Language on Trial

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This essay draws on the case study we conducted of Rachel Jeantel's testimony in the 2013 trial of George Zimmerman v. The State of Florida.[1] *Although Jeantel, a close friend of Trayvon Martin, was an ear-witness (by cell phone) to all but the final minutes of Zimmerman's interaction with Trayvon, and testified for nearly six hours about it, her testimony was disregarded in jury deliberations. Through a linguistic analysis of Jeantel's speech, comments from a juror, and a broader contextualization of stigmatized speech forms and linguistic styles, we argue that the lack of acknowledgment of dialectal variation has harmful social and legal consequences for speakers of stigmatized dialects. Such consequences include limits on criminal justice, employment, and fair access to housing, as well as accessible and culturally sensitive education. We propose new calls to action, which include the ongoing work the coauthors are doing to address such harms, while also moving to inspire concerned citizens to act.*

On February 26, 2012, while returning from a casual walk to the corner store, a Black teenager named Trayvon Martin was murdered by a neighborhood watchman, George Zimmerman, in Sanford, Florida. While Zimmerman was the admitted suspect, he was not formally charged for the crime, second-degree murder, until April 11, 2012. Like the fatal police shooting of eighteen-year-old Michael Brown, Jr. in Ferguson, Missouri, on August 9, 2014, after which protestors and activists demanded that the offending officer, Darren Wilson, be held accountable, this incident sparked a wave of resistance.[2] Zimmerman, tried in 2013, was ultimately found not guilty. The acquittal was a key moment in the formation of the #BlackLivesMatter movement, a response to the history of excessive force and extrajudicial killings by the state and vigilantes.[3]

There were many injustices leading up to the ultimate "not guilty" verdict for Zimmerman, with the first and foremost being the pursuit and killing of Trayvon Martin. It is difficult to point to any single factor that influenced the jury's decision. Perhaps the official charge should have been manslaughter rather than second-degree murder. It might have been that the jury, composed of six women, represented Zimmerman's peers but not Martin's, and as a result, the jurors were unable to sympathize with Martin. Some have also emphasized that Martin, the victim, was on trial, rather than Zimmerman, and that his character assassination contributed to the verdict.[4] Acknowledging all of these and other possible con-

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tributions to Zimmerman's acquittal, we, as linguists, examine the prosecution's training of their star witness, Rachel Jeantel, and the criticism of her linguistic performance in the courtroom.[5]

Rachel Jeantel, then ninteen years old, was a friend of Martin. Her testimony lasted almost six hours across two days of questioning. As the last person to speak with Martin before he passed away, she heard much of the encounter between him and Zimmerman up until their tussle on the ground. Despite her knowledge of the encounter, her testimony was dismissed as difficult to understand and not credible, and played no part in jury deliberations.[6] Through a linguistic analysis of Jeantel's speech, comments from a juror, and a broader contextualization of stigmatized speech forms and linguistic styles, we have argued elsewhere that Jeantel's dialect was found guilty before a verdict had even been reached in the case.[7] In this essay, we use our case study of Jeantel to launch a broader discussion of linguistic prejudice, contending that the lack of acknowledgment of dialectal variation has harmful social and legal consequences for speakers of stigmatized dialects.[8] We begin with an examination of the critiques leveled against Jeantel's speech and examine how the unintelligibility of such vernaculars extends to more legal contexts. We expand this discussion to account for how such stigma also has legal consequences in employment, housing, and schooling. Finally, we end with an updated call to action, which includes the ongoing work the coauthors are doing to address such harms, while also moving to inspire concerned citizens to act.

