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They really, really, really don't like to admit they made mistakes: A critical discourse analysis of appraisal in wrongful convictions

Carmen Ortega-Robles¹  and Encarnación Hidalgo-Tenorio² 

¹Departamento de Filología Inglesa, Universidad Autónoma de Madrid, Madrid, Spain and ²Departamento de Filologías Inglesa y Alemana, Universidad de Granada, Granada, Spain

Corresponding author: Encarnación Hidalgo-Tenorio; Email: ehidalgo@ugr.es

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Abstract

Besides being unjustly incarcerated, Sabrina Butler, Kristine Bunch, Ru-el Sailor and Larry DeLisle endured various forms of police mistreatment, as detailed in a collection of transcripts from the Wrongful Conviction Podcast (WCP). Understandably enough, their criminalization had a profound impact on their perception of external and internal realities. Given their unique socio-demographic backgrounds, variations in the discursive patterns of their communicative interactions are anticipated. As extensively analyzed in sociolinguistics, both gender and ethnicity influence how individuals construct discourse; particularly, these traits appear to account for how the subjects under study express their emotions and opinions. This is because they are silenced and unable to directly confront their trauma; often, they are incapable of discussing their feelings or identifying those responsible for these traumatic events. Drawing on Appraisal Theory, this paper investigates the language of evaluation used in these texts taken from the WCP. To this end, our analysis of the data is performed using UAM CorpusTool.

Keywords: appraisal theory; critical discourse analysis; ethnicity; gender; wrongful convictions

1. Introduction

1.1. *The rationale behind this research*

In previous research, Martin and White's (2005) framework has been used to analyze attitudinal meanings in all sorts of texts such as reviews (e.g. Carretero & Taboada, 2014), the media (e.g. Breeze, 2014; Bartley & Benítez-Castro, 2016; Benítez-Castro & Hidalgo-Tenorio, 2022), research articles (e.g. Zhang & Cheung, 2018; Sancho Guinda, 2019), television series (e.g. Bednarek, 2014), the internet (e.g. Yus, 2019; Alonso Belmonte, 2019), interviews (e.g. Hidalgo-Tenorio & Benítez-Castro, 2021), political discourse (e.g. Miller & Johnson, 2014; Hidalgo-Tenorio & Benítez-Castro,



2022), or clinical psychology reports (e.g. Lluch 2022). The academic interest of such a complex model lies in its robustness and comprehensiveness. Accordingly, we decided to apply it to a very specific domain, in order to identify the discourses hidden in a corpus of wrongfully convicted individuals. This interest in how evaluative language operates comes together with our interest in Forensic Linguistics (FL). The latter became a field of research of its own when Svartvik (1968) first employed the term to refer to the linguistic investigation carried out in the legal realm. On the one hand, FL has delved into convicts' discursive profiles (e.g. Timor & Landau, 1998; Schilling & Marsters, 2015). On the other hand, FL has also paid attention to innocent people's narratives (e.g. Bartley, 2018a; Liu, 2021). Some FL-based research (e.g. Hurt & Grant, 2019; Dai & Zhou, 2019; Supriadi et al., 2020; Ulrikayanti, 2021) employs Appraisal Theory to discover the most frequent alignment resources in court discourse and law-related concerns; within this context, Corpus-assisted Discourse Analysis can be of much use (e.g. Baker, 2014; Samaie & Malmir, 2017). Additionally, given the socio-demographics of our subjects, we decided to analyze this corpus in relation to two socio-cultural variables, namely, gender (e.g. Holmes, 1992) and ethnicity (e.g. Gabrielatos et al., 2010). The combination of these approaches (e.g. Wilson, 2011; Ong, 2021; Siptanos, 2021) can have undeniable power when it comes to comprehending how people represent reality, allowing them to filter out their emotions in discourse in various ways.

The website of the Innocence Project (2022) recalls that most wrongfully convicted individuals spend around 16 years incarcerated for a crime they never committed. The US National Registry of Exonerations (2012) lists more than 1,050 illicit incarcerations in the last years. The cause of a wrongful conviction tends to vary; it can be tunnel vision, mistaken eyewitnesses, erroneous forensic science, ineffective or insufficient defense, and police abuse or misconduct (Lindsay & Wells, 1985; Scheck & Neufeld, 2002; Kassin, 2005). Very few have taken place based on DNA evidence (Innocence Project, 2022), that is why it is crucial to look at other clues to fight back unjust imprisonment. Little has been written about the long-term effects of wrongful convictions (Westervelt & Cook, 2008), but there is agreement that unjust incarceration leads to victimization and social stigmatization (Ricciardelli et al., 2009; Clow & Leach, 2015). Although it affects all wrongfully convicted people, some social groups like women or ethnic minorities may be more easily subjected to abuse (Webster & Miller, 2014: 973). For instance, the narrative of the 'bad mother' is associated with many of the cases of wrongfully convicted women (The National Registry of Exonerations, 2012), and ethnicity is linked to the negative stereotyping of African-American people, who can suffer racial bias and police brutality (Graham et al., 2020).

In light of this context, the present study aims to examine the narratives of four wrongfully convicted individuals, categorized by gender and ethnicity. With this focus, the research questions addressed in this paper are outlined below.

1.2. Research hypotheses and questions

Our corpus is formed by transcripts from interviews of the Wrongful Conviction Podcast (Apple Podcasts, 2022), where the subjects narrate their personal experiences before imprisonment, during their incarceration, and after their exoneration. Since

they talk freely about all this, distinctive evaluative language is expected in their turns. As such, according to previous evidence, the following patterns are anticipated:

- RH0: Due to the similarities of their experiences, all wrongfully convicted individuals may share linguistic characteristics. Said similarities can be explained by the traumatic nature of the events, which leads to their silencing their voices (Cameron, 1998; Hidalgo-Tenorio & Benítez-Castro, 2021);
- RH1: Wrongfully convicted men and women may shape their discourse in different ways; whilst women can showcase emotion openly, men can be more cautious and less direct (Jespersen, 1907; 1922; Lakoff, 1975; Tannen, 1990);
- RH2: Some differences and similarities in both sub-groups may be explained on the grounds of their ethnicity. Individuals from minority ethnic groups may adjust their openness in expression due to cultural norms and concerns about stereotypes in predominantly white spaces, while white individuals may feel freer to express themselves openly without the same social pressures or constraints (see Bucholtz, 2003).

Based on the abovementioned, this research intends to answer the following research questions:

- RQ1: What emotional shades of meaning are conveyed in the narratives of these wrongfully convicted individuals?
- RQ2: How does gender influence their discourse?
- RQ3: How does ethnicity influence their discourse?

In short, in the following sections, we aim to analyze the way injustice is mirrored discursively, by exploring how attitudinal meanings are conveyed in our data.

