists working on the fact that it is. Someone says you have no art, so you dredge that up. Somebody says you have no kingdoms, so you dredge that up. None of that is necessary. There will always be one more thing. (emphasis added)

One might legitimately ask whether we are accommodating to racism or racists by trying to ‘prove’ that Jeantel has a language. We think not, for two reasons. The first is that some African Americans were as trenchant in their critiques of Jeantel as anyone else. For in-

<sup>38</sup> Cross (2015) discusses a Facebook video in which two young African American adults verbally battle an older, apparently homeless African American male on a train in Chicago, both sides using *nigga* plentifully, along with complex verb phrase and sentential *-ass* constructions, including the following.

- (i) Older man, incense seller:
  - a. Y’all ridin’ on the train tryin’na get some Facebook hits-ass niggas
  - b. I get a dolla fa every hit you get-ass niggas ...
  - c. Ru Paul-ass, gangsta-ass, fly-ass nigga
- (ii) Younger antagonist:
  - You ol’ weird-ass nigga



stance, one anonymous commentator said of her: ‘She has to be the most ignorant, ghetto, uneducated, lazy, fat, gross, arrogant, stupid, confrontation Black bitch I’ve ever seen in my fucking life. Yes, I said it ... and I’m Black’. From the point of view of institutional racism (Spears 2009, Hodges 2015), Black social commentators can be as prejudiced in ideology and action as Black cops, but the virulence of these Black critiques reminds us that the somebodies to whom Morrison is referring are not restricted to any one ethnic or racial group. Second, and more importantly, whether or not we attribute ignorant and uninformed opinions about language to racism, it is our duty, as Saussure noted a century ago, to do our best to dispel them. That is what we, like McWhorter (2013), Rickford (2013), Subtirelu (2013), and others before us, have attempted to do in this article, in more detail and at greater depth than the online forums allowed our predecessors.

**4. JEANTEL’S INTELLIGIBILITY AND CREDIBILITY.** Consider now the following excerpt from an interview with Juror B37, on Anderson Cooper’s (AC) *AC 360* show on CNN, which aired on July 16, 2013, after Zimmerman’s trial had concluded with a ‘not guilty’ verdict.

- (36) AC: Did you find it hard, at times, to understand what she was saying?  
 B37: A lot of the times. Because a lot of the times she was using phrases I have never heard before, and what they meant.  
 AC: When she used the phrase, uh, ‘creepy-ass cracker’, what did you think of that?  
 B37: I thought it was—probably the truth. I think Trayvon probably said that.  
 AC: And did you see that as a negative statement, or a racial statement, as, as the defense suggested?  
 B37: I don’t think it’s really racial.<sup>39</sup> I think it’s just everyday life. The type of life that they—they live, and how they’re living, in the environment that they’re living in.  
 AC: So you didn’t find her credible as a witness?  
 B37: No.

One is struck by B37’s distancing use of ‘they’ in reference to Trayvon, Jeantel, and their community (‘the type of life that they live’ and ‘the environment that they’re living in’) and her selective hearing of some aspects of Jeantel’s testimony as truthful (e.g. the use of *creepy-ass cracker* and all the defense alleged it implied about Trayvon’s and Jeantel’s racism and crassness) or not (e.g. Jeantel’s testimony that Trayvon was trying to run away from Zimmerman rather than the other way around).<sup>40</sup> Contrast the much more sympathetic hearing she grants Zimmerman and those testifying on his behalf.

- (37) AC: So when he [Chris Serino, lead investigator] testified that he found George Zimmerman to be more or less and overall truthful, did that make an impression on you?  
 B37: It did. It did. It made a big impression on me.

<sup>39</sup> Mark Geragos, a defense attorney who frequently appeared on CNN to comment on the trial, disagreed with Juror B37’s statement that race had nothing to do with the trial. As he said: ‘Race had EVERYTHING to do with the trial! When they picked the jury, the case was over! Race is still the biggest issue in the criminal justice system’.

<sup>40</sup> As Grant (2013) has noted, ‘not only was Juror B37 sympathetic toward Zimmerman, but she seemed devoid of empathy for Trayvon; in fact, she was adamant that he had been the aggressor. One of the teenager’s supporters was so disgusted that he tweeted profoundly, ‘Only in America could a black boy go on trial for his own murder!’.

AC: Why?

B37: Because he deals with this all the time. He deals with, you know, murder, robberies; he's in it all the time. And I think he has a knack to pick out who's lying and who's not lying.

But most significantly for the verdict, and for this article, are B37's overt statements that she found Jeantel neither intelligible nor credible. Anderson Cooper and B37 locate the problem in incendiary, unfamiliar phrases like *creepy-ass cracker*, which we have discussed above. But intelligibility difficulties were not confined to this phrase or juror, as indicated by the following excerpt from the trial in which an unidentified juror keeps interrupting for clarification and is finally admonished by the judge (BR: Bernie de la Rionda, prosecutor; THE COURT: Judge Nelson).

(38) RJ: Yeah, now following him.