Jeantel, a trilingual speaker born and raised in Miami, received much backlash for the way she spoke during the trial. Specifically, her use of African American Vernacular English (AAVE) contrasted with the socially unmarked varieties of English demonstrated by the lawyers, the judges, and other witnesses, and attracted the attention of many who subscribe to standard language ideologies.[9] Such ideologies are what linguists describe as *prescriptivist*, emphasizing the "incorrectness" or "ungrammaticality" of her speech, which departed from the rules we learned as early as grade school.[10] Contrary to popular belief, linguists have shown that AAVE is a systematic, rule-governed dialect with regular phonological (system of sounds), morphological (system of structure of words and relationship among words), syntactic (system of sentence structure), semantic (system of meaning), and lexical (structural organization of vocabulary items and other information of English) patterns.[11] Negative language attitudes about AAVE are based on ideology, or ingrained beliefs about how one *should* speak and how language *should* be used, rather than linguistic science, which has substantiated the structure of the dialect across decades of research.[12]

We can observe Jeantel's use of AAVE in an excerpt of her testimony, recounting Martin's realization that he was being followed by Zimmerman:

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 the authors [Ø = zero is/are copula, or zero plural, possessive, or third singular present tense -s]

RJ: He said he Ø from – he – I asked him where he Ø at. An he told me he Ø at the back of his daddyØ fiancéeØ house, like in the area where his daddy fiancée – BY his daddyØ fiancéeØ 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 Ø by – um – the area that his daddyØ house is, his daddyØ fiancéeØ 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, secondØ later – ah – Trayvon come and say, 'Oh, shit!'

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

RJ: A couple secondØ 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 Ø behind me.

CR: I'm sorry, what? (22:7 – 23:7)

RJ: [Slowly, deliberately] The nigga's behind – the nigga Ø behind me.

BR: Okay. He used the N word again and said the nigger is behind me?[13]

This excerpt demonstrates several documented AAVE features including the *absence of -s* in possessive and plural tense contexts, *copula absence*, and the use of the controversial lexical item, the *n-word*.[14] With respect to *-s* absence in possessive contexts, we observe such a feature in a phrase like "daddy fiancée house" where there is no *-s* after *daddy* or *fiancée* to mark possession. Absence of *-s* in plural contexts can be seen in phrases like "and then second later" or "couple second later" where the noun *second* does not have an overt *-s* to mark plurality. Alongside these examples, there is a "hallmark" feature of AAVE known as copula absence where inflected "be" forms like *is* and *are* are absent. The AAVE copula follows im-

portant constraints such as rarely being deleted in the context of first person *am* or in clauses where the copula occurs finally (for example, "the area that his daddy∅ house *is*"). Jeantel deletes where expected in this dialect, as we can observe in sentences such as, "I asked him where he ∅ at," in which *is* is absent. We discuss these examples to emphasize how these rule-governed AAVE patterns are employed in naturally occurring speech and to display their regularity in Jeantel's speech.[15]

Without the awareness of AAVE's systematicity or its legitimate status as a rule-governed dialect, one might assume that the occurrence of such patterns in someone's speech marks both a lack of grammaticality and intelligence. However, as shown above, Jeantel displays a deep understanding of the dialect's grammar and its associated patterns. Unfair judgment of Jeantel's language skills is demonstrated in public comments on news articles published covering the trial:

> She is a dullard, an idiot, an individual who can barely speak in coherent sentences. – Jim Heron, Appalachian State[16]

> This lady is a perfect example of uneducated urban ignorance. . . . When she spoke everyone hear, "mumble mumble duhhhh im a miami girl, duhhhhh." – Sheena Scott[17]

> 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 ridicolous [*sic*]!' – Emma, comment on MEDIAite[18]

These comments expose the overwhelmingly negative response from the public to Jeantel's speech. The first exhibits the lack of understanding of such dialectal variation, implying her speech was incoherent. The second demonstrates the same, but also reveals the tropes that co-occur with discussions of racialized vernacular speakers as being from the inner city, working class, and uneducated. This coarticulation of discourses about the speaker and their assumed position in society reinforces how stigma against vernacular speech is as much about *how* things are said as it is about *the speaker* who says them.

Alongside the vitriol from the general public, evidence from jury members suggested that not only was Jeantel's speech misunderstood, but it was ultimately disregarded in the more than sixteen hours of deliberation. With no access to the court transcript, unless when requesting a specific playback, jurors did not have the materials to reread speech that might have been unfamiliar to most if they were not exposed to or did not speak the dialect. Specifically, juror B37 stated in an interview with Anderson Cooper that "A lot of times [Jeantel] was using phrases I had never heard before," indicating some degree of miscomprehension of Jeantel's speech. Further, when asked by Cooper if she found Jeantel credible, juror B37 hastily responded, "No."[19] Further support for miscomprehension across jurors came from the court transcript itself. Specifically, the court transcriber notes moments where jurors speak out of turn, such as:

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.

