Literal vs. hyperbole: Examining speech preferences in testimonies of victims of sexual crime

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Abstract

Victim emotionality is one of the most influential factors in sexual crime cases. Traditionally, the study of emotionality has been limited to behaviour-descriptors such as conveying panic or appearing shaken, however, such studies must also be extended to the content of the victim's testimony. Factors that affect emotionality within victim speech have not been sufficiently explored. Figurative language—such as metaphor, hyperbole, and simile—has been viewed historically as a tool to enhance persuasion, source credibility, and influence attitude changes within listeners. Thus, the use of figurative language may be the quickest and most effective way for victims to communicate the impact of sexual abuse. The present research focused on the intentional meta-linguistic content of victim testimony such as the use of figurative language; specifically, hyperbole. We investigated whether professionals and laypersons preferred a hyperbolic phrase, or a literal phrase in victim testimony, when asked to assume the role of the speaker, using a 'fill-in-the-blank' task. The results showed that professionals preferred the literal phrase, whereas laypersons preferred the hyperbolic. This would suggest that the pragmatic functions of hyperbole are different for laypersons (who could become complainants or jury members) and law enforcement; the implications of this difference are discussed.

Keywords: *hyperbole, victim language, figurative language perception, forensic pragmatics, rape victim perception*

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In an optimal forensic proceeding, all factors bar the contents of a victim's testimony would be omitted from consideration. In a more realistic forensic proceeding, the complainant (especially one of sexual crime) must first establish that they deserve immediate victim status, then obtain an exemplary score on a host of legally irrelevant measures that often become discerning factors. These potential determinants range from behaviour at the time of victimisation, a victim's moral character (Campbell et al., 2015; Spears & Spohn, 1997), eye contact (Weir & Wrightsman, 1990), emotionality and negative expression (Rose et al., 2006; Salekin et al., 1995), smiling (Nagle et al., 2014), as well as hard to define factors such as 'genuineness' (Randall, 2010). These factors operate to provide a corroboration for an invaluable phenomenon to victims of sexual crime: credibility. While most forensic proceedings analyse the behaviour and credibility of the defendant, rape is one of very few offences where legally irrelevant characteristics of the complainant are considered for prosecutorial decisions (Spohn & Holleran, 2001). In the present study, we consider that affect may intuitively co-exist not only with physical behaviour (such as smiling and eye-contact) but also linguistic behaviour (such as figurative language use, and agentic language). The aim is to investigate whether forensically relevant populations such as jury-eligible laypersons and law enforcement officers demonstrate a preference for how the existence of affect is conveyed through linguistic behaviour. We focus in particular on preference for or against the use of hyperbole due to its well-established link with heightening emotionality and affect (Cano Mora, 2009; Claridge, 2010; McCarthy & Carter, 2004; Musolff, 2021). Specifically, we investigate whether different participant groups prefer to use the emotion-heightening hyperbole, or its literal counterpart. We do this by asking

participants to assume the role of a victim of sexual crime and choose between literal or hyperbolic language within the presentation of their testimony. The function of the dichotomous choice task is to indicate, simply and precisely, whether emotionality in language (as provided by figurative language such as hyperbole) is also as desirable as emotionality in behaviour (Sleath & Bull, 2017). The conspicuous argument is that affective language and affective behaviour achieve similar results; such that in the current context, both will help to increase source credibility. However, in the following sections, we discuss the nuances to, and caveats involved in assuming this argument and propose a more specific prediction towards the end.

The Importance of Credibility

Judgements of victim credibility are made right from a primary victim statement, to the end of trial; they not only impact case progression from one legal authority to another, but also the intra-progression stage among different functions of each forensic authority. For example, when a victim files a complaint with the police, the responding officer first makes a judgement to investigate the alleged offence, and then makes another judgement to charge the alleged offender. At each stage (law enforcement to prosecution services, finally followed by a judge and jury at trial) the credibility of a victim-witness is crucial to the progression of the case (Nitschke et al., 2019). Law enforcement officers are more likely to recommend a case to prosecutorial services (Alderden & Ullman, 2012; Ask, 2010; Tasca et al., 2013), prosecutors are more likely to proceed to trial (Frohmann, 1991; Spohn & Tellis, 2012), jurors are more likely to convict the defendant (Ellison & Munro, 2009), and the defendant is more likely to receive a harsher punishment (Nadler & Rose, 2002) when the complainant is indisputably credible. This implies that especially in a sexual crime scenario, the credibility of a victim is paramount (Nitschke et al., 2019).