BR: Now following him. Okay. What I want you to do, Rachel Jeantel—

THE COURT [to a juror]: Just one second, please. Yes, ma'am?

A JUROR: He is now following me or—I'm sorry. I just didn't hear.

THE COURT: Okay. Can we one more time, please, give that answer again.

RJ: He said, he told me now that a man is starting following him, is following him.

A JUROR: Again or is still?

THE COURT: Okay. You can't ask questions.

A JUROR: Okay.

THE COURT: If you can't understand, just raise your hand.

Although admonishment may have made jurors reluctant to keep asking for clarification in open court and although jurors did not have access to a transcript of Jeantel's testimony (this is normal in US courtrooms), they *COULD* have requested readback of any parts they were not sure about, but (according to someone closely involved with the case) they did not.<sup>41</sup> The jurors' low assessment of Jeantel's credibility (documented in Bloom 2014) was shared by many. For instance, Joey Hillsman said the following on television (*Headline News*, July 13, 2013).

(39) To be fair, and just straight up. Anyone who believes a word that came out of Jeantel's mouth would probably believe Trayvon's still alive. Just sayin.

In this section we address the question: Why was Rachel Jeantel not understood or believed? The answer, we believe, can be divided into factors involving: (i) dialect difference and unfamiliarity; (ii) Jeantel's underbite and voice quality; and (iii) attitudes, including dialect bias and institutionalized racism/prejudgment.

**4.1. DIALECT DIFFERENCE.** Rachel Jeantel's AAVE features probably did make her less understandable to the non-AAVE-speaking jurors. Lisa Bloom, a lawyer and TV legal analyst who was in the courtroom throughout the trial, noted the following in her book about it (2014:132).

(40) Jeantel's speech was difficult for many to decipher. She was at times inaudible and her grammar and diction could be hard to interpret ... In addition, Jeantel spoke an urban teenaged lingo that was an alien tongue to most of the white, suburban, middle-aged jurors.

<sup>41</sup> As an anonymous court reporter who has been involved in many court cases told us: 'Jurors are expected to rely on their "collective memory" to remember what was testified. They can request read back of a witness, but that is allowed at the discretion of the judge. They are given notepads to keep notes, but only if they wish. It's entirely up to them'.

But how much of the jurors' noncomprehension can be linked directly to the jurors' unfamiliarity with her dialect? Over the past half century, linguistics has accumulated reams of material on the productive competence of AAVE speakers, but almost nothing on their receptive competence, and even less on their being understood by speakers of other English dialects. In general, the receptive side of competence in variation studies has been underinvestigated.<sup>42</sup>

There is anecdotal evidence about non-AAVE speakers not understanding AAVE. In addition to the cases noted in §2 above, consider what Paley (2000:2), a White teacher, said of a five-year-old African American student from Louisiana.

(41) ... her voice was soft and her speech so slurred, I could not understand a word.

Roger Shuy (p.c.) says non-AAVE-speaking teachers in his 1970s workshops made similar claims about AAVE-speaking students in their classes. More germane to our courtroom focus, recall the comments of jurors in the 1965 trial of Young Beartracks cited above (§2), that 'the greater part of the [AAVE] testimony had been incomprehensible to them' (Swett 1969:99). After the Zimmerman verdict was announced, the senior author of this article wrote a blog post on *Language Log* on August 2, 2013, about 'Understanding across varieties of English',<sup>43</sup> and readers contributed many anecdotes and comments about their or others' experiences with Jeantel or other African American speakers, and about cross-dialect comprehension in Europe and elsewhere. Among other things, they pointed to the difference between objective/linguistic and subjective/attitudinal sources of misunderstanding (a theme to which we return in §4.3), to the fact that longer exposure often increases understanding of an initially unfamiliar dialect or accent, and to the greater difficulty posed by spontaneous speech than scripted speech (as in movies). There were also some helpful references to experiments.

Some of the earliest quasi-experiments on this issue involved lexical items. Labov and colleagues (1968b:28) noted that several Black/White linguistic and cultural differences 'are simply unknown to the general population', for example, AAVE lexical items like *mother wit* 'common sense' and *ashy* 'gray, dry, of skin in winter'.<sup>44</sup> These were unknown to any Whites they interviewed, while no Black interviewees even realized that these were generally unfamiliar to people from other ethnic groups. Over thirty-five years of teaching at Stanford, the senior author of this article has asked hundreds of students about their familiarity with *ashy* and *kitchen* 'kinky hair at nape of neck'. Almost all African American students have known these lexical items, but very few non-African Americans have, with each group astonished at the lexical divide.

Rickford and Rickford (1976), drawing on the results of questionnaires administered face to face with thirty-five African Americans and thirty-five White Americans in Philadelphia, Boston, and New York, were able to quantify similar lexical divisions. For instance, among African American respondents, thirty-three of thirty-five (94%) understood and were familiar with the African calque *cut eye* 'a visual gesture which communicates hostility, displeasure, disapproval' (p. 296), but only four of thirty-five White Amer-

<sup>42</sup> But see Labov's (1973) paper on lexical, cross-dialect boundaries, his (2010) write-up of phonetic gating experiments from his project on cross-dialectal comprehension, and other works that fall within either sociolinguistics/variation studies (e.g. Niedzielski 1999, Campbell-Kibler 2009) or psycholinguistics/perception studies (e.g. Sumner & Samuel 2009, McGowan 2011, King & Sumner 2014).