Here we observe further evidence that jurors needed moments of clarification for Jeantel's speech. Such confusion from the jurors, alongside the public commentary on Jeantel's use of AAVE, highlight the common lack of understanding in public discourses of and about AAVE. They also raise questions about the potential consequences of producing stigmatized speech in legal settings and the role that dialect plays in attributions of credibility or trustworthiness. Specifically, this case opened up the following inquiries, which have taken a concerted effort from linguists and members of contiguous fields to answer:

1) Are accented speakers like Rachel Jeantel more likely to be misheard and viewed as less credible?

2) How intelligible is AAVE, or "accented" speech, in general?

3) What can we do to reduce these inequities among speakers of stigmatized varieties?

While we do not provide complete answers to these questions, this essay surveys the research that addresses them, examining the perception of accented speech more broadly construed, while also expanding our consideration of the sociopolitical consequences in legal contexts beyond criminal cases. Ultimately, this specific case study showed us how the treatment of Jeantel as the defendant on trial operates in a history of linguistic prejudice, discrimination, and misperception of vernacular speech in legal contexts.

Listening to accented speech that is not your own can have processing costs or the potential to be judged as less comprehensible.[20] However, the extent to which the lack of comprehensibility is the result of genuine misunderstandings of accented speech, implicit biases about speakers with certain accents,

or some combination of the two is unclear. Research in linguistics has established that listeners have negative or positive ideologies about certain accents or dialects, which can reinforce stereotypes about certain groups of speakers.[21] The question of how much these ideologies can influence perception has been explored in work by linguist Donald Rubin in his investigation of race and the perception of accentedness.[22] Specifically, his work suggests that the same voice can be evaluated differently in terms of comprehension, whether presented with a picture of a white or Asian face. Different perceptions of accentedness and comprehension for the same speech signal, but different races, calls into question the objectivity of *listening* and its role in interpreting racialized speakers' voices as nonnormative, and therefore deficient.[23]

How might such biases interact with perceptions of credibility or presumptions of guilt? In low-stake situations, such as reading random trivia facts, research has indicated that listeners were less likely to believe statements when produced by a nonnative speaker.[24] However, when the stakes are higher and in the context of legal settings, biases against specific dialects can affect presumptions of guilt for suspects *and* witnesses. In particular, linguists John A. Dixon, Berenice Mahoney, and Roger Cocks found that those who spoke in the less-prestigious and more stigmatized regional accent tended to be negatively evaluated and rated as guilty.[25] Linguists Courtney Kurinec and Charles Weaver make similar observations in their 2019 article showing that jurors found AAVE-speaking defense witnesses and defendants less credible and less educated than their General American English-speaking peers, ultimately yielding more guilty verdicts.[26] Finally, evidence from linguists Lara Frumkin and Anna Stone shows that even eyewitness testimonies are evaluated differently with respect to credibility, accuracy, and trustworthiness based on factors like the prestige of an accent, race, and age.[27]

The unintelligibility or lack of understanding between dialects can also lead to mistranscriptions, which not only result in the misrepresentation of speech in legal documents, but also the misinterpretation of the facts in a case. To demonstrate such injustices, we introduce three examples from English contexts. The first example comes from vernacular Aboriginal English (AE) and displays how unawareness of a particular word in this dialect affected the meaning of the sentence. In a Central Australian case, the phrase "Charcoal Jack, *properly* his father," uttered by an AE-speaking witness, was transcribed by a court reporter unaware of the dialectal differences as "Charcoal Jack, *probably* his father."[28] On the surface, such a mistake looks benign, but an understanding of the phrase reveals that the speaker's intended usage reflects the specific meaning in AE where *properly* means *real*. Thus, the mistranscription introduces doubt via the use of the word *probably* where the actual usage of the term *properly* is meant to distinguish the biological father.