Developing an Impression of Credibility

Literature within forensic and legal psychology attributes consequential significance to emotionality in victim behaviour. In a systematic review of literature on police perception of rape victims, Sleath and Bull (2017) concluded that among other factors such as physical evidence, consistency of the account and level of detail, the most influential factor remained portrayals of victim emotionality. Credibility ratings were overall swayed by the emotions displayed by a victim when providing their statement; in almost all studies, the victim benefitted from a depiction of heightened emotion. Victim emotionality was used as an indicator of victim reliability (Maddox et al., 2012) and congruent negative emotions strengthened the impression that the allegation was credible (Bollingmo et al., 2008; Rose et al., 2006; Tsoudis & Smith-Lovin, 1998). An emotionally expressive victim was considered more likely to have been raped than not (Ask & Landström, 2010) where conveying panic, expressing fear, and being shaken were all emotional reactions that expressly indicated a legitimate case (Venema, 2016). It is important to note that in most studies, emotionality is described in ways that cannot exclude linguistic expression (see: Danet, 1980).

Factors that affect victim credibility can be broadly divided into two main categories: testimonial factors (ones that form the content of the testimony) and extra-testimonial factors (ones that are visible or audible factors but are extraneous to the content of the testimony). Each category can be further subdivided into three more: intentional, unintentional, and uncontrollable. Table 1 shows a brief explanation of each category and sub-category.

Table 1.

The categories and sub-categories of factors affecting victim credibility.

Testimonial	**Extra-Testimonial**
Intentional testimonial – said and meant to be said (e.g. choice of words, case (in written word)).	Intentional extra-testimonial – unsaid, intentional or often controllable behaviour extraneous to the content of one's testimony (e.g., nodding, gaze, sighing).
Unintentional testimonial – said but not meant to be said (e.g., hedging, overlapping).	Unintentional extra-testimonial – unsaid, unintentional behaviour extraneous to the content of one's testimony (e.g., micro-expressions, anxiety behaviours such as foot tapping, biting the inside of cheeks, picking at cuticles, etc.)
Uncontrollable testimonial – said but with no control over speech (e.g., child witnesses who do not yet have breadth of language, stammering, speech ticks as in Tourette's syndrome).	Uncontrollable extra-testimonial – unsaid, with no control over depictions (e.g., age, gender, ethnicity, social status).

While there is an abundance of research into extra-testimonial behaviours exhibited by a victim-witness and their subsequent impact on forensic authorities (for review see: Sleath & Bull, 2017), testimonial behaviour in all three subcategories is heavily under-researched. Moreover, the heavily researched extra-testimonial factors, while impactful, may not be admissible in court[i]. However, testimonial behaviour such as word choice is performed intentionally for observers to recognise speaker-intention, and consequently instigates thought and action (Grice, 1957). This prompts the need for investigation into the intended and observed implications of the speaker's linguistic choices. The purpose of a victim statement is to convince an observer of irrefutable victim-status; for this purpose, it can be inferred that often, a victim makes use of conscious persuasive language—not as an intentional attempt at manipulation, but as a meta-cognitive choice (see: Roberts & Kreuz, 1995) made by those who are discursively competent (Matoesian, 2001)—in addition to the intentional extra-testimonial behaviours.

Language and Credibility

A vast amount of research within victim credibility (specifically of sexual crime), focuses on extra-testimonial victim behaviour (intentional or unintentional) (Bollingmo et al., 2008; Hackett et al., 2008; Nitschke et al., 2019; Randall, 2010; Salekin et al., 1995; Sleath & Bull, 2017; Weir & Wrightsman, 1990). However, even within studies that solely focus on extra-testimonial behaviour, researchers wittingly, or unwittingly involve figurative language in their materials (see: Rose et al., 2006). This makes it apparent that, at least within the written word, language is made affective and emotional through the use of figures of speech. Andrus (2012) provides a crucial forensic connection between emotionality and its consequent linguistic impression. She speaks expressly of how emotionality provides a statement with legal admissibility. One example is of the US law of evidence which renders all hearsay as

inadmissible in court, except for the ‘excited utterance’. This implies that if an individual utters something in a state of distress, without agency of their speech, another individual can recount this utterance in court, and it will not be dismissed as hearsay. This demonstrates two things: emotionality in behaviour is often extended to emotionality in speech, and this affective language is persuasive even in a strongly physical evidence-based setting such as a courtroom. Having considered the importance of emotionality for victim-credibility (Sleath & Bull, 2017), and the impact of language on perceived emotionality, it becomes important to examine the devices that may be used to contribute to the emotionality of a statement.

