

**Dr. William G. Eggington,  
Forensic Linguistics Experience, May 2019**

Department of Linguistics and English Language  
Brigham Young University, Provo, Utah, 84604  
Ludwig-Weber-Siebach Humanities Professor (2013-2018)  
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B.A. English and TESOL, Brigham Young University, Hawaii, 1975 (summa cum laude)  
M.A. Linguistics, University of Southern California, 1981  
Ph.D. Linguistics, University of Southern California, 1985

**Publications Involving Forensic Linguistics:**

I have published 6 books and over 50 articles in applied linguistics including the following articles involving forensic linguistics.

“Language and the Law: An Overview of Forensic Linguistics.” In *Proceedings of the Linguistics Society of Korea 2014 Conference*. Linguistics Society of Korea, 2014.

“Using Elicited Oral Response Testing in Order to Determine the Need for an Interpreter” (with Troy Cox). In *Harvard Latino Law Review*, Spring 2013

*This article focuses on using a valid, reliable, practical and inexpensive language testing method to determine the need for an interpreter for non-native English speakers living in the United States.*

“Finding Justice in Translation: Recent American Jurisprudence Affecting Due Process for Linguistic Minorities Together with Practical Solutions” (with Judge Lynn W. Davis, Maxwell Alan Miller, Adam Prestidge). In *Harvard Latino Law Review*. Spring 2011.

*This article, co-authored with Judge Lynn W. Davis of the Utah State 4<sup>th</sup> District Court along with two BYU students, focuses on actual and potential miscarriages of justice due to communication breakdowns and the inadequate provision of interpreters and translators involving non-native English defendants.*

“Deception and Fraud.” In *Dimensions of Forensic Linguistics*, M. Teresa Turell and John Gibbons (eds.). Amsterdam: John Benjamins 2008.

*This article examined the reliability of linguistic markers of deception and fraud.*

**Research Presentations Involving Forensic Linguistics:**

2019: “Corpus Linguistics Applications to the Law” International Association of Forensic Linguistics Conference, Melbourne Australia, July 2019.

2019: “Corpus Linguistics Applications to the Law: An Overview of the Development

- and Applications of Specialized Legal Corpora.” Colloquium convener and presenter. American Association of Applied Linguistics Conference, Atlanta, Georgia, March 2019.
- 2019: “The use of corpora in forensic linguistic contexts.” American Association of Applied Linguistics Conference, Atlanta, Georgia, March 2019.
- 2019: “Corpus Linguistics Workshop” (with James Heilpern). A workshop to members and law clerks of the Georgia State Supreme Court, Atlanta, Georgia, March 2019.
- 2019: “Law and Corpus Linguistics in Brief.” Invited to present at the Annual Language and Law conference, Brigham Young University Law School. Audience consisted of lawyers, including prosecutors, public defenders, and law enforcement representatives. This was a Continuing Legal Education (CLE event) March 2019.
- 2019: “Non-native English Speakers and Their Comprehension of Legal English.” Invited to present at the Annual Law and Corpus Linguistics Conference, Brigham Young University Law School, February 2019.
- 2018: “Language proficiency and citizen’s rights.” Invited to present at the Language and Law Forum, University of Utah, April 2018.
- 2018: “Fair and equal language access to justice for those not proficient in English.” A Continuing Legal Education (CLE) presentation with Judge Lynn W. Davis (Utah Fourth District Court). Invited to present at the Annual Language and Law conference, Brigham Young University Law School. Audience consisted of lawyers, including prosecutors, public defenders, and law enforcement representatives. March 2018.
- 2018: “Cross-cultural Pragmatic Failure between Police and Young African American Urban Males” with Tanner Call. Translating and Translanguaging: Communication in the Multicultural City Conference, Birmingham, U.K., March 2018.
- 2018: “Cross-cultural Pragmatic Failure between Police and Young African American Urban Males” with Tanner Call. Georgetown University Roundtable of Linguistics, March 2018.
- 2018: “Triangulating corpus and human subjects data in determining ordinary meaning in legal contexts” with Madison Grant. Linguistics Society of America, Salt Lake City, Utah, January 2018.
- 2017: “Triangulating corpus and human subjects data in determining ordinary meaning in legal contexts”. West Coast Roundtable on Language and the Law, August, 2017.
- 2017: “Black Pragmatics Matter: Miscommunication between U.S. Police and Inner-City African Americans,” with Tanner Call. International Association of Forensic Linguistics Conference, Porto, Portugal, July 2017.
- 2017: “Causes and Effects of the Complexity of Legal Language in South Korea,” with SunOk Kim. International Association of Forensic Linguistics (IAFL) Conference, Porto, Portugal, July 2017.
- 2016: “Forensic linguist versus sociolinguist: A battle within.” Invited to present at an “Invited Colloquia: Applied Linguistics in the Courtroom.” American Association for Applied Linguistics Annual Conference, April 2016.