Building on this example, we turn to a mistranscription of a Jamaican Creole speaker testifying in a police interview in the United Kingdom:

wen mi ier di bap bap,	**mi drap a groun** an den mi staat ron.
a. When I heard the shots (bap, bap),	**I drop the gun**, and then I run.
b. when I heard the bap bap [the shots],	**I fell to the ground** and then I started to run.[29]

In this example, the verb *drop* is initially transcribed such that it has the direct object *gun*. The introduction of the word *gun* for *ground* potentially attributes responsibility to the speaker of having a weapon. Fortunately, the transcript was checked against the recording by a Jamaican Creole interpreter who corrected the potentially dangerous error.

A final example of such transcription errors comes from a 2015 police transcript of a recorded jail call from a speaker in East Palo Alto. The speaker, recorded as saying "I'm fitna be admitted" was mistranscribed as "I'm fit to be admitted." The word *fitna* is a variation of *finna*, "fixing to," and marks the immediate future in AAVE. While this statement originally referred to the timing of admittance, the transcription now changes meaning to consent to being admitted. Such examples illustrate that across these three dialects (Aboriginal English, Jamaican Creole, and African American Vernacular English), lack of awareness of the structure of the variety, be it in vocabulary or sentence structure, affects one's ability to accurately transcribe the speech. Taylor Jones and colleagues recently showed that court transcribers from Philadelphia, who were certified at accuracy rates of 95 percent and above, often mistranscribed and misparaphrased AAVE.[30] Although they self-reported at least some degree of comprehension with the dialect, their transcription and paraphrase accuracy was 59.5 percent and 33 percent, respectively, at the level of the full utterance, far below the threshold for acceptable accuracy. Such work suggests that even for these experts, understanding and representing the variety can be difficult; thus, we must recognize the potential legal repercussions when we do not account for vernacular intelligibility.

Prejudice against and stigma for such speech extends beyond the legal consequences of speaking and hearing speech in criminal cases. Speakers of these stigmatized dialects also suffer consequences that can infringe on their civil liberties and access to services and resources.

Accent discrimination in the workplace can affect current and future employment opportunities.[31] James Kahakua, a "university-trained meteorologist with 20 years of experience" and a speaker of Hawaiian Creole and English, was denied a promotion to read weather reports on air in Hawai'i because his employer believed that his colleague, a thirty-year-old Caucasian man, had the better broadcasting voice.[32] And in *Mandhare v. W.S. LaFargue Elementary School*, Sulochana Mandhare, an Indian immigrant who had been studying English for almost twenty years, sued the school board for not renewing her contract as a school librarian

because of her "heavy accent."[33] These are just two examples of many that show what is on the line for speakers when they encounter the stigma of having accented speech.

Title VII of the Equal Employment Opportunity Commission disallows employers from taking action on the basis of one's accent, but protects their ability to do so if the employee's accent affects job performance.[34] The perception of which accents interfere with job performance is often influenced by bias. That is, what one might interpret as a linguistic impediment to the job might interact with their beliefs, not facts, about what is considered unprofessional language and who is considered "professional." Thus, in deciding what is or is not an interference, "even the most open-minded of courts may be subject to the unwritten laws of the standard language ideology."[35] Further, the ambiguity around "accent" and "language" does not make clear where the law stands in relation to *dialects* of one language (such as English), rather than the differences between multiple languages.

In addition to employment discrimination, discrimination with respect to housing rental has often involved linguistic prejudice. Through "linguistic profiling," the auditory equivalent to racial profiling, whereby listeners use auditory cues to identify the race of a speaker, speakers have been denied opportunities to see homes on the basis of their voices.[36] In extensive work on housing discrimination, linguists Thomas Purnell, William Idsardi, and John Baugh have demonstrated that not only do listeners try to identify a speaker's dialect based on the word "Hello," but landlords also discriminated against prospective tenants on the basis of their voice.[37] That is, landlords were less likely to make appointments with Black and Latinx callers in neighborhoods with higher populations of white residents.[38] The Fair Housing Act "prohibits housing discrimination on the basis of race, color, national origin, religion, sex (including gender, gender identity, sexual orientation, and sexual harassment), familial status, and disability."[39] However, people are not always aware that cues in a voice can be used to map a person to such demographic categories.