2. Theoretical framework

In the present paper, we look at our corpus from several perspectives, namely, Corpus-assisted Critical Discourse Analysis (CDA), sociolinguistics and Systemic Functional Linguistics (SFL). Furthermore, given that the texts are law-related, this paper falls in the area of Forensic Linguistics (FL). Whilst CDA will allow us to understand how power relations are construed in discourse, thanks to sociolinguistics we will contextualize the subjects and their utterances. As for SFL, the Appraisal framework (Martin & White, 2005; Bednarek, 2008) will serve as an instrument to examine the lexicogrammar of trauma. Below, we describe all these approaches more thoroughly.

2.1. Critical discourse analysis

CDA is an interdisciplinary approach that views discourse as both a product of societal influences, and a tool that actively shapes societal norms and power structures. (Fairclough, 1995; Wodak, 1997); it understands texts as a product of society where power asymmetry can be articulated; that is why it contends that the latter can also be dismantled through detailed analysis (Blommaert & Bulcaen, 2000: 453; Wodak 1995: 204). Discourse analysts go beyond examining linguistic elements

and surface-level descriptions to reveal the deeper meanings embedded in discourse, which is why this approach is referred to as Critical Discourse Analysis (CDA); it emphasizes the role of language in revealing underlying social, political, and ideological structures (Hidalgo-Tenorio, 2011: 187). Any corpus is perceived as a reflection of prevailing tendencies, as a mirror of hegemonic social practices, and, therefore, they should be analyzed within its context. In this vein, we will use it to explore power dynamics related to gender and ethnicity within certain segments of American society.

When corpora are studied, it becomes possible to conduct both corpus-driven CDA (Baker et al., 2013) and corpus-based CDA (McEnery et al., 2006). Whilst the former uncovers linguistic patterns, and generates hypotheses directly from large, unbiased text corpora, corpus-based CDA tests predefined theoretical concepts using specific corpora, blending quantitative data with qualitative analysis to investigate particular aspects of language and its social implications. In this paper, both have been implemented. For our corpus-driven analysis, we use AntConc (Anthony, 2005) and Sketch Engine (Kilgariff et al., 2014); for our corpus-based analysis, we use UAM CorpusTool (O'Donnell, 2018). The use of both approaches represents a meaningful advancement in the study of language (Meyer, 2014).

2.2. Sociolinguistics: Gender and ethnicity

Sociolinguistics studies the relationship between language and society (Johnstone, 2020: 124) from an interdisciplinary perspective (Bayley et al. 2013: 1). The many interests it has spurred in novel approaches, as well as the different goals and methodologies it has, has led to its development into several sub-disciplines: The *variationist* tradition (Labov, 1966), *ethnography of communication* (Hymes, 1974), *interactional sociolinguistics* (Gumperz, 2005) and *sociology of language* (Fishman, 1971). Other approaches have originated in relation to topics such as ideology, gender, social class and ethnicity (Ricento, 2013: 12–13). These extralinguistic variables have been studied alongside linguistic elements to discover how they coexist and interact.

2.2.1. Gender

Whilst Weinrich (1953) reported that sex is a central socio-demographic variable in language, Simone deBeauvoir (1953: 267) stated that “one is not born, but rather becomes a woman”. The very notion of ‘becoming’ is what distinguishes sex from gender. This is subject to social rules, behaviors and roles associated with what being a woman (or a man) means within context. Therefore, gender is a construct that is redefined from culture to culture and can change over time (Butler, 1990: 78).

In sociolinguistics, there are four approaches to gender: The deficit (Jespersen, 1922), dominance (Thorne & Henley, 1975), difference (Tannen, 1990) and diversity (Cameron, 1998) approaches. *Deficit* approach scholars claim that there exist two distinctively different male and female dialects, and that the so-called female speech is an inferior version of the standard male speech. In 1922, in the chapter entitled ‘The woman’, Jespersen reports that men and women speak differently; in earlier works, he already put emphasis on emotion: The general “colder and sober character of the man” versus the “more impulsive and emotional character of the woman” (Jespersen 1907: 585; 1941: 166 [translation from Thomas, 2013: 17]). Apart from emotive

vocabulary, Lakoff (1975) lists some other characteristics of this variety: Trivial topics, tag questions, super polite forms, and hyper-correct grammar and pronunciation (Lakoff, 1975: 262). Despite its lack of empirical evidence (Hidalgo-Tenorio, 2016: 1193), this model has been applied extensively and has reinforced the pre-assumed lower quality of female speech. The *dominance* approach relies on the above rejecting the superiority of one variety over the other, and justifying the difference on the little access of women to the language of power. From this perspective, turn-taking, interruption, topic selection, among others, show men's degree of conversational domination (see Zimmerman & West, 1975).

Tannen's (1990: 112) *difference* approach states that the possible variations between male and female discourse are related to early socialization experiences; since they are raised in different contexts, girls and boys learn a specific *genderlect* (Maltz & Borker, 1982). According to Tannen (1990: 53), this is related to the existence of differing pre-determined linguistic goals: Whilst men see communication as content, women tend to engage in conversation to establish social bonds.

Finally, the *diversity* approach (Cameron, 1998) argues that gender alone does not determine a specific linguistic outcome; however, it can be analyzed in conjunction with other variables (e.g., ethnicity, age, social class) to explore how they might collectively influence linguistic behavior. As Cameron indicates (2012: 145), "any difference in men's and women's way of communication is not natural and inevitable but cultural and political". Despite the existence of gender as a variable that may influence linguistic use, binary gender distinctions do not appear to be the most crucial factors, though (Cameron, 2007: 147); this is so because all individuals can act 'performatively' (Butler, 1990: 108) depending on identity and communicative purpose; in doing so, speakers can resist or subvert gender codes, which are socially determined (WHO, 2022).

2.2.2. Ethnicity

Alongside *gender*, *ethnicity* is one key topic in sociolinguistics. In Labov (1966), we can read that *racialization* is a social process hidden in public institutions, where linguistic judgments have a negative impact on racialized children. Nonetheless, racialized populations are left aside due to scholars' focus on class or religious dialects within the white community (see Brice Heath, 1983; Eckert, 1990). When, in the 2000s, research starts looking into non-white individuals (see Bucholtz, 2003), the concept of *ethnolect* happens to appear in publications, where ethnicity is treated as a characteristic making people from different cultural communities and/or nations speak different dialects (Lo, 2020: 79). Racialized people's linguistic features are assumed to be acquired during childhood (Bucholtz, 2003: 411); however, in line with Cameron (1998), some race researchers (Chun & Lo, 2020: 227) think that *racial talk* is used strategically by speakers.