- 2016: "Free Speech, Hate Speech: Exploring the Language of Hate Crimes." Invited to present at an "Extraordinary Session: Panel on Hate Speech." Linguistics Society of America Annual Conference, Washington D.C. January 2016.
- 2015: "Are Dictionaries Done? The Developing Role of Corpus Linguistics in Definitional Disputes." Invited to present at the Association of Corporate Counsel Quarterly Meeting, Salt Lake City, Utah.
- 2014: "Linguistics Elements of Hate Crimes Revisited." West Coast Round Table of Language and the Law. Missoula, Montana, July 2014.
- 2014: "Language and the Law: An Overview of Forensic Linguistics." Invited plenary address, Linguistics Society of Korea Annual Conference, Seoul, Korea, May 2014.
- 2013: "Some Matters American Jurisprudence Should Know about the English Proficiency of Linguistic Minorities." Invited speaker, Utah State Bar Association Conference, St. George, Utah, March 2013.
- 2012: "How Blind Is Justice in the Age of Proximity?" UCLA Multilingualism in Institutional Contexts Conference, Los Angeles. Invited Speaker, November 2012.
- 2012: "Intercultural Rhetoric in the Age of Proximity." 7th Intercultural Rhetoric and Discourse Conference, Indiana University Purdue University Indianapolis, Invited Plenary Speaker, August 2012.
- 2012: "Measuring Language Ability in Legal Contexts" (with T. Cox). Georgetown University Roundtable on Languages and Linguistics 2012. Georgetown University, Washington D.C. March 2012.
- 2011: "Some Matters American Jurisprudence Should Know about the English Proficiency of Linguistic Minorities." West Coast Symposium on Language and the Law. San Diego State University, August 2011.
- 2011: Elicited Imitation as a Determiner of the Need for a Court Interpreter" (with T. Cox and S. Wood). International Association of Forensic Linguistics Conference, Birmingham, U.K. July 2011.
- 2011: "The Consequences of Feigned Comprehension in Interrogation Settings" (with T. Cox and S. Wood). International Association of Forensic Linguistics Conference, Birmingham, U.K. July 2011.
- 2010: "Toward solving the language testing paradox in English language planning, teaching and learning." Invited Opening Plenary Speaker, Current Trends in Language Testing Conference, Dubai, UAE. November 2010. Funded by U.S. State Department.
- 2010: "Toward solving the language testing paradox in English language planning, teaching and learning". Teacher seminar, Sultan Qaboos University, Oman, November 2010. Funded by U.S. State Department.
- 2009: "Fake Comprehension Strategies by Non-native English Speakers in Police Interrogations." International Association of Forensic Linguistics Conference, Amsterdam, NL., July 2009.
- 2007: "Linguistic Elements of Hate Crimes," International Association of Forensic Linguistics Conference, Seattle, WA, July 2007.
- 2006: "Resolving Trade Name Legal Disputes through Corpus Research" (with M. Davies). The American Association of Applied Corpus Linguistics. American

- Association of Applied Corpus Linguistics.” Flagstaff, Az., October 2006.
- 2005: “Studies in Forensic Linguistics for Pre-Law Students.” International Association of Forensic Linguistics Conference, Cardiff, Wales, July 2005.
- 2004: From Brand Name to Generic Name: The Kelley Blue Book Cases”. American Names Society Conference at Linguistics Society of America conference, Boston, MA, January 2004.
- 2003: From Brand Name to Generic Name: The Kelley Blue Book Cases. International Association of Forensic Linguistics Conference. Sydney, Australia, July, 2003.

### **Professional Affiliations:**

- Member, International Association of Forensic Linguistics
- Member, Linguistics Society of America (served as co-chair of the Linguistics in Higher Education Sub-committee, 2011-2012)
- Member, Teachers of English to Speakers of English International Association (former member, Board of Directors, 2003-2006)

### **Professional Development in Forensic Linguistics:**

- 2015: Invited to participate in the “Communication of Rights to Suspects Working Group”, an international group of linguists, psychologists, lawyers and interpreters who established guidelines for communicating rights to suspects who speak English as a second/additional language. Our guidelines have been adopted by many international entities.