Finally, having shown how linguistic injustices can generate both employment and housing discrimination, we turn to examine a pivotal case in the history of Black language in education. In *King v. Ann Arbor*, the plaintiffs were Black preschool and elementary students asserting that they spoke a Black vernacular or dialect and were denied equal participation in their instructional programs as the school had not taken appropriate measures to account for such a language barrier.[40] This case was the first to argue successfully on behalf of speakers of Black English, and resulted in the judge ordering the district to identify Black English speakers in the schools, teach them how to read Standard English, and improve teachers' negative attitudes toward their speech.[41] Intuitively, we can imagine that the lack of recognition of Black English in schooling impedes the learning experience, but without explicit instruction on these vernaculars and the reach

of their stigma, the broader society remains unaware of the vulnerability speaking such a dialect can pose in a range of areas including education, housing, and employment.

We have considered how often speakers of stigmatized dialects are misheard and perceived as less credible, that accented speech can affect processing, and that such effects can be tied to negative language ideologies or negative attitudes about certain groups of speakers. Let us now address the question of what can be done to reduce these inequities among speakers of stigmatized varieties. In our previous work, we have suggested how linguists and citizens could play a more active role in combating linguistic prejudice in legal systems.[42] While our work has focused on the dialect AAVE, our suggestions can be extended to other vernaculars. We revisit this list through a new lens of the practical challenges to reducing these inequities, as well as examples of how we have tried to implement such solutions since the publication of our study:

i. Oppose efforts to preemptively keep African Americans and members of other marginalized groups that are overrepresented in the carceral system from serving on juries, especially when their knowledge of linguistic differences could be beneficial to the task. After all, a jury should be reflective of one's peers. But as we have made clear, discrimination through jury selection is not uncommon: "In *Foster v. Chatman* (2016), the U.S. Supreme Court held that prosecutors purposefully discriminated against a Georgia man facing the death penalty when they dismissed two Black jurors during jury selection." On the other hand, "The Court's narrow decision was largely based on the egregious nature of the *Batson* violations and, therefore, may do little to deter the discriminatory use of race in jury selection."[43] We can also consider the criminal case of *Box v. Superior Court* where a potential Black juror was dismissed on the basis of pronouncing *police* as PO-lice, rather than po-LICE, with stress on the first syllable rather than the last.[44] This pronunciation is a feature of AAVE. However, due to bias against AAVE, the prosecutor claimed the pronunciation was evidence the juror had an "unfriendly feeling" toward law enforcement.

ii. Advocate for and produce more research on the perception and processing of stigmatized voices in institutions like schools, courtrooms, and hospitals. Research in this vein is burgeoning, with researchers assessing court reporters' understanding and transcription of vernacular speech, as well as researchers evaluating bidialectal Black speakers' use of MAE (Mainstream American English) or AAVE when providing a narrative as one would in an alibi.[45] Expanding research on the study of stigmatized dialects allows us to investigate which aspects of the dialect are difficult for nonfluent listeners to

interpret, while also uncovering more about the relationship between perception and linguistic biases.

iii. Agree to help with cases or projects in the legal system that involve speakers of stigmatized varieties. Native speakers of AAVE and linguists familiar with AAVE should offer to serve as an expert witness or participate in building cases for speakers whose speech in question is AAVE. For instance, Sharese King has accepted invitations to speak with law firms or specific courts, such as the Fourth District in the Minnesota Judicial Branch and the Habeas Corpus Resource Center in California, about linguistic prejudice in legal contexts. This direct engagement has allowed us to educate lawyers, judges, and court reporters on the legitimacy of the variety, while also informing them of the social and legal consequences of producing such speech in legal contexts and beyond.