2.3. Systemic functional linguistics: The Appraisal framework

Systemic Functional Linguistics understands language as a social semiotic system where meaning is made through choice. Despite the differences between Fawcett's (2000) Cardiff School and Halliday's (1984) Sydney School (see Bartley, 2018b), both models support the existence of three linguistic metafunctions. The *ideational*

metafunction is concerned with how individuals represent their experiences (Halliday & Matthiessen, 2014: 186); here, the system of Transitivity is a key component. The systems of Modality and Appraisal are cornerstones of the *interpersonal* metafunction, which is related to how addressers and addressees interact (Halliday & Matthiessen, 2014: 188), and evaluate their surroundings (Martin & White, 2005; Halliday & Matthiessen, 2014: 187). As for the *textual* metafunction, it deals with the way in which discourse is organized so that it achieves coherence through cohesion (Halliday & Matthiessen, 2014: 191).

The Appraisal framework (Martin & White, 2005) covers the *interpersonal* metafunction. It refers to how people make use of the semantic resources of a language to communicate, intake and mediate emotions, judgments and valuations (Wei et al., 2015: 237). This model explains how individuals assess their inner and outer realities through attitudinal shades of meaning coded lexico-grammatically. The Appraisal framework is integrated by three domains that are not symmetrical. Whilst *Attitude* is recognized as the central sub-system, *Engagement* and *Graduation* are considered peripheral (Wei et al., 2015; Li, 2016). *Attitude* is associated with evaluation in relation to emotion (*Affect*), ethics (*Judgment*), and aesthetic and social values (*Appreciation*) (Martin & White, 2005: 42). *Engagement* is concerned with how the author's voice is positioned in relation to their statements; the ways in which the interpersonal space and truth value of the text are negotiated (*ibid.*: 95). As for *Graduation*, it deals with degree; the meaning of utterances can be enhanced or diminished (Force) (e.g. *I cried too many times*), or the boundaries of entities can be sharpened (Focus) (e.g. *He was a real father*).

Although Martin and White's (2005) framework can capture emotional evaluation in discourse efficiently, some of its categories were not as fully developed as others. Bednarek's (2008) corpus-based refinement and Benítez-Castro and Hidalgo-Tenorio's (2019) amendment of the *Affect* sub-system try to address its areas for improvement. Consequently, in the present paper, we will adopt the latter approach (see Figure 1 below). The basic tenet of this development is the notion of goal. In theories of human evolution (see Darwin, 1872; Bazzanella, 2004), emotion is defined as a mechanism for achieving survival-related goals; so, if emotions are goal-related, goals must be the central pillar of the *Affect* sub-system. In this new model, emotions are organized into three categories. Whilst goal-seeking emotions are cognitive and involve the surprise, interest and inclination triggered by any entity, goal-achievement emotions relate to whether emoters can or cannot attain or keep their goals; lastly, goal-relation emotions concern the attraction or repulsion individuals feel towards a specific trigger.

As for the other two *Attitude* sub-systems, *Judgment* entails the author's opinion about human behavior in two ways (Martin & White, 2005: 53); on the one hand, social sanction has to do with how un/acceptable certain actions are within a specific society; this includes propriety and veracity. On the other hand, social esteem is linked to human conditions socially dis/approved of such as normality, capacity and tenacity. *Appreciation* is divided into three main sub-categories: Reaction is about the extent to which something or someone can grab the speaker's attention; the extent to which an entity is cohesive and congruent is observed through composition; valuation has to do with whether an entity is worthwhile or socially relevant (Martin & White, 2005: 67).¹

¹For a full description of the categories, see Martin & White (2005: 42–69).

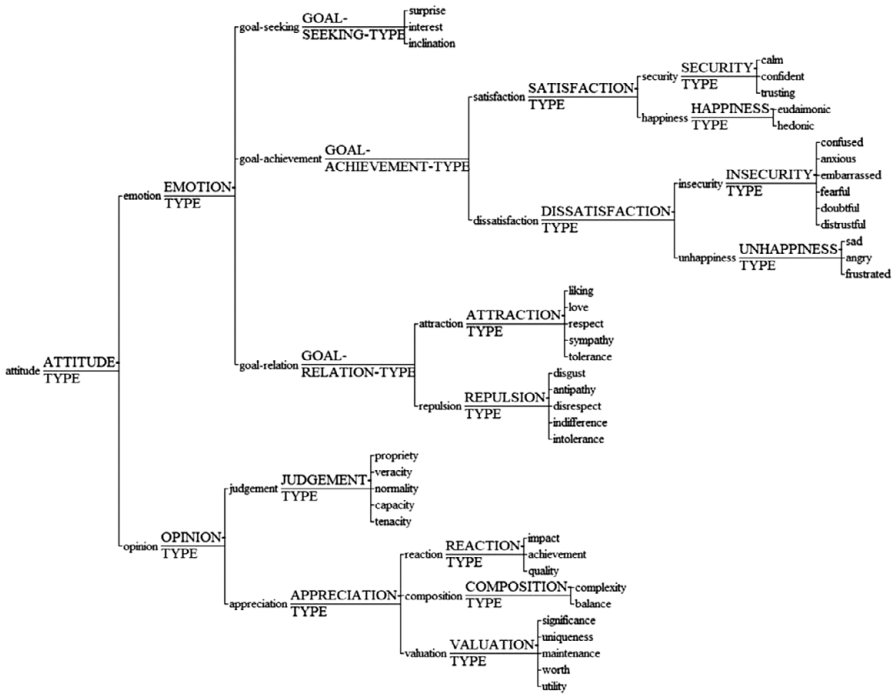


Figure 1. The Attitude system (Martin & White, 2005; Benitez-Castro & Hidalgo-Tenorio, 2019).

2.4. Forensic linguistics

In *The Evans statements: A case for forensic linguistics*, Svartvik (1968) explains that Forensic Linguistics (FL) has a three-fold nature, based on which its focus is, namely, the study of written discourse in law, the analysis of discourse during a trial, and the analysis of interaction throughout the whole legal process (Coulthard & Johnson, 2010). Moreover, as Ariani et al. (2014) explain, FL is used in several areas such as author identification, forensic stylistics, discourse analysis, dialectology, forensic phonetics, forensic transcription and variation. Considering the abovementioned, the present paper is a soft version of FL, where we carry out a discourse analysis of inter-author variation in a corpus of post-exoneration interviews.

3. Data

Traditional TV and radio coverage of criminal cases has been replaced by new media such as streaming services and podcasts, allowing people to engage more closely with the criminal justice system (Golob 2017: 138); in particular, an increasing interest has arisen in wrongful convictions. That is the reason why music industry executive Jason Flom, alongside public radio producer Maggie Freleng, created the Wrongful Conviction Podcast (Apple Podcasts, 2022). In this Innocence Project podcast, Flom and Freleng are joined by legal experts to discuss the incongruencies that led to wrongful imprisonment; additionally, exonerees share their stories, recounting the events that made them go to jail, along with details about the legal process, and their experiences

Table 1. Corpus metadata

	Gender	Ethnicity	Age when convicted	Conviction date	No. of tokens
Sabrina Butler	Female	African–American	18	March 8, 1990	7,343
Larry DeLisle	Male	Caucasian	29	August 2, 1990	5,944
Kristine Bunch	Female	Caucasian	22	June 30, 1995	6,821
Ru–el Sailor	Male	African–American	23	July 23, 2003	5,597
Total					25,705

before, during and after trial. Even though each subject in our corpus aligns with the two variables under analysis, we must clarify that their cases were randomly selected. Sabrina Butler, Kristine Bunch and Larry DeLisle were imprisoned after having allegedly killed their children; in contrast, Ru-el Sailor was involved in a crime in which the victim was neither a family member nor a friend. Since the corpus includes extracts from 2020 to the present, a significantly long time has passed since their convictions (see Table 1).