Figurative Language and Credibility

Figurative language has a long history of usage as a powerful and persuasive linguistic tool (Sopory & Dillard, 2002a;b). Reinsch investigated the effects of figurative language on persuasion (1971), and source credibility (1974) where he concluded that figurative language impacted both source credibility and attitude change, however, each was influenced by different functions of figurative language. He proposed two ways in which figurative language produced oratorical effects: first, through the ‘psychological response sequence induced by a figurative stimulus’ (Reinsch, 1974, p. 79); second, through the ‘information conveyed to a receiver by a source’s verbal choices’ (Reinsch, 1974, p. 79). He believed attitude change occurred due to a psychological response sequence triggered by figurative language whereas source credibility was established (lowered or heightened) based directly on the choice of words. The implications of his research mean that not only can a complainant authenticate credibility by their choice of words and specifically by using figurative language, but also that such a use may bring about a change in the attitudes of their observer/s.

While Reinsch's works involved metaphor and simile, Desai et al. (2021) used these assumptions to measure the impact of hyperbole on the perception of four measures of victim credibility: belief, sympathy, victim impact, and likeability. It was found that hyperbole had a significant negative effect on all four measures of credibility when rated by professionals but a positive effect on belief and victim-impact when rated by jury-eligible laypersons. This implies that there is a consequence to consider where word-choice is concerned: there is a compelling divide between individuals who view hyperbole as an emphatic necessity, and those who view hyperbole as unnecessary embellishment. Both these groups are forensically relevant. Research suggests that professionals such as law enforcement, victim aid advocates, and paralegals prefer literal, distanced, and informative narratives (Andrus, 2011; Desai et al., 2021; Trinch, 2010) as opposed to laypersons (who may make up a jury) who view hyperbole as a tool for a complainant to convey the impact of the crime and increase believability (Desai et al., 2021). The implications of Desai et al.'s findings are novel and consequential, and incite the need for both, replication and further examination.

The extended focus on hyperbole in the current study is justified due to its fundamental link to affect; research on the semantic taxonomy (Cano Mora, 2009) and the occurrence of hyperbole in everyday conversation (McCarthy & Carter, 2004) highlights that the purpose of hyperbole is to provide an evaluation of the situation from the speaker's perspective. Moreover, hyperbole persists in situations where these speaker evaluations are negative rather than positive (Roberts & Kreuz, 1994) such as in sexual crime situations. We view hyperbole as a conceptually useful tool for the communication of victims' negative evaluations of sexual crime.

The current research aims to advance and further explore the findings of Desai et al. by investigating whether professionals and laypersons prefer the use of hyperbole or literal phrases

when they are asked to assume the role of the speaker themselves. The complainant statements from Desai et al. (2021) have been adapted to involve a blank where participants will choose between the two options provided—either a hyperbolic phrase, or its literal counterpart—to fill in the blank. Rationale for the current research arises from two contrasting hypotheses. First, based on the conclusions of Reinsch (1974) regarding the impact of figurative language on source-credibility and observer-attitude changes, it may be inferred that commonly-used (Kreuz et al., 1996) hyperbole is an essential tool that individuals may use to rapidly establish victim-status and victim-impact. Second, that the impact of hyperbole is bi-polar in that it causes professionals' impressions of credibility to decrease, but it helps the complainant claim victim-status for laypersons (Desai et al., 2021). Based on this, we posit that professionals will have a leaning towards the literal, whereas participants from the general population will prefer hyperbolic options.

Method

Participants

All participants were based in the UK however no individual ethnicity or nationality information was collected.

Experiment 1

35 law enforcement officers (*23 male, 12 female*) between the ages 21-65 years (*mean age 35.11 years*) participated in this experiment. All participants were recruited through Prolific—an online, anonymous participant interface—where the screening restrictions were limited to individuals who listed their current, or previous employment sector as law

enforcement. Participants were compensated for their time using Prolific's internal payment system, with an average of £3.25 per participant.

Experiment 2

30 jury-eligible individuals (*5 male, 25 female)* between the ages 19-58 years (*mean age 25.90 years*) participated in this experiment. All participants were recruited through advertisements on Facebook research participation groups and through survey-participation websites such as SurveyCircle and SurveyTandem. Participants were entered in a prize draw to win one of two £20 Amazon vouchers.