<sup>43</sup> <http://languagelog.ldc.upenn.edu/nll/?p=5574>

<sup>44</sup> 'Describes the whitish or grayish appearance of skin due to exposure to wind and cold, which shows up more on African Americans than European Americans due to Black people's darker skin pigmentation' (Smitherman 2000:56).

icans (11%) knew the term. With respect to *suck teeth*, a velar ingressive gesture that expresses ‘anger, impatience, exasperation or annoyance’ (p. 303), twenty-four of thirty-five (69%) Black respondents knew the term, but only one of thirty-five (3%) Whites did. In both cases, the Black/White response difference was significant at  $p < 0.0001$  (as measured by Fisher’s exact test, two-tailed). The lexical and cultural gulf posed by *nigga*, *creepy-ass cracker*, and other words of Trayvon’s and Jeantel’s that surfaced in the courtroom appears to have been similarly wide.

Perhaps even more pervasive in their contribution to misunderstanding might have been preverbal tense-aspect markers like stressed *BIN*, completive *done*, and habitual *be* (Green 2002 calls them ‘aspectual markers’), forms that, as noted above (§2), are often sources of mistranscriptions of African Americans in the penal system by non-AAVE speakers. We do have some experimental evidence on these. For instance, Rickford (1975:172–73) reports on the responses of twenty-five Blacks and twenty-five Whites to four questions that tested their knowledge about the meaning of stressed *BIN* in sentences like *She BIN married* ‘she has been married for a long time, and still is’. Among Blacks, twenty-three got the first question right, fifteen got all four questions right, and none got all four wrong. Among Whites, only eight got the first question right, one got all four right, and ten got all four wrong. Similarly, Jones and Kalbfeld (2017) report on a pilot court-reporter experiment testing for understanding of thirty-two AAVE sentences with six AAVE speakers and ten non-AAVE speakers (most of them White). The AAVE speakers were 100% accurate, in both their transcriptions and paraphrases. The non-AAVE speakers were only 45% accurate overall (wrong transcription and/or paraphrase), especially on habitual *be* and stressed *BIN* (both correctly understood only 10% of the time). Both of these aspectual markers occurred several times in Jeantel’s deposition and courtroom testimony, sometimes at critical points.

We do not have much experimental evidence on phonological and morphological differences between AAVE and other dialects, but some of the mistranscriptions of AAVE sentences reported by Jones and Kalbfeld (2017) hint at these. For instance, *I was wondering, did his wife friend come* was mistranscribed by one White speaker as ‘I was wondering, did his white friend call’, and *his baby mama brother friend was there* was mistranscribed as ‘his baby mama brother friend is dead’. Moreover, there is some experimental evidence on cross-dialect word recognition and processing involving phonetic features. For instance, Sumner and Samuel (2009) found some perceptual cost on word-recognition tasks when speakers process regional dialect forms with which they have limited experience. King and Sumner (2014) assessed reaction times for words with and without dialect-independent features like consonant cluster reduction (*friendly* → *frienly*) vs. dialect-dependent features like TH-fronting (*booth* → *boof*). The stimuli were read by an African American and a General American speaker, but the listeners were all White speakers of General American English. Among other things, the results indicate an interplay of voice and variant or speaker and standardness that is not in accord with ‘frequency based accounts of speech perception’ (King & Sumner 2014:2917), but are better explained as effects of stereotype. The authors also note (ibid.) that ‘[t]o date, few studies have focused on assessing experience with an ethnic dialect ([Staum] Casasanto 2008) or foreign-accented English (McGowan 2011)’ and indicated their own interest in doing a follow-up study of listeners from an AAVE-speaking community.

**4.2. JEANTEL’S UNDERBITE AND VOICE QUALITY.** In her July 15, 2013, CNN interview, Piers Morgan asked Jeantel to explain why the public mocked her for the way she spoke, and she attributed it to the fact that ‘I have an underbite ... The words I say, I can’t, it can’t come out right’. Busch and colleagues (2014) investigate the possibility that this class III

malocclusion, known to have potential distorting effects on speech, especially [s] and [z] (cf. Guay et al. 1978, which they cite), may have had a negative impact on Jeantel's speech and its reception by the jury and the public. They did find some acoustic evidence of high-frequency sibilance in her production of [s] in 'B.S.' and conjecture that this might have affected her intelligibility. But Alicia Wassink, the Linguistics faculty advisor to the undergraduate authors of the Busch et al. 2014 poster, noted more recently (p.c., Oct. 4, 2016) that while she plans to continue 'to tease apart the acoustic outcomes of the linguistic and clinical factors' and is working on a follow-up paper with Busch,<sup>45</sup> 'I don't believe that the underbite trumped attitudinal reactions'. Our conclusion after listening specifically for underbite effects, and asking other linguists and communication disorders specialists for their opinion,<sup>46</sup> is that the underbite effects are not pronounced (minimal and mainly lateral lisp, for instance, without *s/z* fully becoming *th/dh*) and the effect of other voice quality features is potentially greater.<sup>47</sup> Shelley L. Velleman, chair of Communication Sciences and Disorders at the University of Vermont, pointed us to literature indicating that people with malocclusions are often viewed negatively (e.g. Olsen & Inglehart 2011), but also suggested (p.c., Oct. 4, 2016), after listening to a sample of Jeantel's testimony, that Jeantel's 'very low speaking volume coupled with breathy voice' could have affected her intelligibility and how she was perceived.