This interview corpus deviates from the traditional question-and-answer structure. Instead, it first begins by providing context for the events, then introduces the subjects, and incorporates a few questions that are followed by extended responses from the exonerees themselves; this format highlights the freedom given to the four subjects to speak openly. The transcripts of the recordings are publicly available on the website Happyscribe.²

4. Method

For the analysis of the data, we have studied the KW lists produced with AntConc (Anthony, 2005) and Sketch Engine (Kilgariff et al., 2014). Subsequently, texts have been manually annotated with UAM CorpusTool (O'Donnell, 2018).

4.1. Corpus-driven CDA: AntConc and Sketch Engine

AntConc (Anthony, 2005) is a free, multi-platform tool used for corpus-driven CDA; it offers features such as “concordance, word and keyword frequency generators, instruments for cluster and lexical examination, and a word distribution tool” (Anthony, 2005: 727); therefore, it is very helpful when it comes to getting a first glance at any corpus. In this paper, KW lists were analyzed and compared to detect the specificity of each sub-group. Similarly, Sketch Engine (Kilgariff, et al., 2014) can create word sketches, concordances and KW lists; in contrast to AntConc, it has a high number of in-built corpora, which allows for more potential comparisons.

4.2. Corpus-based CDA: UAM CorpusTool

In addition to this first approach, the sample has been manually annotated with UAM CorpusTool (O'Donnell, 2018). This free software program can be used for the

²Happyscribe webpage: <https://www.happyscribe.com/es>.

annotation of documents by using either in-built or new annotation schemes, and to apply statistical analysis to the sample. For this research, we re-used a simplified scheme based on Benítez-Castro and Hidalgo-Tenorio (2019) (see Section 2.3), which includes most of the original categories, namely, polarity, voice, mood, modality, valence and axiology, degree of explicitness, graduation and attitude.

Ensuring both intra- and inter-rater reliability was essential to validate the analysis (Fuoli & Hommemberg, 2015: 324), and minimize analytical bias. We followed a detailed and rigorous protocol, allowing for future research replication as well as the potential to expand and refine the current findings. The annotation procedure was organically growing as the analysis took place; in other words, the method for tagging data was partially predetermined and developed dynamically as the analysis progressed. This flexible approach enabled the criteria and methods for annotation to be adapted and refined in response to new insights and emerging patterns from the data. As we gained deeper understanding, we adjusted our annotation strategies to more accurately capture relevant information, addressing complexities that were not initially evident. This iterative process ensured enhanced accuracy and alignment with our research objectives.

5. Findings and discussion

In this section, the most outstanding features of the discourse of four wrongfully convicted subjects will be examined. In doing so, this paper will address the three research questions posed above.

5.1. RQ1: What emotional shades of meaning are conveyed in the narratives of these wrongfully convicted individuals?

Researchers suggest that individuals who have been wrongfully convicted often experience victimization and social stigma, leading to lasting psychological impacts (see Ricciardelli et al., 2009; Clow & Leach, 2015). Supporting evidence is presented in the keyness analysis in Table 2, which identifies a variety of terms associated with their imprisonment and the broader legal process (e.g. *death date*, *death row*, *court date*, *new trial*), and references to institutional agents involved in this traumatic scenario (e.g. *arresting officer*, *state trooper*, *lay guard*).

There seems to be a stronger focus on the consequences of the crime than the incident itself. This makes us think that the subjects may have been able to internalize the victims' accidental death but are unable to overcome the trauma of their own unjust imprisonment. This idea is further reinforced by the institutional agents' being indirectly addressed without mentioning their names; *William Sizemore*, the actual murderer in one of the crimes, is named explicitly, though. This dichotomy underscores a complex psychological response. The subject remembers the criminal's name but is unable to respond appropriately to their aggressor. This may suggest dissociative mechanisms, where memory and behavioral responses are disconnected due to trauma, indicating a deep struggle in processing such events. Victims may verbalize details yet remain ineffective in confronting the abuser, possibly as a protective coping strategy. Additionally, the absence of specific names for institutional agents may enable victims to articulate instances of institutional maltreatment more freely. Crucially, contextual non-sentient elements have to do with dates, as in *court date*,

Table 2. List of KW of the whole corpus

Item	Frequency		Relative frequency		Score	
	Focus	Reference	Focus	Reference	Focus	Reference
william sizemore	12	0	859.23	0.00	1	0
made a mistake	4	8.890	286.41	0.21	2	8.581
death date	4	12.667	286.41	0.29	2	8.033
death row	6	41.701	429.61	0.97	2	25.122
court date	4	18.818	286.41	0.44	1	14.311
innocence project	3	4.926	214.81	0.11	2	2.923
station wagon	4	23.694	286.41	0.55	1	15.906
arresting officer	3	7	214.81	0.18	1	5.692
new trial	5	42.811	358.01	0.99	2	22.859
state trooper	3	16.577	214.81	0.38	1	12.960
mexico security	2	0	143.20	0.00	2	0
lay guard	2	0	143.20	0.00	2	0
same exact disease	2	0	143.20	0.00	2	0
lady from an apartment	2	0	143.20	0.00	2	0
girl on death row	2	0	143.20	0.00	2	0
dog with no shade	2	0	143.20	0.00	2	0
mistake in cases	2	0	143.20	0.00	2	0
vent in the toilet	2	0	143.20	0.00	2	0
sort of human pressure	2	0	143.20	0.00	2	0
mdoc number	2	0	143.20	0.00	2	0

and also with destruction (e.g. *death date*, *death row*, *same exact disease*). Thus, the notably high frequency of these terms uncovers negative attitudinal meanings associated with the experience itself. From all these time-related expressions, we may infer some anxiety. Moreover, not all negative emotions are event-based, since some of them come from other individuals or the subjects under analysis. For example, phrases like *made a mistake* and *mistake in cases* may denote a prevailing sense of dissatisfaction, or even guilt, among those involved. Generally, the discourse is characterized by destructive events that adversely affect the mental well-being of the speakers; this reflects how linguistic choices can underscore the emotional and psychological toll of their experiences, indicating a broader impact on their state of mind. Nonetheless, there is a positive element in the whole list. *The Innocence Project*, the organization that granted their exoneration, is the only item in which dissatisfaction is left aside. Furthermore, it is extremely relevant to see how metaphors can be used to describe space, for example, the cell in which the police kept them: “It was just stayed in this bullpen like you do dogs with no shade.” (FE_AF_SB). In this case, the subject uses this discursive strategy to show that they were treated like animals; this comparison is intended to highlight the dehumanization they experienced, emphasizing how they were reduced to something less than human in the eyes of others.