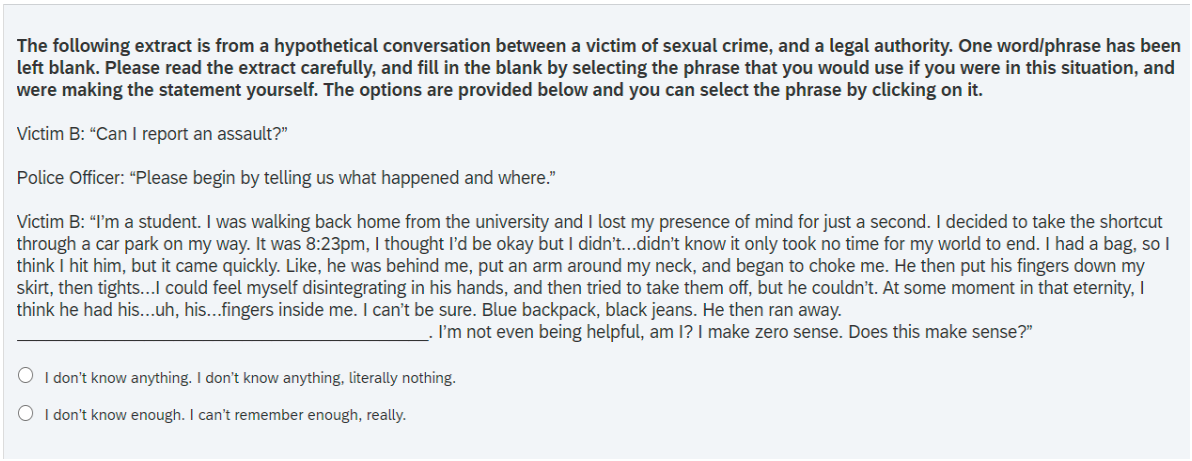
Materials and Design

Participants in Experiments 1 and 2 saw identical versions of the materials. Specifically, each participant was presented with 16 vignettes—each 250-300 words long—that involved hypothetical complainants providing statements to forensically relevant sources, or in forensically relevant settings such as a police station, or a courtroom. Materials in the present study were adapted from those used by Desai et al. (2021) (see Figure 1 for an example). However, in contrast to Desai et al.'s materials, where each scenario contained either hyperbolic or non-hyperbolic phrases, each vignette in the current study contained a mix of both hyperbolic and non-hyperbolic phrases.

Each vignette detailed an experience of either rape, sexual assault, or sexual harassment told from the perspective of the complainant and contained a 'target phrase' which was left blank. The task (see Figure 1) was for participants to fill in this blank using one of two options: a literal version, or a hyperbolic version of a phrase with identical linguistic implications (notwithstanding valence).

Figure 1.

Example of the participants' task in both Experiments 1 and 2 with option 1 being hyperbolic and option 2 being literal.



Across all scenarios, the manipulatable phrases closest to the target phrase were alternated to be either hyperbolic or literal. For example, in Scenario 1, the manipulatable phrase before the target phrase was literal, and after the target phrase was hyperbolic. This order was reversed for the next scenario, where the phrase before the target phrase would be hyperbolic, and the phrase after – literal. This was done to avoid swaying participants towards selecting one specific option for the target phrase. In addition, while the control phrases used by Desai et al. were non-hyperbolic but not necessarily literal, the current study only provided participants the choice between hyperbolic or literal to present a clearer distinction between the two conditions.

The hyperbolic phrases used were a mix of single word hyperbole (e.g. nothing, literally, endless), phrasal hyperbole (e.g. I could feel myself disintegrating…), and clausal hyperbole such as repetition of phrases (e.g. years and years) or pre-modifiers for certain words (e.g. never ever). Hyperbolic phrases could be either realistic, possible but improbable, or impossible hyperbole (Colston & Keller, 1998).

Procedure

Participants were informed that they would be involved in a research study investigating speech preference in victim testimony. Upon opening the survey (ethics approval number: S1186), participants were presented with an information sheet detailing the purpose, nature, and contents of the study. This was followed by a standard consent form and a GDPR statement. If they agreed to both, they proceeded onto the demographics sections: gender, age, and occupation. Participants in Experiment 1 proceeded onto the vignettes whereas participants in Experiment 2 were presented with the option of entering their email addresses. Provision of their email was optional, and was only used to contact the randomly selected winner of the prize draw after which any contact details were deleted. Participants were then presented with the 16 vignettes. One phrase in each scenario was left blank, and participants were instructed to fill in the blank with one of two options available to them: a literal phrase or a hyperbolic phrase. Participants were asked to assume first person, and choose the phrase that they personally would use, if they were providing the statement. This procedure was repeated 16 times and vignettes were presented in a random order.

After viewing all 16 scenarios, participants were provided with a stress-alleviating task which asked them to engage in selecting their favoured pictures of cute animals. They were finally presented with a participant debrief form, informing them of conclusions from previous research, and the rationale for the current research.