iv. Similarly, advocate for speakers of stigmatized varieties like AAVE to be heard in the courts and beyond, while acknowledging how raciolinguistic ideologies affect one's ability to listen and accept information from accented speakers.[46]

v. Offer help to acquire "standardized" varieties of English for speakers interested in commanding both their vernacular and MAE. Such multilingualism can help them be more upwardly mobile. We acknowledge the controversy of such an offer, since one should be wary of solutions that put the burden on the victims to conform to the linguistic norms of those in power. We also recognize that speaking the standardized dialect will not fix *all* the injustices such speakers face, nor shield them from the injustice of racial prejudice. But it may alleviate such injustices to some extent, and we should prioritize individual speakers' agency to decide what is the best option for themselves.

vi. Advocate for more vernacular speakers to have the option to use interpreting services in court settings to reduce the risk of misunderstandings. We emphasize the word *option* as we understand that some speakers may reject the notion given that they may not be aware of how their language varieties are subject to misunderstandings in comparison to other English speakers in the courtroom. Further, we acknowledge that the position of the translator would need to be filled by someone who is informed about the structure of the language, including regional variation. As above, we prioritize speaker autonomy to choose which solution they feel most comfortable with.

vii. We have advocated for jurors receiving transcripts, while also having linguists check these transcripts for accuracy. King's ongoing work teaching Minnesota court reporters about AAVE and the social political consequences for speaking such a variety has raised a new awareness of this need and the challenges to implementation. Specifically, court transcribers noted the

difficulty of converting their work into legible transcripts for jury members in a short period of time. Such work could prolong the time between lawyers' closing statements and jury deliberation. Moreover, court transcribers not only expressed their lack of knowledge about the grammar, but a lack of understanding of how to represent the variety. These conversations made us aware that court transcribers may need linguists' help in developing a universal coding system for transcribing AAVE in these contexts.

viii. "Stay woke" or informed about the racial disparities experienced by the most marginalized in society, be it from linguistic prejudice to health inequities to unfair policing of such communities. Consider when and how such injustices interact. In addition to increasing awareness, we must be vigilant in spreading such knowledge and not keeping these conversations in the halls of the ivory towers. Such work includes engaging in different forms of communication with family and friends, or with the public via social media platforms, linguistic podcasts such as *The Vocal Fries* and *Spectacular Vernacular*, or newspaper editorials.[47]

ix. Lastly, we must evaluate our own linguistic prejudice and how it materializes in both personal and professional settings. Further, we must assess how specific norms in the workplace might devalue some voices versus others and work to address them.

While the broader public is just becoming aware of the notion, linguistic prejudice and its impacts are being felt widely by communities of speakers whose linguistic practices have been stigmatized. Recognizing the consequences of prejudice in criminal justice, employment, housing, and education can help us to address the unnecessary harms speakers of AAVE and other vernacular speakers face in society. We believe that the multifaceted solution to reducing such inequities will require acceptance and compassion for an increasingly multilingual society, but also the courage to enact such empathy through research, policy, and sustained education on the issue.

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ENDNOTES

[1] John R. Rickford and Sharese King, "Language and Linguistics on Trial: Hearing Rachel Jeantel (and Other Vernacular Speakers) in the Courtroom and Beyond," *Language* 92 (4) (2016): 948–988, https://doi.org/10.1353/lan.2016.0078.

[2] Protestors and activists, as well as formal groups such as the National Bar Association, called for the Ferguson Police Department and the Missouri Department of Public Safety to hold Darren Wilson accountable for Michael Brown's death. See Paul Hampel, "African-American Lawyers Association Seeks Revocation of Darren Wilson's Police Officer License," *St. Louis Post-Dispatch*, December 8, 2014, https://www.stltoday.com/news/local/metro/national-lawyers-association-seeks-revocation-of-darren-wilson-s-peace/article_524dde5b-d5cb-5794-8a77-269f03f60382.html. For an overview of the protests and the Justice Department's response, see Jaime Chandler and Skylar Young, "Justice Delayed," *U.S. News: A World Report*, October 15, 2014, https://www.usnews.com/opinion/blogs/jamie-chandler/2014/10/15/st-louis-ferguson-missouri-police-must-be-held-accountable-for-killings.

[3] What began as a hashtag in response to the acquittal of Zimmerman grew into a movement and nonprofit organization. More information can be found on https://blacklivesmatter.com.