Two additional points should be made in relation to Jeantel's 'low speaking volume'. One is that, as someone involved in the Zimmerman trial told us anonymously, the courtroom was larger than usual, and the acoustics there especially bad:

Why couldn't the jury hear her? Well, the first problem is that courtroom was the ceremonial courtroom, meaning it was used for any event that required a larger amount of people to be seated. It is easily twice the size of the other courtrooms that were used for felony trials. More importantly, the ceiling, ever important, was much, much higher. The acoustics in that courtroom were always god awful.

Second, at our request, Mark Liberman analyzed the amplitude and other acoustic qualities of Jeantel's voice, using a short sample from her courtroom testimony and comparing it to adjacent samples from prosecutor Bernie de la Rionda, who has more experience in courtroom 'projection'.<sup>48</sup> Using the judge's microphone for his measurements, as an indication of the overall level of the speakers' voices in the courtroom, Liberman found the following decibel (dB) levels.

(42) Prosecutor: What did you take that to mean?	[mean 74.5 dB; max 80.6 dB]
Jeantel: that he leaving the area	[mean 73.0 dB; max 77.8 dB]
Jeantel: that he's gonna start walking home	[mean 70.5 dB; max 74.8 dB]
Prosecutor: OK then what happened?	[mean 69.7 dB; max 75.3 dB]

Liberman also noted that the background noise level in the courtroom was about 52 dB, so the signal-to-noise ratio (SNR) was approximately 20 dB, which is fair, and concluded that '[o]verall there is not a massive or striking difference in intensity'. What he did find potentially significant is that the spectral tilt of Jeantel's voice (the balance of

<sup>45</sup> For presentation at the National Black Association for Speech-Language and Hearing (NBASLH) convention, Atlanta, April 6–8, 2017.

<sup>46</sup> We are grateful to Keisha L. Lindsay, Barbara Zurer Pearson, Meghan Sumner, Shelley L. Velleman, Gloria Weddington, and Walt Wolfram for their input on this point.

<sup>47</sup> Walt Wolfram (p.c.) has also observed that '[t]he fact that the features were aligned primarily with the patterned dialect features of AAVE for /s/, a sound potentially influenced by underbite, suggests that the underbite was, at best, a minor, moderating variable'.

<sup>48</sup> It is a pleasure to thank Professor Mark Liberman (University of Pennsylvania) for his help with these acoustic measurements, and Professor Meghan Sumner (Stanford University) for her phonetics advice on this and other issues relating to Jeantel's speech.

energy related to frequency) is relatively weighted toward lower frequencies, and that her pitch is relatively low, which ‘in a courtroom setting would make her harder to understand’. Overall he felt that there was probably an additive effect of accent differences, lexical and grammatical differences, courtroom acoustics, and voice quality, with a ‘low voice’ perhaps making it harder for listeners to overcome the effects of listening to an unfamiliar variety. We agree. But we believe that dialect prejudices and negative prejudgments triggered by Jeantel’s race and marked vernacular also had a powerful effect on her negative evaluations by jurors and the public. We elaborate on this in the next section.

**4.3. DIALECT PREJUDICE AND INSTITUTIONALIZED RACISM/PREJUDGMENT.** In §§4.1 and 4.2, the ‘blame’ for the jurors’ and public’s poor assessment of Jeantel’s intelligibility and credibility was placed primarily on production properties of the speaker. This is common practice among media commentators and the public; Jeantel herself identified her underbite as the ‘guilty’ factor.<sup>49</sup> Similar assumptions are present in academia, for instance, in some second language research (e.g. Caspers 2010). But considerable research, much of it summarized in Lindemann & Subtirelu 2013, demonstrates that speech perception and evaluation are significantly influenced by LISTENERS’ attitudes, often by biases from factors like race, ethnicity, geography, and social status.