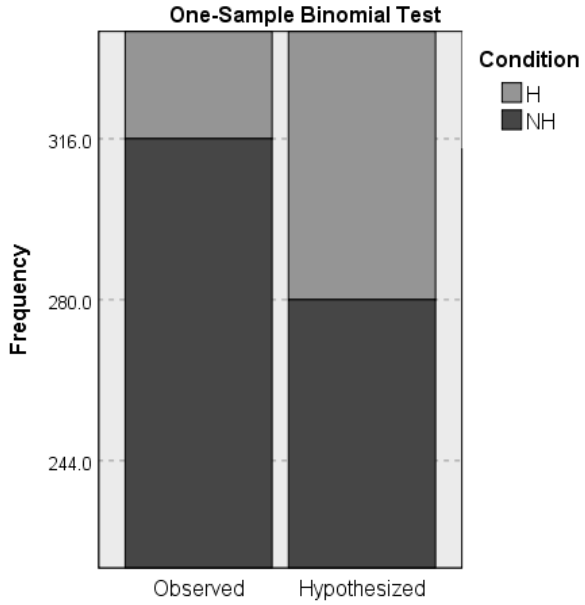
Results

Experiment 1

A one-sample binomial test with exact Clopper-Pearson 95% CI was run on the sample of 35 law enforcement officers to determine whether they preferred the 'literal' or 'hyperbolic' phrase within victim testimony, while assuming the role of the speaker. The 'hyperbolic' condition was considered the 'success' category. Of the 560 datapoints across 35 participants, the hyperbolic choice was selected in 244 instances, or 43.6% of the time. The literal option was selected in 316 instances, or 56.4% of the time. This disfavour for the hyperbolic phrase had a 95% CI of 39.4% to 47.8%, $p = .003$. Figure 2 shows the observed versus hypothesised frequencies of hyperbolic and literal choices made by participants.

Figure 2

Observed versus hypothesised frequencies of hyperbolic (H) and non-hyperbolic (NH) choices made by participants in Experiment 1.

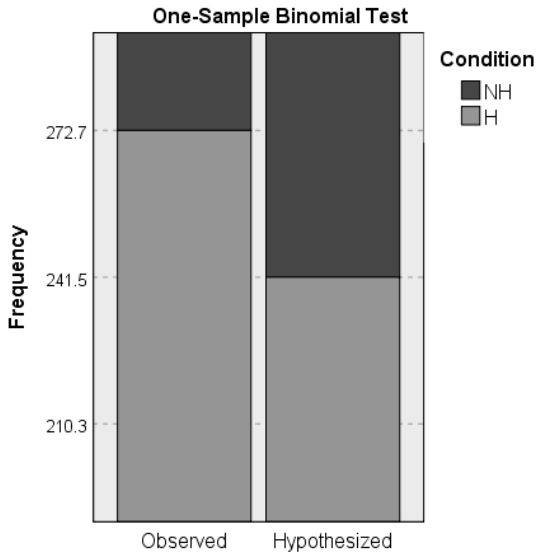


Experiment 2

A one-sample binomial test with exact Clopper-Pearson 95% CI was run on a convenience sample of 30 jury-eligible individuals to determine whether they preferred the 'literal' or 'hyperbolic' phrase within victim testimony, while assuming the role of the speaker. The 'literal' condition was considered the 'success' category. Of the 480 datapoints across 30 participants, the hyperbolic choice was selected in 271 instances, or 56.5% of the time. The literal option was selected in 209 instances, or 43.5% of the time. This disfavour for the literal phrase had a 95% CI of 39.1% to 48.1%, $p = .005$. Figure 3 shows the observed versus hypothesised frequencies of hyperbolic and literal choices made by participants.

Figure 3

Observed versus hypothesised frequencies of hyperbolic (H) and non-hyperbolic (NH) choices made by participants in Experiment 2.



Discussion

The aim of the current study was to explore language preferences in both professionals and laypersons to explore the influence of language choices on victim credibility. In Experiment 1, the results suggested that law enforcement officers preferred to use literal phrases as opposed to hyperbolic even when they assume the speaker role. Conversely, results of Experiment 2 suggested that laypersons preferred to use hyperbolic phrases when they assumed the speaker role and put themselves in the situation. The present study builds upon Desai et al. (2021) by using a preferential task to provide previously unavailable information about the consequences of assuming the role of the speaker, compared to a secondary listener.