Figure 2 explores the overall evaluative load of the corpus. The results of *Valence* (emotion) and *Axiology* (opinion) agree with the aforementioned. At first sight, we can see that cases with unpleasant emotion and negative opinion are twice as frequent as those with positive emotions and opinions.³

³For the sake of simplicity, in Figure 2, positive and negative are used as umbrella terms for both axiology and valence. We are aware that, technically, we should use un/pleasant for emotion, instead.

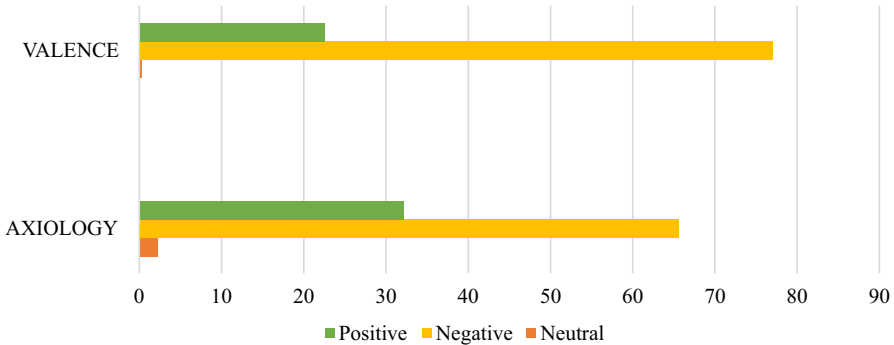


Figure 2. Attitudinal evaluative load in the corpus.

In most cases, pleasant emotions are related to experiences prior to the crime. In Example 1 below, *calm* refers to an event that is not directly connected to the death of the subject's sons but rather to the emotional bond with Larry's father. Additionally, the few cases in which there is some evidence of positive emotion after imprisonment, these are triggered by external events. This is the case of Example 2, where Kristine implicates how she was positively surprised when discovering in jail that she was pregnant. Positive surprise is inferred here because she later goes on to say that her son Trent was "the miracle that saved me" (FE_CA_KB), which also denotes positive axiology.

- (1) I felt calm because my father had taken me everywhere with him when I was younger and older in the station wagon. (MA_CA_LD)
- (2) And in the midst of that, I started getting sick, and that's how I discovered I was pregnant. (FE_CA_KB)

Similarly, positive opinion is also limited to the subjects themselves (Ex. 3), and sometimes to family members (Ex. 4) or to the victims (Ex. 5).

- (3) And I have so many opportunities. (FE_CA_KB)
- (4) She gave me the car. (MA_CA_LD)
- (5) Why would an innocent baby be taken from us? (FE_AF_SB)

We can see, then, that the exonerees can express their opinion but avoid appraising institutional agents. As it can be expected from the context and content of the interviews, unpleasant emotions and negative axiology are omnipresent. Furthermore, its pleasant and positive counterparts are distant from the event, since they are related to previous and latter experiences as well as other subjects.

5.2. RQ2: How does gender influence their discourse?

Departing from the definition of *genderlect* (Tannen, 1990) as a linguistic variety whose specific traits are solely related to the male–female dichotomy, the following

Table 3. Explicitness and Implicitness in each gender group

	Male		Female		ChiSq	Sign.
	N	%	N	%		
EXPLICITNESS	169	35.81	138	36.03	0.005	
Explicit emotion	18	3.81	4	1.04	6.468	***
Explicit opinion	133	28.18	147	38.38	9.994	***
IMPLICITNESS	152	32.20	94	24.54	6.054	***
Implicit emotion	26	5.51	17	4.44	0.507	
Implicit opinion	126	26.69	77	20.10	5.072	**

discussion will challenge whether any linguistic differences exist and whether said differences are the ones traditionally expected for each gender. Before going further, it is relevant to mention that the results come from a fine-grained annotation scheme; therefore, deviations are expected.

Turning now to the Appraisal-based analysis, all the findings will be presented with their raw data, the percentage calculated by UAM Corpus Tool (O'Donnell, 2018), as well as their Chi-squared score.

As illustrated in Table 3, *Explicitness* and *Implicitness* are two primary categories that significantly influence the expression of emotion and opinion. Explicit emotions and opinions differ between the two groups. Whilst the males tend to showcase inscribed emotion, the females opt for explicit opinion. Interestingly, both men do not just say how they feel explicitly, they also report other people's feelings in a direct way.

- (6) And I got angry at him for even suggesting something that heinous was done to any child. (MA_CA_LD)
- (7) He loved station wagons. (MA_CA_LD)

The fact that Larry DeLisle and Ru-el Sailor are able to overtly articulate their inner worlds, their emotional experiences, especially regarding the crimes, suggest that they may have transcended their traumatic wounds. This observation challenges conventional assertions about the emotive nature of the so-called 'female language'. Additionally, it is noteworthy that both women exhibit a greater inclination towards explicit expression of opinion, while both men tend to favor implicit forms of opinion. Sabrina Butler and Kristine Bunch discuss how external institutional forces (also addressed as *they*) were abusive towards them without reservation, and denounce and condemn their harmful behavior (Ex. 8). In contrast, men do not make explicit judgments about institutional actors; they merely implicitly hint at a fraudulent reason behind their actions (Ex. 9). The latter can be explained by taking a closer look at the subcategories for the *Achievement* sub-system.

- (8) [...] they really, really, really do not like to admit they made mistakes in cases where they contribute to an 18-year-old young woman being sentenced to death for something she did not do. (FE_AF_SB)
- (9) He refused to do it because the arresting officer probably did not want them to find it. (MA_CA_LD)

Table 4. Achievement types in each gender group

	Male		Female		ChiSq	Sign.
	N	%	N	%		
Satisfaction	26	5.51	27	7.05	0.864	
Dissatisfaction	101	21.40	112	29.24	6.955	***

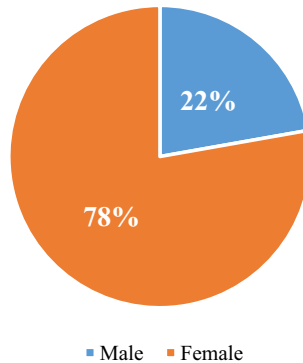


Figure 3. Fear in each gender group.

In *Table 4*, we can see that, whereas satisfaction is constant for both males and females due to the nature of the situation, women feel a significantly higher degree of dissatisfaction than men. Significantly, this dichotomy can be ultimately linked to a generalized feeling of fear in the female group (see *Figure 3*).

