Following the previous segment focused on education, this segment considers ways that language differences affect people's right to fair treatment in the areas of criminal justice and healthcare. At the end, one expert discusses how one type of social media has been used as a tool to address injustice.

K E Y   C O N C E P T S

Trial of George Zimmerman Trayvon Martin, a 17-year-old African American boy, was walking back from a 7-Eleven to his father's fiancée's townhouse in Sanford, Florida, on a rainy night in 2012. His appearance drew the suspicion of neighborhood watch volunteer George Zimmerman, setting off a chain of events that led to Trayvon's death and a high-profile trial that sparked national debates about gun laws, racial profiling, and justice.

In the 20 minutes leading up to his death, Trayvon was on the phone with his friend Rachel Jeantel, who became a key witness for the prosecution. Jeantel speaks African American (Vernacular) English, as well as Haitian Creole and Spanish. During the trial, her speech, demeanor, and cultural background were widely criticized and mocked in the media and by the public—providing a powerful and painful example of linguistic prejudice in the courtroom and beyond.

Black Lives Matter The Black Lives Matter movement was founded in 2013 by three Black female organizers—Alicia Garza, Patrisse Cullors, and Opal Tometi—following the acquittal of George Zimmerman in the killing of Trayvon Martin. The movement began as a social media hashtag, #BlackLivesMatter, and quickly grew into a global call to action.

In recent years, Black Lives Matter has led demonstrations around the world to protest police brutality and systemic racism, which continue to disproportionately affect the Black community.
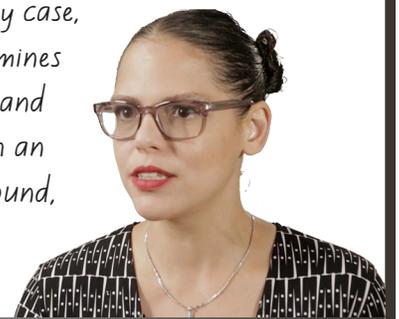
"I was just at the doctor last week and I will intentionally speak in standard English and as eloquently as possible, because that's somewhere where I know from personal experience that they're gonna look at you as less intelligent, and that's just a place where I don't want to gamble with that."
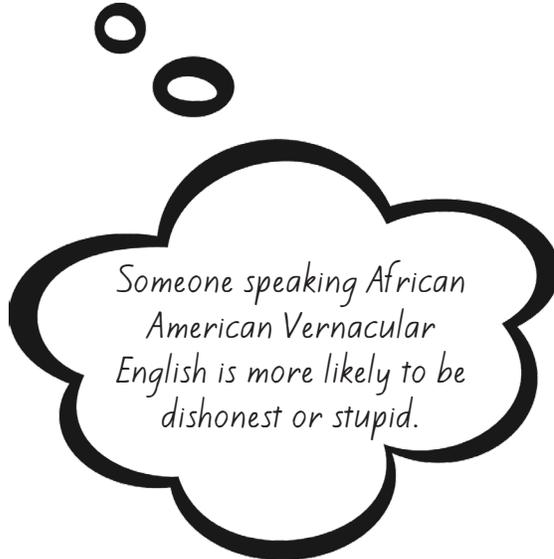-Cierra Harris, student

"It's important to remember that linguistic profiling is always at play. So every case, every time someone goes into a courtroom, how they're using language determines how trustworthy they are, how much we believe what they're saying to us and it can affect their perception of criminality. So someone might come in with an accent, tell the full truth and get a heavier sentence because of how they sound, not necessarily what they've done or what they've said."
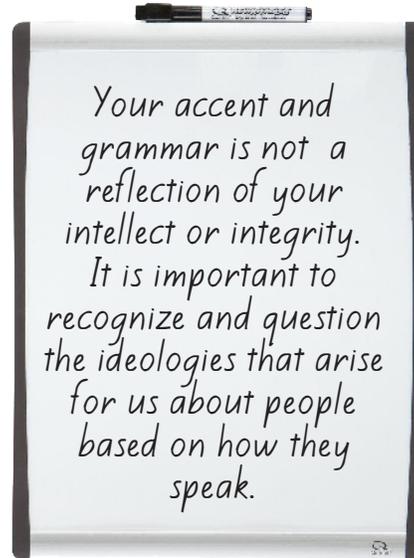-Kelly Elizabeth Wright, linguist

COMMON MISCONCEPTION

the truth is

people may think

Someone speaking African American Vernacular English is more likely to be dishonest or stupid.

Your accent and grammar is not a reflection of your intellect or integrity. It is important to recognize and question the ideologies that arise for us about people based on how they speak.

LINGUISTIC CONCENSUS: People have been socialized to believe that African American Vernacular English is an inferior or uneducated way to speak and this, in turn, influences how much they value and trust someone speaking it.

EXTRA STUFF

Transcription of Testimony

The film highlights a well-known case in which a witness's testimony was deemed unreliable by the jury—largely because of the way the witness spoke. Another serious concern arises with court stenographers, who are responsible for producing the official transcript of courtroom proceedings. Over the years, sociolinguists have uncovered numerous instances where transcription inaccuracies created misleading records of sworn statements, sometimes contributing to miscarriages of justice.

For additional research about this phenomenon, see this article.

"We stay on ready..."
Dr. Meredith Clark speaks about Black Twitter's essential role in the Black Lives Matter movement in the Social Justice film. She weighed in on that topic and more in the film Black Twitter: A People's History. You can watch the trailer here.
Dr. Clark is also a Research Lead with Archiving the Black Web project.

DISCUSSION QUESTIONS

PRE-VIEWING

1. Do you think that the way people speak can affect how trustworthy they seem?

2. Could language bias affect how suspects are treated within the criminal justice system? How?

POST-VIEWING

1. What are some of the ways language can play a role in criminal justice?

2. Which of the following roles in the criminal justice system do you think it is most important to have some knowledge of language/dialect differences; police officer, lawyer, judge, court transcribers? Why?

3. Imagine you have a different cultural background than your doctor. How might it affect the care you receive?

4. Can you think of other contexts in which language bias can play a critical role in terms of someone's health and safety?

Additional Resources

Check out this article by John Baugh on linguistic diversity and disparate health outcomes.

Interrogating Justice is a non-profit, non-partisan think tank. Read the article Black English Exacerbates Racist Practices in Justice System to consider examples of errors in court transcription due to language differences.

From the Philadelphia Enquirer: Study Says Court Reporters Not Accurate with Dialect

An article from the New York Times asks: Why are Black Students Punished So Often? Minnesota Confronts a National Quandary