### **Consultancies:** (\* indicates 21 instances of deposition or court testimony provided)

1. 2019: Forensic Consultant for David L. Clarke, The Clarke Law Firm, Murfreesboro, TN, in a case involving the English proficiency of a non-native English speaker. Ongoing.
2. 2019: Forensic Consultant for Cynthia Orr of Goldstein Goldstein, Hilley and Orr, San Antonio, Texas in a case involving a discourse analysis of a court transcript and the meaning of a specific phrase.
3. 2018: Chief consulting linguist in a Brief of Amici Curiae to the U.S. Supreme Court in Rimini Street V. Oracle USA, Inc. In conjunction with Schaerr & Jaffe LLP, Washington, DC. The brief argued for a resolution of a contested legal term using corpus linguistics as the prime research tool. Case decided in favor of the brief’s advocacy.
4. \*2018: Forensic Consultant for Maschoff Brennan, Salt Lake City, Utah, in a case involving contested trademarks. Ongoing.
5. 2018: Forensic Consultant for Samson Law Associates, George Town, Cayman Islands in a case involving the reliability and validity of a government English language testing protocol.
6. \*2018: Forensic Consultant for Laughlin Legal PC, San Mateo, California in a case involving whether a non-native English speaker understood her pre-nuptial agreement. Ongoing.

7. 2018: Forensic Consultant for Armstrong Teasdale LLP, Las Vegas, Nevada in a case involving whether a non-native English speaker understood the language of his Miranda Warning and his police interview.
8. \*2017: Forensic Consultant for Parr Brown Gee & Loveless, Salt Lake City, Utah in a case involving the meaning of a contested term in a contract.
9. \*2017: Forensic Consultant for Parr Brown Gee & Loveless, Salt Lake City, Utah in a case involving determining the author of a movie script.
10. 2017: Forensic Consultant for Alston and Bird, LLP., Atlanta Ga. In a case involving whether a non-native English speaker understood his Miranda Warnings.
11. 2017: Forensic Consultant for Ben Allen, General Counsel, Schellman and Company LLC, Tampa, Florida in a case involving the interpretation of an ambiguous government regulation.
12. 2016: Forensic Consultant for J.J. Kim & Associates, P.C. Garden Grove, California in a case involving determining the author of a series of slanderous emails written by an employee of a Korean-based international shipping company. The case will be tried in a South Korean court. Ongoing.
13. 2016: Forensic Consultant for Attorneys Paul Morgan and Kimberly Hoof (Houston, Texas) in a case involving the ability of a non-native English speaker to comprehend a police interrogation.
14. 2016: Forensic Consultant for Attorney Emma Isakson of Mitchell, Stein and Carey, Phoenix, Arizona in a case involving the ability of a non-native English speaker to comprehend a police interrogation.
15. 2016: Forensic consultant for Attorney Norm Silverman (Austin, Texas) in a case involving the ability of a non-native English speaker to comprehend police interrogations as well as an evaluation to determine whether defendant should be considered as an adult. Settled.
16. \*2015: Forensic consultant for Carmen P. Forte, Jr. of Klein, Thorpe and Jenkins, LTD., Chicago in a case involving the ability of a non-native English speaker to understand police questioning without the aid of an interpreter. Ongoing.
17. \*2015: Forensic consultant and expert witness for Attorney Norm Silverman (Austin, Texas) in a case involving the ability of a non-native English speaker to understand his Miranda warnings and police questioning with respect to coercive interrogation techniques used by the police. Testimony provided in jury trial. Case resulted in a hung jury.
18. \*2015: Expert witness for the Federal Public Defender's Office (Alexandria, Virginia) in a criminal case involving a defendant's English language proficiency. Testimony provided in federal court in an evidentiary hearing and jury trial.
19. \*2014: Expert witness for Attorney James F. Halley (Portland Oregon) in a criminal case involving alleged hate crime accusations based on defendant's use of a derogatory term. Court testimony provided. Case resulted in hung jury leading to reduced charges.
20. 2014: Expert witness for Attorney Jon H. Rogers (Salt Lake City, Utah) in two cases involving the scope of a "provided however that" clause in a legal contract.
21. \*2013: Expert witness for the Federal Defender's Office (Salt Lake City) in a