Hyperbole's link to affective communication forms the rationale for the present experiment. This link is formed through its rhetoric function (i.e., how hyperbole ought to perform in general language) and its pragmatic function (i.e., the aspects of hyperbole use that make it meta-cognitively suitable for use in specific contexts). The rhetoric function of hyperbole is to clarify and provide emphasis. The pragmatic functions of hyperbole are to help the speaker claim immediate victim status (clarify victimhood) and suggest victim-impact (emphasise victimhood) in this context. For the laypersons sample in Experiment 2, the rhetoric and pragmatic functions of hyperbole seemed to be identical: hyperbole performed its rhetoric function as laypersons likely chose hyperbolic options as they believed that the clarification provided by using hyperbole helped them attain the pragmatic functions of claiming victim status and conveying victim-impact. However, hyperbole did not seem to have similar pragmatic functions for our professional sample.

Results from Experiment 1 in conjunction with previous literature on the importance of victim emotionality suggest that mutually exclusive beliefs are held by law enforcement officers

when it comes to victims of sexual crime. While emotional behaviour such as crying, being afraid, and appearing shaken may cement the victim-status for police officers (Sleath & Bull, 2017), the current results suggest that professional participants are inclined against using accompanying language involving linguistic expressions of emotionality, especially when they are non-literal. This suggests that there is a discrepancy in the extra-testimonial, and testimonial expectations of professional participants.

Desai et al. (2021) report similar results when investigating whether hyperbole had positive or negative effects on four measures of perceived credibility: belief, sympathy, victim-impact, and likeability. Their results suggested that for professionals (law enforcement, victim aid volunteers and students of forensically relevant courses) hyperbole in victim statements produced a negative effect and caused credibility to decrease. However, for jury-eligible laypersons, hyperbole acted contrastingly in that it produced a positive effect on belief and victim-impact. Considering that linguistic and behavioural consistency is natural, intuitively, it should increase credibility when emotional behaviour is accompanied by linguistic emotionality. However, this does not seem to be the case. Desai et al.'s findings are consequential; they highlight the discrepancies faced specifically by victims of sexual crime when they choose to interact with the justice system. While previous research (Bollingmo et al., 2008; Randall, 2010; Rose et al., 2006; Wessel et al., 2012) provides a straightforward template for a victim, suggesting distressed behaviour as the key to claim victim-status, Desai et al. portray that there are convoluted implications of maintaining consistency between distressed behaviour and language. These implications are worthy of further investigation and replication.

Language-Related Schemas

A simple preference for literal over the hyperbolic phrase (or vice versa) suggests that there may be a schema relating to language use within victims; emotional or otherwise. The task instructions in the present study motivate each group of participants to assume the position of the speaker. Assuming these instructions were followed, each group chose the speech option which they perceived to be most persuasive or effective in each scenario. This corresponds with the conclusions of Reinsch's (1971, 1974) works suggesting that the presence or absence of hyperbole not only discerns source credibility for each group of participants, but we can conclude that it also impacts the perceived persuasive power of the testimonies. The frequent inclination of law enforcement participants towards the literal option and of the laypersons towards the hyperbolic option, suggests that the language of a credible victim varies between groups.

There are two models of processing persuasive social information that may explain the methods employed by observers (judge, jurors, or the police) to judge rape victim credibility. First, the elaboration likelihood model (ELM) (Petty & Cacioppo, 1986) which provides a bipartite processing system: central and peripheral. Central processing implies that jurors would use 'effortful cognitive thought' (Nagle et al., 2014, p. 196) to process testimony, and peripheral processing implies the use of less effortful, subjective perceptual biases to make judgements and decisions. The second model is the heuristic systematic model (HSM; Chaiken, 1980). The HSM is also a dual-part processing model, bifurcated into systematic and heuristic processing. The implications of this model are similar to the ELM in that systematic processing involves a careful weighing of available information prior to forming any credibility judgements (Chaiken & Maheswaran, 1994; Nitschke et al., 2019); whereas heuristic processing is similar to peripheral

processing in that it uses ‘cognitive shortcuts’ (Hackett et al., 2008, p. 325) to make rapid judgements which may neglect wider available relevant information.