For instance, Wolff (1959) reports that the low-status Nembé in Eastern Niger say they understand the high-status Kalabari, but not vice versa. Rubin (1992:518) provides ‘dramatic evidence that North American undergraduates are reacting to factors extraneous to just language proficiency’ when evaluating the speech of foreign teaching assistants. In one study, students are played a four-minute speech sample recorded by a Ph.D. student, a native speaker of American English from Ohio. When the speaker is represented (through a picture) as Asian rather than Caucasian, he is rated as being much more accented and harder to comprehend, even though raters are evaluating the SAME native-speaker accent in each case. This recalls important early work by Williams (1973) in which ‘teachers rated the same Standard English audio track as sounding much more “nonethnic-standard” and somewhat more “confident-eager” when associated with a video image of a White child than with a video image of either a Black or Mexican American child’ (as summarized in Rickford et al. 2013:291).<sup>50</sup> The Williams study is especially relevant to the evaluations of Jeantel’s speech and testimony, not only because she was Black, but also because she was dark-skinned and overweight, compared by some to the ‘overweight, sexually and physically abused illiterate teen’ in the movie *Precious*.<sup>51</sup> DeMeis and Turner (1978:77), assessing the effects of a student’s race (Black/White), dialect (Black English/Standard English), and physical attractiveness (high/middle/low) on evaluations by sixty-eight White elementary school teachers, reported that ‘[a]ll main effects and interactions were significant. Generally, black students, Black-English-speaking students, and low attractive students were rated lower’. Eisenstein and Verdi (1985) found that AAVE monologues were understood less and

<sup>49</sup> However, her otherwise very supportive attorney, Rod Vereen (quoted in Bloom 2014:132–33), felt otherwise: ‘I’m a whip cracker’, he says, ‘No Ebonics, no slang, don’t talk to me about the underbite. I don’t want to hear it. No excuses. Don’t be lazy’.

<sup>50</sup> The Williams study is not cited by Rubin (1992) or Lindemann and Subtirelu (2013), perhaps because it fell outside of the second language literature

<sup>51</sup> The quote is from Xena’s 6/29/2013 post, ‘Frank Taffe and the butterfly effect of *Precious*’, retrieved 10/7/2016 from <https://blackbutterfly7.wordpress.com/2013/06/29/frank-taaffe-and-the-butterfly-effect-of-precious/>. Xena critiques Frank Taaffe’s comparison of Jeantel with *Precious* on Jane Velez-Mitchell’s TV program on HLN. *Precious*, the movie, is based on the 1996 novel *Push* by Sapphire.

judged less favorably than New Yorkese or Standard English by 113 working-class English learners in New York City.

Several more recent studies, specifically related to the courtroom, bear on this issue. One is Dixon, Mahoney, & Cocks 2002, which, employing a matched-guise experiment with 119 respondents, ‘examined the effect of regional accent on the attribution of guilt’ (p. 162), and the results suggested ‘that the suspect was rated as significantly more guilty when he employed a Birmingham [nonstandard, evaluated negatively] rather than a standard accent, and that attributions of guilt were significantly associated with the suspects’ superiority and social attractiveness [including, race: White vs. Black]’ (ibid.).

Another relevant study is Frumkin 2007, which set out ‘to investigate the effect two eyewitness factors, accent and ethnic background, have on the perceived favorability of eyewitness testimony and case disposition in criminal trials’ (p. 317). Frumkin’s findings, based on videotape experiments with 174 undergraduates, led her to conclude that:

[t]he same testimony delivered by the same witness was perceived as less favorable if the witness testified with an accent. ... Eyewitnesses who spoke with an accent were rated less favorably on the four eyewitness variables [credibility, accuracy, deceptiveness, and prestige] than those eyewitnesses whose speech was accent-free. (p. 325) ... There was a main effect of ethnic background on credibility irrespective of the accent or accent-free speech of the eyewitness. The eyewitness who stated that she was German was perceived as more credible than the Mexican eyewitness, who in turn was perceived as more credible than was the Lebanese eyewitness. (p. 327)

Lindemann and Subtirelu (2013) cite several other studies in the verbal and matched-guise tradition showing that speech perception is influenced by listeners’ stereotypes of speaker characteristics and vice versa. Particularly relevant to the Rachel Jeantel case is their observation that ‘speech that CERTAIN LISTENERS report as lacking I/C [intelligibility and comprehensibility] may be intelligible or comprehensible to OTHER GROUPS OF LISTENERS’ (p. 583, emphasis added). This is relevant because there was not a single African American on the jury, someone who might have been more familiar with AAVE and less likely to stigmatize it or link it in biased ways to Jeantel’s personal traits or credibility.<sup>52</sup> Some indication of the difference such a juror might have made comes from Tucker and Lambert’s 1969 matched-guise study of White and Black listeners’ reactions to various American dialects. While Southern Black college students concurred with their White counterparts in rating ‘Network’ speech most favorably, in terms of intelligence, speech, trustworthiness, honesty, and so on, the Black Southerners rated ‘Educated Negro Southern’ as the second most favorable variety and ‘Educated White Southern’ as the least favorable (of six). By contrast, the White Southerners rated ‘Educated White Southern’ as their second most favorable variety and ‘Mississippi Peer’, a variety identified as Black 89% of the time, as least favorable (Tucker & Lambert 1969: 466–67).

The Tucker and Lambert study, with its coverage of traits like honesty and trustworthiness, brings into play the effect of speech on credibility as well as understanding. Bloom (2014:133), astutely for a nonlinguist, commented: ‘Yet Jeantel’s speech patterns, because they are associated with poor African Americans, were perceived by many, including the people who mattered most, the jurors, as unintelligent, and worse, evidence that she was not credible’.