Police misconduct and social stigmatization seem different among the two genders. Women in this corpus reflect this sense of insecurity explicitly and implicitly. This could be a side-effect of the nature of the events, since both Sabrina and Kristine did want to save their children but were unable to do so due to external forces. Thus, the fact that they can pinpoint the (negative) tenacity of the police officers and the negative propriety of the people witnessing the incident is essential for understanding their position.

- (10) They kept telling me, no, you, you cannot go in and know we can get him and know he is alive. (FE_CA_KB)
- (11) The first lady that opened her door, she said that her kids were sick and she did not have time to take me to the hospital. So that lady closes the door in my face. (FE_AF_SB)

Sabrina and Kristine feel dissatisfaction and fear in relation to the whole event. From the start, despite their positive tenacity and efforts to save their children’s lives, they find themselves in a state of helplessness. Whilst Kristine is kept from getting into the fire to grab her son, Sabrina is neglected and feels useless. Both connotative and denotative fear permeate the whole narration. Police maltreatment and general improper treatment make the two women even more discontent and scared. Alongside everything that had happened, when in prison, Kristine, who got to know that

Table 5. Appraised types in each gender group

	Male		Female		ChiSq.	Sign.
	N	%	N	%		
AUTHORIAL	88	18.64	98	25.29	5.988	***
NON-AUTHORIAL	312	66.10	235	29.24	61.36	***
Institutional non-authorial	134	28.39	97	25.33	1.006	
Object non-authorial	30	6.36	5	1.31	13.737	***
Exoneration event non-authorial	5	1.06	11	2.87	3.784	*

she was pregnant, was taken to a hospital where her baby's heartbeat could not be heard (Ex. 12). Meanwhile, Sabrina was mistreated during police interrogation and her imprisonment, which ultimately led fear to pervade her depiction of the whole experience (Ex. 13).

- (12) I did not really know that I was in labor because I was just having a backache, so they took me to the infirmary and could not find a heartbeat. (FE_CA_KB)
- (13) And after so many hours of him yelling and screaming and looking like he wanted to get up and jump on me, fight me, you know, I was scared. (FE_AF_SB)

Nonetheless, despite feeling more fear of institutional entities, this deviation is not statistically significant since both males and females showcase similar rates for the appraised sub-category.

In relation to the appraised types in each gender group, Table 5 shows a divergence as to the overall authorial versus non-authorial dichotomy. In this case, the two women are evaluated more frequently than men (by themselves and others) in terms of veracity, tenacity and capacity, which may explain their instilled dissatisfaction. The fact that they say they were telling the truth, being tenacious and capable may be interpreted as a way to counteract the agents' negative acts. Interestingly, whilst females discuss their veracity (Ex. 14), capacity (Ex. 16) and positive tenacity (Ex. 18), they use the same categories for negatively judging institutional agents; in other words, these oppressive entities are depicted as deceitful (Ex. 15), ineffectual (Ex. 17) and displaying stubborn resistance (Ex. 19).

- (14) I finally started telling him what exactly had happened. (FE_AF_SB)
- (15) He wrote on the statement that I had punched my son. (FE_AF_SB)
- (16) I can make it through anything. (FE_CA_KB)
- (17) The police did not help because they followed me everywhere I went (FE_CA_KB)
- (18) I was trying to get him to breathe. (FE_AF_SB)
- (19) They were dead set on saying you stomped your baby, beated them. (FE_AF_SB)

In the case of men, non-sentient entities were expected to be more outstanding, since both of them emphasize the material instrument used in the crime (that is, a gun in the case of Ru-el, and a car in the case of Larry). This tendency is reflected by the

Table 6. Judgment and appreciation types in each gender group

	Male		Female		ChiSq.	Sign.
	N	%	N	%		
JUDGMENT	283	59.96	237	61.88	0.328	
Veracity	29	10.25	11	4.64	5.709	***
True	14	4.95	1	0.42	9.428	***
False	15	5.30	10	4.22	0.329	
Capacity	48	16.96	55	23.21	3.167	*
Capable	12	4.24	22	9.28	5.267	**
Incapable	36	12.72	33	13.92	0.162	
Tenacity	20	7.07	41	17.30	13.042	***
Tenacious	17	6.01	35	14.77	11.000	***
Weak	3	1.06	6	2.53	1.642	
APPRECIATION	125	26.48	100	26.11	0.015	
Maintenance	36	48.00	49	71.01	7.871	***
Beneficial	9	12.00	5	7.25	0.925	
Destructive	27	36.00	44	63.77	11.086	***
Utility	24	32.00	5	7.25	13.692	***
Useful	4	4.00	0	0.00	2.819	*
Useless	21	28.00	5	7.25	10.462	***

fact that they evaluate the crime itself and its repercussions through indirect appraisal. Object appreciation is especially central in relation to maintenance and utility; in fact, crime instruments are depicted as destructive (Ex. 20) and useless (Ex. 21). In categorizing the objects this way, Ru-el and Larry take the guilt from them and place them on the inanimate entities involved, which can be translated into the implicit defense of their innocence (see Table 6).

(20) We had a certified AC master mechanic who found all the problems with the vehicle. (MA_CA_LD)

(21) When the accelerator stuck, it threw me off. (MA_CA_LD)

Additionally, in relation to the appraised entity, we must also mention that Sabrina and Kristine discuss the event of their exoneration a significantly higher number of times. They talk about their release day in a bittersweet way. Although they feel satisfaction for being free again and re-encountering with their other children, at the same time, they have a deep sense of despair after they lost one, and fear that they cannot successfully fit in society even after exoneration.

(22) After that initial ‘oh’ wears off, then you are left with all of these fears and insecurities. (FE_CA_KB)

(23) I wasn’t and I’m still not free. (FE_AF_SB)

The latter shows that wrongfully convicted individuals can be subject to long-life victimization (Ricciardelli et al., 2009; Clow & Leach, 2015). They carry an invisible wound that scars them for a lifetime. The sense of full freedom is taken from them, making them feel detached from society and unable to directly appraise the perpetrators of their pain (see Hidalgo-Tenorio & Benítez-Castro, 2021).

Table 7. Modality types in each gender group

	African-American		Caucasian		ChiSq.	Sign.
	N	%	N	%		
Possibility	14	3.03	23	5.85	4.085	**
Possible	11	2.38	20	5.09	4.457	**
Impossible	3	0.65	3	0.76	0.040	
Certainty	6	1.30	1	0.25	1.177	*
Certain	6	1.30	1	0.21	1.77	*
Uncertain	0	0.00	0	0.00	0.000	
Ability	8	1.73	21	5.34	8.455	***
Able	4	0.87	12	3.05	5.534	***
Unable	4	0.87	9	2.29	2.877	*

5.3. RQ3: How does ethnicity influence their discourse?

Let us consider the last variable for the present paper. As discussed in Section 2.2.2, *ethnicity* is a central factor in sociolinguistics that can reveal asymmetrical power relations (Heller & McElhinny, 2017: 8).