The HSM advocates that individuals may use both systematic and heuristic processing. The level at which observers process information depends on their ‘sufficiency threshold’ or the level of confidence required of an observer making judgements. Information processing will continue until a sufficiency threshold is reached and the style of processing that provides an observer with the most confidence in their decision eventually overrides the other. An observer’s sufficiency threshold is highly dependent on their cognitive capabilities and motivations. Within forensic proceedings where deciding agencies are either police officers aiming to do their job competently, or jurors aiming to provide a fair decision to protect their community, the assumption can be made that these deciding agencies are highly motivated observers (Nitschke et al., 2019). For such highly motivated observers, if preliminary heuristic processing fails to yield a judgement that the observer is confident in, systematic processing is used which is ideal to avoid passing judgements based on pre-conceived biases. However, the bias hypothesis (Chaiken & Maheswaran, 1994) suggests that when the available information is ambiguous (as it often is in sexual crime cases), heuristic processing often strongly influences systematic processing (also called biased systematic processing). There is evidence to support the bias hypothesis in cases of jurors using schema-dependent heuristic processing or biased systematic processing which relies often on heuristic cues obtained from extra-testimonial factors such as believability, age, behaviour, gender, ethnicity (Chaiken, 1980; Chaiken & Maheswaran, 1994; Hackett et al., 2008; Nagle et al., 2014; Petty & Cacioppo, 1986; Vrij, 2000).

Implications for Victims

If the current results are considered in the context of social information processing models, observers may use heuristic and schema-dependent information stemming from the language used by victims. The results suggest that these schemas are at least different for the two forensically relevant groups in our sample, if not diametric. This also implies that while victims may employ 'appropriate language use' to develop an impression of credibility according to their own perceptions, these notions may be different from those held by law enforcement, and their employment may reduce the merits of one's statement.

Grounding the present study in linguistic theory explains implications of language-related schemas for victims. There is additional previous evidence to suggest not only that victim-witnesses may hold ideas of testimony that are different to those more forensically well-versed, but also that these ideas are often incorrect and harm credibility impressions. The work of O'Barr (1982) focuses on the linguistic importance of form over content. In multiple experiments ranging in focus from power and agency, to hypercorrectness, O'Barr manipulated actual testimonies from courtroom dialogue to examine legal interactions. Of particular interest to this study are O'Barr's conclusions on hypercorrection and its impact on legally trained and legally untrained participants. Sociolinguistically, hypercorrection (O'Barr, 1982) can be described as a speaker's failed attempt to overtly and correctly apply the rules of formal communication (e.g., pronouncing the 't' in 'often' as an attempt at proper enunciation). Theorizing that courtroom situations form some of the most stressful and alien situations for laypersons, O'Barr points out the prevalence of hypercorrection which may stem from being uncomfortable and unable to use one's natural instinct in language. His empirical results suggest not only that witnesses sound more unnatural as a result of hyper-formality, but also that they are perceived as less intelligent,

less convincing, and less qualified in their attempts to appear more ‘correct’. The inference here is that each witness may resort to hypercorrection precisely to appear more intelligent, qualified, and convincing. He thus concludes that speech that varies from the ‘natural’ tends to have significant impact on how testimonies are evaluated.

The prevalence of hypercorrection may also explain the motivation to use hyperbole: to appear more convincing. However, the examination of hyperbole was suitable in the present context specifically due to its prevalence in everyday language, or the ‘natural’ language. Hence the assumption that it may deviate from the natural is not entirely applicable in the current study. However, an alternative explanation for the disinclination of the current law enforcement participants towards hyperbolic expressions, is that they may expect a certain discomfort from victim-witnesses. Repeated exposure to victims in non-neutral, noteworthy contexts may mean that professionals expect deviations from the normal speech such as fragmented sentences or hypercorrection (O’Barr, 1982) and that this deviation from normal in turn becomes normative in a legal context. While hyperbole is not inherently or necessarily ‘informal’, the semantic taxonomy proposed by Cano Mora (2009) suggests that at least in speech, hyperbole has a high frequency of informal occurrences and may resultantly be viewed as a device better suited to informality. Thus the use of hyperbole, which is often used in the everyday conversations, can possibly violate victim demeanour expectancies, perhaps by being too ‘everyday’.

Explanations for Schematic Preferences

There may be several alternative reasons for this division of preference between police officers and laypersons in our data, which should be considered here. The first may be gender imbalance (see: Larson, 2018): our sample consisted of a higher number of male police officers compared to female, and a higher number of female participants from the general population

compared to male participants. However, this explanation is not supported by the data, as we found that the overall pattern for each group—preference for the literal among professionals, and the preference for hyperbole among laypersons—occurred for both genders within the group[ii].