<sup>52</sup> As it was, the closest to an African American juror was Maddy, the Latina, Puerto Rican juror, who was reportedly more sympathetic to Jeantel, less baffled by her speech, and the holdout for a guilty verdict for Zimmerman until the last minute (Bloom 2014:17–21). Interestingly enough, Juror B37 reportedly ridiculed Maddy herself for ‘talking funny’, leading Maddy to say to Bloom: ‘I didn’t know I didn’t speak proper English’ (p. 15).

An interesting study in this regard is Lev-Ari & Keysar 2010, which showed that accented or nonnative English is rated by American listeners as less credible than native American speech. The authors suggest that this is because nonnative speech is harder to process and understand, but Sumner (2015:238) is skeptical, noting that ‘analogous costs are not found when listeners hear an out-of-accent, but prestigious speaker’, for instance, someone with an English accent. We can also see the effect of racial stereotype in works like Baugh 2003 and Fischer & Massey 2004, in which apartment hunters who spoke with a Black accent, or in AAVE, were systematically discriminated against when compared with callers speaking in White or Standard English, even though the accents were all native to the United States. It is important to note that such discrimination, which Baugh has called ‘linguistic profiling’, should not necessarily be attributed to racial prejudice on the individual level, but to institutional racism at the societal level, a distinction that, according to Hodges (2015), news media commentaries on the Trayvon Martin shooting by George Zimmerman failed to make.

One question is where these negative society-wide institutional associations between African American and other vernacular Englishes and negative personality traits come from. As Spears (2009:94) has noted:

Since racism is institutionalized, we expect to find it in all institutions, in all (US) endeavors ... including everything from sports bars, basketball, and hip-hop to lynching and rape. Associated with institutions ... are rites of initiation or guidelines for entry ... rituals, and symbolism, along with typically distinctive ways of speaking, discourses, vocabularies, epistemologies, ethics and aesthetics.

Lippi Green (2012:101–29) has pointed out that news and entertainment media are a prime institutional source of negative stereotypes, especially Disney cartoons, which are particularly insidious because they appear to be harmless while systematically ‘teaching children how to discriminate’. The mocking crows in *Dumbo* and the mean hyenas in *The Lion King*, for instance, instill an association of ‘dialect’ with trifling, bullying, unsavory characters.<sup>53</sup> Through the STANDARD LANGUAGE IDEOLOGY shaped by these and other forces, Trayvon Martin and Rachel Jeantel were ‘heard’ as nonstandard, therefore less credible and more culpable than George Zimmerman, who, it should be noted, never took the stand.

**5. AND BEYOND: HEARING VERNACULAR SPEAKERS IN OTHER CONTEXTS.** Our contention so far is that Rachel Jeantel, like AAVE and other vernacular dialect speakers before her, was not properly heard (understood, responded to) in the courtroom, and that this fundamentally and negatively affected the believability of her testimony in the Zimmerman trial. But similar mishearings occur in other contexts, also with profoundly negative consequences for vernacular speakers. The purpose of this section is to briefly identify some of these contexts, to raise awareness, before we conclude in §6 with suggestions about what linguists might do to alleviate or improve the situation.

The most directly related area is education, because it seemed from the Zimmerman trial that while Jeantel was a fluent speaker of AAVE, she might not have been a proficient reader. Defense attorney Don West exploited this fact to discredit her by thrusting a hand-written statement (supposedly but not actually written by her) at her in the courtroom, and asking her to read it. After a while she admitted she could not read cursive. As Subtirelu (2013) noted, this was a ‘particularly embarrassing moment for Jeantel’,

<sup>53</sup> Remarkably, the crows in *Dumbo*, released in 1941, use marked AAVE features like *be done V-ed* (‘I’ll **be done seen** about everything, before I see an elephant fly’) that linguists did not discover or discuss until several decades later (cf. Baugh 1973, Rickford 1999, Green 2002).



but to say that she was illiterate, as some commentators did, was ‘an insulting exaggeration’, since she was able to read the record of calls between her and Trayvon Martin when this was presented to her in court, and she apparently texted often with Trayvon and had an active Twitter account. Moreover, we do not know if cursive was taught in her schools. Nevertheless, moving beyond Jeantel herself, at Miami Norland, her high school at the time (now 94% Black, 5% Hispanic), only 23% of tenth-grade students passed the Florida Comprehensive Assessment Test 2 (FCAT2) in reading at grade level (3 or above) in 2012. If older FCAT test results are considered, the reading pass rates are even worse: 15% passed in 2010 for tenth grade, and 12% in 2011. These are comparable to reading scores for the Miami-Dade school district as a whole: 11% for Black eighth graders in 2011, compared with 41% for non-Latina/o Whites. According to Eric Dwyer, a TESOL and literacy specialist in the Department of Teaching and Learning at Florida International University, the low reading scores in the Miami-Dade school district are partly a result of the lack of English as a Second Language programs for students who need them.<sup>54</sup>

The low reading achievement results for African American students in Miami recall the low achievement rates for African Americans in the Oakland Unified School District that prompted its school board to pass their famous, if misunderstood, Ebonics resolutions in 1996 (see Baugh 2000, Rickford & Rickford 2000). But in fact, the Miami statistics are worse, and as far as we know, the Miami school district has not implemented pedagogical measures like contrastive analysis, dialect readers, bidialectal instruction, or the kinds of language awareness or instrumental programs that have improved reading and language arts scores for vernacular and Creole English speakers in the United States, the Caribbean, and elsewhere (cf. Le Page 1968, Rickford 2001, Siegel 2005, Labov 2006, Sweetland 2006, Devonish & Carpenter 2007, Wolfram & Schilling 2015).