Modality is the first category where contrast emerges. The system of modality was initially incorporated into the annotation scheme to explore the dimension of interactivity (Bartley & Hidalgo-Tenorio, 2016: 2–3). This includes subcategories such as probability, possibility, certainty, obligation, advice, permission, volition, prohibition, ability and evidentiality. As reflected in Table 7, only possibility, certainty and ability show some interesting differences: While Caucasian subjects demonstrate significantly higher rates in relation to possibility and ability, the African-American group exhibits a weaker significance in terms of certainty.

Possibility is the first category in which the two groups showcase statistically significant differences. Caucasian individuals display high rates of its general use and tend to opt for modal verbs for its realization. By doing so, they explore alternatives in relation to the events mentioned, and implicitly portray themselves in a positive light.

(24) It would prove what I was saying from the beginning. (MA_CA_LD)

(25) I can make it through anything. (FE_CA_KB)

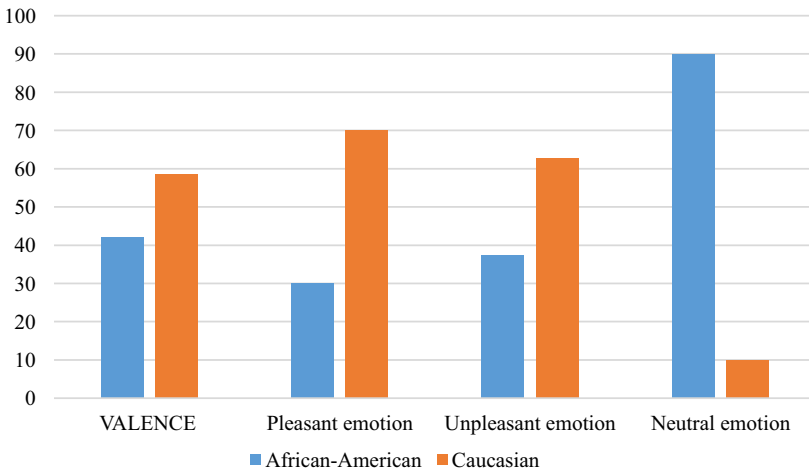
Despite this, the negative sub-category remains consistent across both groups, indicating that African-American individuals do not necessarily view events as impossible; rather, they tend to avoid perceiving and labeling things as possible. This may be linked to their perception of a subordinate position in society (Lo, 2020: 77), a side-effect of the historical oppression these have suffered in the United States (Rosa & Flores, 2017: 645). In contrast, Caucasian individuals perceive events as possible to a higher degree.

Similarly, the category of ability can be understood through the same ingrained perspective. Caucasian individuals display higher rates of material ability, particularly concerning the incident. However, in contrast to the previous category, this group incorporates both the 'able' and 'unable' sub-categories in their speech.

(26) I got there as quickly as I could. (MA_CA_LD)

Table 8. Valence and axiology in each ethnicity group

	African-American		Caucasian		ChiSq	Sign.
	N	%	N	%		
Valence	37	6.212	52	13.23	1.801	
Axiology	50.38	198	54.98	254	6.212	***

**Figure 4.** Valence types in each ethnicity group.

Lastly, regarding certainty, the rates are reversed, with African-Americans displaying somewhat greater certainty than Caucasians. This may indicate that they are confident in their statements, but it could also reflect a need to employ confirmatory devices when expressing their opinions. For instance, in Example 27, Sabrina explicitly states that she was fully aware of their intentions toward her.

- (27) I just knew that they were going to come back and say I was guilty.
(FE_AF_SB)

Moving on to the *axiology-valence* dichotomy, African-American and Caucasian subjects display similar rates in expressing opinion, whereas their portrayal of emotion does vary (see Table 8). Additionally, in Figure 4 we can observe that the Caucasian group exhibits higher rates of overall valence, including both pleasant and unpleasant emotions.

The rates for *Explicitness* are also significantly higher concerning valence (see Figure 5); in other words, Caucasians openly discuss both the positive and negative emotions related to the context of the crime, and, consequently, their unjust incarceration, whereas African-Americans in this particular study tend to refrain from doing so (Ex. 28). Despite this fact, no significant differences are found in relation to the implicit account of emotion. So, it is not that they express their feelings in a particular manner; rather, they generally avoid expressing them altogether.

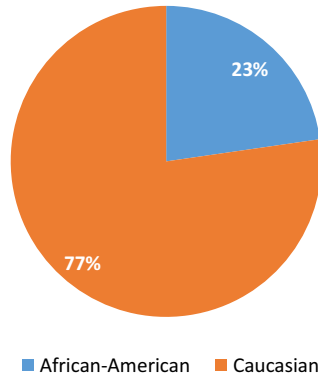


Figure 5. Explicit emotion by ethnicity.

- (28) [...] it just makes me angry that they are going to point to the fact that I'm not classical as far as how I was supposed to react to losing my children. (MA_CA_LD)

The latter is especially relevant because it relates to previous findings in relation to trauma. In Hidalgo-Tenorio and Benítez-Castro (2021), we find that abused women often silence their emotions and choose not to mention the agents of their suffering; similarly, we can observe comparable patterns in cases of miscarriage of justice. Within this context, African-American people could have been victims of police brutality since they neither show emotion in any way nor mention their abusers' names; they instead distance the action from themselves without explicitly referring to their discomfort.

- (29) There was a vice cop from my neighborhood that particularly did not get along with me. (MA_AF_RS)

Furthermore, African-American individuals showcase higher rates of neutral emotion than Caucasian people do:

- (30) I just wanted it all to end. (FE_AF_SB)

The example above illustrates how African-American subjects use lexical modality (volition) in order to neutrally express something that otherwise would be considered as negative valence. In this case, the desiderative mental process of wanting something to end denotes an underlying dissatisfaction; the context of the sentence gives us information about the hidden (negative) emotive load of the sentence (i.e. "You know, they kept screaming at me and that was like four hours of interrogation with him", FE_AF_SB). Once again, abused people seem to avoid opening up; thus, negative emotion is softened and subjects are silenced.

In the case of *axiology*, the two groups are radically different in relation to some of its sub-categories. This is true for the appraiser, appraised and judgment types. Firstly, although both show similar rates for the authorial appraiser sub-category, the African-American group reflects a higher number for the non-authorial appraiser

Table 9. Judgment types in each ethnicity group

	African-American		Caucasian		ChiSq	Sign.
	N	%	N	%		
JUDGMENT	299	64.72	221	56.23	6.415	***
Propriety	156	33.77	88	22.39	13.472	***
Good	52	11.26	42	10.69	0.070	
Bad	104	22.51	46	11.70	17.142	***
Veracity	28	6.06	12	3.05	4.306	**
True	11	2.38	4	1.02	2.289	
False	17	3.68	8	2.04	2.022	
Tenacity	48	10.39	13	3.31	16.074	***
Tenacious	41	8.87	11	2.80	13.723	***
Weak	7	1.52	2	0.51	2.064	

sub-category; that is, the first-person narrator reports someone else's opinion from a second- or third-person perspective (White, 1998): "He kept saying, you know, this is what you did" (FE_AF_SB).