[4] Karen Grisby Bates, "A Look Back at Trayvon Martin's Death, and the Movement It Inspired," *Code Switch*, NPR, July 31, 2018, https://www.npr.org/sections/codeswitch/2018/07/31/631897758/a-look-back-at-trayvon-martins-death-and-the-movement-it-inspired.

[5] Mark S. Brodin, "The Murder of Black Males in a World of Non-Accountability: The Surreal Trial of George Zimmerman for the Killing of Trayvon Martin," *Howard Law Journal* 59 (3) (2016): 765–785, https://lira.bc.edu/work/ns/f2c96856-9e22-48ce-b292-52065e11d3d8.

[6] Lisa Bloom, *Suspicion Nation: The Inside Story of the Trayvon Martin Injustice and Why We Continue to Repeat It* (Berkeley: Counterpoint Press, 2014).

[7] Rickford and King, "Language and Linguistics on Trial." We draw on Walt Wolfram and Natalie Schilling's definition of dialect as "a neutral label to refer to any variety of a language that is shared by a group of speakers. Languages are invariably manifested through their dialects, and to speak a language is to speak some dialect of that language." Walt Wolfram and Natalie Schilling, *American English: Dialects and Variation* (Hoboken, N.J.: Wiley, 2016), 2.

[8] In sociolinguistics, *variation*, *language variety*, or simply *variety* refers to differences in speech patterns, such as dialect, register, and general style. Standardized English is one of many

variations or varieties of English. For more on varieties in sociolinguistics, see Braj B. Kachru, Yamuna Kachru, and Cecil L. Nelson, eds., *The Handbook of World Englishes* (Malden, Mass.: Blackwell Publishing, 2006).

[9] We recognize that there are other variations on the term African American Vernacular English, including African American Language (AAL) (Lanehart) and African American English (AAE) (Green). However, in referencing AAVE, vernacular refers to the variety that is most different from standard or standardized English (Lippi-Green). See Sonja Lanehart, *The Oxford Handbook of African American Language* (New York: Oxford University Press, 2015); Lisa J. Green, *African American English: A Linguistic Introduction* (Cambridge: Cambridge University Press, 2002); and Rosina Lippi-Green, *English with an Accent: Language, Ideology and Discrimination in the United States*, 2nd ed. (Abingdon-on-Thames, England: Routledge, 2012).

[10] Anne Curzan, Robin M. Queen, Kristin VanEyk, and Rachel Elizabeth Weissler, "Language Standardization & Linguistic Subordination," *Dædalus* 152 (3) (Summer 2023): 18–35, https://www.amacad.org/publication/language-standardization-linguistic-subordination; and Wolfram and Schilling, *American English*.

[11] Green, *African American English*.

[12] Walt Wolfram, *A Sociolinguistic Description of Detroit Negro Speech* (Washington, D.C.: Center for Applied Linguistics, 1969); Ralph W. Fasold, *Tense Marking in Black English: A Linguistic and Social Analysis* (Arlington, Va.: Center for Applied Linguistics, 1972); William Labov, *Language in the Inner City: Studies in the Black English Vernacular* (Philadelphia: University of Pennsylvania Press, 1972); and John Baugh, *Black Street Speech: Its History, Structure, and Survival* (Austin: University of Texas Press, 1973).

[13] Rickford and King, "Language and Linguistics on Trial."

[14] While we follow a long tradition within linguistics of referring to these features as "absence" by contrast with their required presence in written Standard English and other varieties, we propose instead that we refer to them as "intrinsic" features of AAVE, which does not frame the standardized options as the norm. See William Labov, Paul Cohen, Clarence Robins, and John Lewis, *A Study of the Nonstandard English of Negro and Puerto Rican Speakers in New York City: Final Report*, Cooperative Research Project No. 3288 (Washington, D.C.: United States Office of Education, 1968); and Anne H. Charity Hudley, Christine Mallinson, and Mary Bucholtz, *Talking College: Making Space for Black Language Practices in Higher Education* (New York: Teacher's College Press, 2022).

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