- case involving a defendant's English language proficiency. Testimony provided in evidentiary hearing. Issue resolved in favor of defendant.
22. 2013: Expert witness for Attorney Andrew W. Bodeau of Cahill, Davis & O'Neill, LLP, Los Angeles Ca. in a case involving the meaning of a phrase in a legal document. Case settled.
  23. \*2013: Expert witness for Attorney Linda Parisi (Sacramento, Ca) in a criminal case involving alleged hate crime accusations based on defendant's use of a derogatory term.
  24. \*2013: Expert witness for the Federal Defender's Office (Salt Lake City) in a criminal case involving the ability of a non-native English speaker to understand Miranda Rights and police questioning.
  25. \*2012: Expert witness for Glenn Gimbut, City Attorney, City of San Luis, Az., in a case involving the ability of a non-native English speaker to comprehend complex spoken and written English. (Case found in favor of City Attorney)
  26. 2011: Expert witness for V. John Ella of Jackson Lewis LLP, Minneapolis, Minnesota in a case involving trade-mark infringement. (Case settled)
  27. 2010: Expert witness for the Federal Defender's Office (Salt Lake City) in a case involving a defendant's English language proficiency (case dismissed).
  28. \*2010: Expert witness for Edwin S. Wall, P.C (Salt Lake City) in a case challenging the conclusions of a former FBI document examiner who claims a defendant wrote a series of threatening letters. (Services no longer needed due to prosecution's withdrawal of examiner's services based upon results of evidentiary hearing).
  29. 2010: Expert witness for Sheiness, Scott, Grossman and Cohn, LLP (Houston, Texas) in a case involving the meaning of a term in a legal contract. (case settled)
  30. 2009: Expert witness for Attorney Jon H. Rogers (Salt Lake City, Utah) in a case involving the scope of a "provided, however, that" clause in a legal contract. (case settled)
  31. 2009: Expert witness for Druyon Law Offices (Bountiful, Utah) in a case involving identifying the author of a police statement.
  32. \*2008: Expert witness for the Federal Defender's Office (Salt Lake City) in a criminal case involving the ability of a native American to understand his Miranda Rights.
  33. \*2008: Expert witness for the Federal Defender's Office (Salt Lake City) in a case involving the English language proficiency of a Korean immigrant charged with a criminal activity.
  34. 2008: Expert witness for the Federal Defender's Office (Salt Lake City) in a case challenging the conclusions of a document examiner who claims a defendant wrote a series of threatening letters.
  35. 2007: Expert witness for Van Cott, Bagley, Cornwall & McCarthy (Salt Lake City, Utah) in a case involving the referent of an exclusionary clause in a disputed contract between two legal firms.
  36. 2007: Forensic document examiner in a case requiring the identification of the author of a series of documents (Strict confidentiality required)
  37. 2007: Expert witness for Glenn Ioffredo, Maitland, Fl. in a case involving the

interpretation of ambiguous references in a will.

38. 2006: Expert witness for The Sandage Law Firm, P.C., Kansas City, Mo. in a case involving the determination of a crime as a hate crime based upon the defendant's use of an ethnic epithet. (pro bono)
39. 2006: Expert Witness for Craig Cook, Attorney-at-law, (Salt Lake City, Utah) in a case involving a content analysis of a signed, but undated holographic will.
40. 2005: Consulting Expert Witness for Wilmer Cutler Pickering Hale and Dorr (Washington D.C.) in a case involving generic use of a trade name.
41. \*2003: Expert witness for the California State Attorney General (Sacramento) in a case involving the readability of parole documentation.
42. 2002: Expert witness for Nielsen and Senior (Salt Lake City, Utah) in a case involving the scope of an exclusionary clause in a mining lease agreement.
43. 2002: Expert witness for Ted Weckel, (Attorney-at-law, Utah) in a case involving the English language proficiency of a Cambodian refugee charged with criminal activity.
44. \*2003: Expert Witness for Kaye, Scholer LLP (New York, Los Angeles) in a case involving national and international brand name infringement.
45. \*2002: Expert Witness for Kaye, Scholer LLP (New York, Los Angeles) in a case involving national and international brand name infringement.
46. \*2002: Expert witness for Robert Lucherini, Attorney-at-law (Las Vegas, Nevada) in a case involving the English language proficiency of a Chinese-Vietnamese immigrant under criminal investigation.
47. \*2002: Expert witness for Giauque, Crocket, Bendinger & Peterson (Salt Lake City, Utah) in a case involving Utah's Official English policy. (pro bono)
48. 1997: Expert Witness for Abbott and Walker, Attorneys-at-law (Provo, Utah), in a case involving the meaning of two related words in a "non-compete clause" within a sale-of-business contract.
49. \*1992: Expert Witness for Holme, Roberts and Owen, (Salt Lake City, Utah) in a case involving the meaning of a mining contract between the State of Utah and an international mining company.