By doing so, the author is not emotionally involved (Ananda et al., 2018). Interestingly, the appraised category shows a mirror image of the previous tendency. Although they do not voice their own views, African-Americans are the center of evaluation: They are evaluated by themselves (e.g. "I was a poor teenager, that didn't have a job or money", FE_AF_SB) and by other external voices (e.g. "He had a good informant, told him that I was the driver, that I was the shooter", MA_AF_RS). Although at different rates, Caucasian individuals are also subject to evaluation. Nonetheless, most judgments and appreciations come from themselves, and they all have some kind of emotive tone.

(31) I'm very good at what I do. (MA_CA_LD)

(32) I have played it over and over and over and over again. (FE_CA_KB)

Lastly, both groups differ for overall judgment, as well as three of its sub-categories, namely, propriety, veracity and tenacity.

Table 9 above reflects a higher tendency for judgment in African-American subjects; that is, they show a strong preference for evaluating human behavior in relation to ethical values (Hidalgo-Tenorio & Benítez-Castro, 2021: 317). Once again, this fact does not mean that they are explicitly assessing entities and events, since, as it has been mentioned earlier, evaluation in this group is widely done through a non-authorial appraiser. Additionally, this table shows all three sub-categories as well as their polar opposites; nonetheless, not all of them could be considered as such, since often its degree of negativity depends on the trigger (Benítez-Castro & Hidalgo-Tenorio, 2022). Propriety reflects higher rates for African-Americans, especially in relation to unethical behavior (e.g. "The lead investigator kept screaming at me", FE_AF_SB). This fact also reinforces the hypothesis that they are both subject to social discrimination and police abuse, which eventually leads to a silencing of their traumatic experiences. Similarly, the veracity category is mostly used by this group (e.g. "He played with my innocence to get free, and now he told the truth", MA_AF_RS). Lastly, the numbers for the tenacity sub-category in the African-American group are three times higher than those in the Caucasian group. As

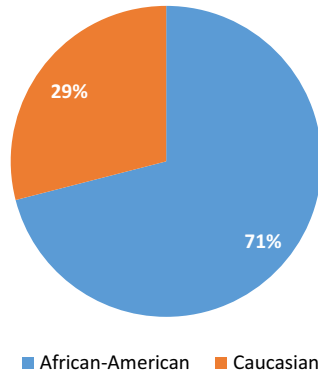


Figure 6. Verbal processes contrasted by ethnicity.

aforementioned, determination is not always intrinsically positive since it depends on its context. Bearing this in mind, the fact that the tenacious class is significantly higher than its weak counterpart does not imply a positive appraisal. To explore this fact, we will take a closer look at some examples:

- (33) I'm going to keep fighting to keep evidence as I go. (MA_AF_RS)
 (34) So, I did not sign where he told me to sign. (FE_AF_SB)
 (35) He kept saying, you know, let me take a look at this case. (FE_AF_SB)
 (36) They followed me everywhere I went, and talked to everybody. They even showed up at my son's funeral. (FE_CA_KB)

Example 33 showcases a strong determination from the part of the speaker to get evidence after getting in contact with the Innocence Project. Here the category tenacity would coincide with the view of the former as a positive characteristic. Similarly, Example 34 reflects a positive tenacity on the part of the subject, which happens when a police officer abuses her into signing a false declaration and she refuses to sign where she was forced to. This small act of defiance would have been appraised differently had the speaker not been herself. In contrast, Example 35 presents a positive perspective on a non-authorial entity. Sabrina states that Clive, her second attorney, was really interested in helping her, which he eventually did. Lastly, Example 36 reflects a negative appraisal of the police officers, which is due to their strong determination to condemn her; from Kristine's perspective, they are not just doing their job but are extremely perseverant in putting pressure on her.

Just to finish this section, we will briefly comment on transitivity. As mentioned above (see Section 2.3), the system of transitivity is a key element of the *ideational metafunction* (Halliday & Matthiessen, 2014: 186); it serves to identify how subjects construe their inner and outer worlds. In our corpus, significant differences have been found regarding verbal processes, which are associated with the notion of symbolic exchange of meaning (Halliday & Matthiessen, 2014: 303). Particularly, as Figure 6 shows, the African-American group triplicates the numbers of the Caucasian group. Curiously, they do not use verbal processes to voice their own stories (see Ex. 37); once again, they voice their opinions through other people's verbal actions (see Ex. 38). All

in all, there are also examples in which we can hear them directly speak directly for themselves (see Ex. 39).

- (37) None of the witnesses in this case described the two individuals as two light skinned males that looked like brothers. (MA_AF_RS).
 (38) She did not tell me the right way. (FE_AF_SB)
 (39) I tell my son Trent all the time that he's the miracle that saved me. (FE_CA_KB)

6. Conclusions

Even though the present paper attempts to give some answers to relevant questions, in this section, we will firstly acknowledge some of the limitations it has in relation to method and sample. On the one hand, we are aware of the problematic nature of some of the categories in Appraisal Theory, and that we could not find alternatives to many of them because our aim here was not theory-oriented; inter-rater and intra-rater reliability measures would indeed be higher if some of these changes had been implemented. On the other hand, we know that analyzing more interviews from these four subjects or others (perhaps with a broader range of *gender* and *ethnicity* characteristics) would likely yield more relevant findings.

Nevertheless, despite these weaknesses, we would like to believe that this CDA of Appraisal in such an interesting collection of texts may make a small contribution to the field. The patterns identified in the data under analysis are the following: Negative emotion and opinion permeate the discourse of these four wrongfully convicted US citizens, which sheds some light on the traumatic situation they suffered. Whilst *gender* differs in terms of explicitness, achievement, the identity of the addressed entity and some categories of judgment and appreciation, *ethnicity* varies in relation to modality, valence, some judgment sub-categories as well as verbal processes. Importantly, some of these findings seem to challenge earlier research papers, especially those about *gender*. For instance, the women in this group appear to be more explicitly vocal about their own opinions, whereas the men tend to explicitly voice their emotions.

This paper hopefully illustrates some aspects that scholars have not previously examined together. An Appraisal analysis of wrongfully convicted individuals shows that, in cases of unjust treatment, some individuals experience more abuse than others. While all subjects endure silence and mistreatment, their suffering manifests in varying degrees. *Gender* and *ethnicity* permeate and prevail discourse. Having said this, we might suggest that this paper does not provide evidence for the existence of *tgenderlects* (Tannen, 1990) or *ethnolects* (Bucholtz, 2003); however, it does illustrate that social power relations have an influence on discourse re/presentation.

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