Simpkins and Simpkins (1981) showed, for instance, that African American students using their *Bridge* dialect readers made significantly larger gains in reading than a control group taught by traditional methods that ignored or eschewed the vernacular. Labov (2006) demonstrated that the minority differential in reading could be eliminated in California schools (at least for words like *thought* and *didn't* that end with -CCC spelling) with forty hours of instruction using his Individual Reading Program. And Devonish and Carpenter (2007:277) concluded from their experimental bilingual project in Jamaica that children could ‘acquire literacy in both Jamaican and English simultaneously and can readily distinguish between the two language varieties both orally and in writing’. However, the success of these programs has not resulted in any rush to adopt their methods. On the contrary, Houghton Mifflin, the publisher of the *Bridge* readers, responded to critiques of their using ‘dialect’ in US school materials by shelving plans to produce and distribute the readers beyond the experimental phase. And the Jamaican Ministry of Education remained opposed to any extension of the experimental bilingual Creole/English program, despite its educational merits and the authors’ report (Devonish & Carpenter 2007:301) from a population-wide survey that 70% of those polled nationwide ‘favor bilingual education for Jamaican children in Jamaican and English’. The ideological barriers to ‘hearing’ vernacular and creole speakers in their native varieties and building on that to teach them reading and writing and to extend their repertoires to include standard English are formidable, apparently little changed from what Le Page (1968: 437–38) reported from Jamaica a half century ago, as quoted in 43.

<sup>54</sup> Personal communication via Phillip Carter of Florida International University, Miami.

- (43) One very specious headmaster, in a large, modern comprehensive school in a very poor part of Jamaica, introduced me to his teachers as follows: ‘Ladies, there is no doubt that we must *eradicate* the *bad talk* of our children, and the answer to this problem is more and more attention to the *grammar*—they must learn the *grammar*, there is no substitute for the *grammar*, and Professor Le Page is here to say something to us about this.’ But as I spoke of the need for studying the grammar of the Creole vernacular his face dropped and his manner toward me at the end of my talk was remarkably cool. It has long been stated in the West Indies that Creoles have no grammar; they have just ‘bad talk.’

An additional area in which vernacular speakers are heard only too well, but with negative consequences, is in telephone calls by African Americans seeking to rent housing. We have already discussed work by Baugh (2003) and Fischer and Massey (2004) that documents the insidious linguistic profiling (the ‘auditory equivalent of visual racial profiling’) that often results. One bright note here is that the US Department of Housing and Urban Development has recognized the existence of such profiling and has noted in TV ads that discriminating on the basis of inferred race from phone calls is illegal and subject to prosecution.

Two other areas in which vernacular speakers are ‘heard’ or ‘misheard’ with negative effects, but in which more research remains to be done, are in relation to success in job interviews and employment (Terrell & Terrell 1983, Grogger 2011) and in doctor-patient communication (Tamasi 2009).

**6. SUMMARY AND CALL TO ACTION.** For much of this article we focused on Rachel Jeantel and the injustice done to her (and Trayvon Martin) in court. Her AAVE, though systematic, was misheard and maligned. Her testimony, which provided crucial evidence, was disregarded because of its unfamiliarity to most jurors and social biases against AAVE speakers. Looking beyond this particular case and the criminal justice system, speaking AAVE in the United States often exacerbates biases rooted in race and class in cross-dialect domains like schools, job/housing searches, doctors’ visits, and so on. Looking even further afield, and recalling cases summarized in the beginning of this article, we observe that the mishearings experienced by AAVE speakers are shared by vernacular speakers from OTHER ethnic groups, languages, and regions across the United States and around the world. They are much more vulnerable than speakers of standard or mainstream varieties to being misheard and misjudged by police, judges, juries, teachers, landlords, doctors, and employers in everyday life.

So what can and should we do? If LANGUAGE is what most distinctly makes us human, shouldn’t LINGUISTS (the experts on language) be more centrally involved in vital human issues involving language? If we look around, such issues are everywhere: in law, in education, in housing, employment, medical care, politics, poverty, and discrimination, but linguists are not, at least not in the numbers and with the vigor that we should be. This is not to gainsay the valuable contributions made to language and the law by linguists of every specialization, from Ellen Prince to Janet Fuller, Roger Shuy, William Labov, Mark Liberman, Peter Patrick, Walt Wolfram, and others too numerous to mention. And we must recognize the contributions to the study of reading, writing, and second language instruction made by applied linguists, who often do not get the recognition and respect they deserve. Nor in saying this do we ignore the endorsements and resolutions that the Linguistic Society of America votes on and issues from time to time, like its 1997 resolution essentially supporting the principles and goals underlying the Oakland Ebonics

resolutions,<sup>55</sup> or its more recent endorsement (2016) of the ‘Guidelines for communicating rights to non-native speakers of English in Australia, England and Wales, and the USA’, developed by Diana Eades and Anita Pavlenko.<sup>56</sup> And yet, as we think of the millions of vernacular dialect speakers who could benefit from the expertise and experience of linguists, we feel that it is not just their languages and dialects that are on trial, but LINGUISTICS itself, and that we can and should do more.

Although the main focus of linguistics is and should continue to be theoretical, descriptive, and experimental work, synchronic and diachronic, more of us need to get out of our offices, labs, or libraries and make a difference in the world. Some of our best theoretical sociolinguists (e.g. William Labov, Walt Wolfram) and computational linguists (e.g. Mark Liberman, Dan Jurafsky) have already shown that theory development and application (to education, criminal justice) can be fruitfully combined. And ‘impact’ is increasingly becoming a factor in the evaluation of NSF and other grant applications, and in tenure and promotion decisions in Europe and elsewhere (cf. Lawson & Sayers 2016).

We end with some specific suggestions for what we can do as linguists (i–iv) and as citizens aware of what is happening in law and life (v–viii):

- (i) Do more research on cross-dialect intelligibility and evaluation, and the way speakers of AAVE and other vernaculars are heard in courts, schools, workplaces, hospitals, and so on, while being sensitive to the ways in which race is language and language race, in the United States and around the world (cf. Alim et al. 2016).
- (ii) Say YES to invitations to work on cases, projects involving AAVE speakers in court, police encounters, and so on.
- (iii) Continue to push for vernacular speakers to be heard (listened to, valued, given a fair hearing) in the courts and other domains. Use our expertise to teach and explain, bearing in mind the evidence of success in reducing the stereotypical associations between language and the evaluation of Asian teaching assistants reported by Kang and Rubin (2012).
- (iv) Help vernacular speakers learn Standard English as an additional variety IF THEY WANT TO, instead of being idealistic and patronizing on this point, as linguists sometimes tend to be, insisting that it is ONLY society and its institutional biases that need to change. As Hoover (1978:81) showed, African American parents of students in East Palo Alto valued both Vernacular and Standard Black English, and those from lower occupational and income levels ‘depend on the schools to stress the standard level which they generally do not control’.
- (v) Advocate for the use of interpreters as an option for deep AAVE and other vernacular speakers, recognizing that in some cases witnesses or plaintiffs/defendants may not want that option, perhaps considering it demeaning. As noted, this is already an option for some Creole English speakers in both the United Kingdom and the United States, and Cole and Maslow-Armand (1997:228) make an eloquent case for ‘the legal and ethical responsibility to raise issues of effective communication and to reduce prejudice against de-

<sup>55</sup> Available at <http://www.linguisticsociety.org/resource/lsa-resolution-oakland-ebonics-issue>.

<sup>56</sup> Available at <http://www.aal.org/?page=CommunicationRights>.

fendants, complainants and witnesses who do not speak or understand English, or who are from a different country and culture'.<sup>57</sup>

- (vi) Advocate for ending peremptory strikes against African American jurors (*New York Times*, August 16, 2015, 'Supreme Court to rule on *Foster v. Chatman*, No. 14-8349 in 2016'), who might have made a difference in helping jurors to understand Jeantel's dialect in the Zimmerman case.
- (vii) Advocate for jurors to get transcripts, and for linguists with the relevant expertise to help check court reporters' transcripts of vernacular dialect speakers before jurors get them, something for which there appears to be no current provision in any English-speaking country, as far as we know.
- (viii) Stay woke! Here we use a vernacular expression from the #BlackLivesMatter movement, which means 'to remain vigilant and informed', and not just on linguistic matters. For instance, Yale Law School students Olevia Boykin and Christopher Desir, along with their professor Jed Rubenfeld (Boykin, Desir, & Rubenfeld 2016), drew the public's attention to striking disparities in the rates at which Black men were killed by police compared to White men (from 2010 to 2012, TWENTY-ONE TIMES greater for men ages fifteen to nineteen). They also proposed the adoption of a 'necessity' rather than a 'reasonableness' standard for the use of deadly force that is already the standard for the Department of Justice. Those of us in linguistics need to step up and do our data-finding and consciousness-raising too. Language lives IN society, and so must we.

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<sup>57</sup> An anonymous court reporter told us of the difficulties lawyers and reporters had understanding a speaker of Scottish English in a US case: 'None of us could understand a word he said. Every answer he gave we would question him, did you mean this, did you mean that'. This reminds us that many other speakers of English dialects besides AAVE have communication difficulties without interpreters, and it strengthens the case for 'dialect' interpreters more generally.

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