Another reason may be that professionals such as police officers can be considered 'active' listeners, whereas laypersons or non-professionals may be considered 'passive' listeners. The terms 'active' and 'passive' are used here to convey the amount of involvement expected of the observer after listening to a victim statement. Law enforcement officers are considered the 'gatekeepers' of (Maier, 2014; Woods & National Sheriffs' Association, 2008), and 'gateways' to (Kerstetter, 1990; Mennicke et al., 2014), justice. They possess the authority to make crucial decisions such as conducting a further investigation into preliminary claims made by a complainant, and the viability of probable cause for arresting perpetrators. A professional's objective is to judge a victim for their credibility, and create a version of their narrative that negates the complainant as a victim, and promotes the image of a distanced witness capable of objectively assessing their situation (MacLeod, 2020; Trinch, 2010). The victim-complainant may use hyperbole to establish and cement victim-status through linguistic emotionality as previously mentioned. However, to divert the narrative from a victim perspective to a witness perspective once credibility and victim-status have been established, the professional cultivation would suggest minimising emotionality, and hence, hyperbole. The objectives of laypersons, on the other hand, can be determined by whether they are provided with the power to make judgements (such as individuals on a jury). Those on a jury would be required to make judgements on credibility because the decision would heavily impact another individual (the defendant). The participants in our sample, however, were not asked to put themselves in the position of a jury, and hence viewed the scenario as one that impacted them personally (owing to

the task instructions of assuming a first-person view), from a non-forensic, affective standpoint. This adoption of the first person may have resulted in more compelling effects among our current sample, compared to the laypersons sample in Desai et al. (2021).

Literature within psycholinguistics often examines hyperbole only in conjunction with maters tropes such as irony and metaphor. However, even with limited exclusive references, most research concludes that hyperbole has a negative impact in everyday situations where it is 'unnecessary'. Colston and Carreno (2020) investigated the use of hyperbole (and irony) in denials of accusations. They found that when hyperbole was used to deny an accusation, participants perceived the subject as more likely to be guilty instead, compared to when irony was used. Leggitt and Gibbs (2000) studied emotional reactions to the ironic overstatement, and the ironic understatement. They asked participants to assume each statement was directed towards them and asked them to rate how the receipt of each statement felt. They concluded that even though participants were cognizant of the good or neutral intentions of their speaker, the use of the overstatement evoked a negative reaction, nonetheless. Finally, Quintillian (1921) expressly warns speakers against using exaggerations in 'underserving' situations. The current research is based upon the assumption that sexual crime is an inherently singular, hence, noteworthy situation. While this may be supported within the laypersons sample whose exposure to sexual crime in everyday life may be severely limited, this cannot be said of professionals such as police officers. Grandey (2000) (see also: Parkes et al., 2019) suggests that police staff who interact specifically with victims or perpetrators of sexual crimes adopt one of two coping mechanisms to traumatic stimuli: 'surface acting' which entails masking their true emotions of anger or sadness, and 'deep acting' where the feelings themselves are modified by changing the focus of their thoughts. The primary implication of employing such coping mechanisms is the

desensitizing of professionals, allowing them to explore the extremes of human criminality without displaying signs of vulnerability (Parkes et al., 2019). While the resultant reduction of emotional involvement in their everyday jobs works to reduce emotional exhaustion (Andela et al., 2016), it may also provide a convincing explanation for the reason behind professionals deviating from speech tools that enhance emotionality, such as hyperbole.

Limitations and Conclusions

One limitation of the current research is the lack of data regarding the demographics of participants besides age, gender, and occupation. No data concerning race, culture, ethnicity, or socio-economic status of the participants were collected. It is possible to find differences in both differing emotionality expectations and hence hyperbole preference (Perlovsky, 2009), as well as factors such as feminist attitudes and prescribing to rape myths (Lefley et al., 1993), between differing cultures and languages. However, considering the lack of research investigating testimonial as opposed to extra-testimonial factors, the purpose of the current research was to target forensically relevant populations holistically with further considerations as an aim for future studies.

In sum, the aim of this study was to address the lack of research examining victim or complainant speech in forensically relevant situations. We also aimed to replicate and further explore previous conclusions regarding hyperbole in victim testimony. Conclusively, our results imply serious consequence for victims of sexual crime: two populations, both forensically consequent, have contrasting views on linguistic expressions of emotionality. Hyperbole is disfavoured by law enforcement officers, while preferred by laypersons when asked to assume the role of the speaker. Future research must aim specifically to explore the reasons for these

speech preferences and the possible consequential demographic nuances among different observer populations.

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Footnotes

[i] It is essential to note here that developing irrefutable credibility through all means possible is important for the complainant precisely because 'inadmissible' does not necessarily translate to inconsiderable (O'Barr, 1982).

[ii] Male police officers chose hyperbole on 43.2% of trials (literal on 56.8%).
Female police officers chose hyperbole on 44.3% of trials (literal on 55.7%).
Non-professional males chose hyperbole on 67.5% of trials (literal on 32.5%).
Non-professional females chose hyperbole on 54.2% of trials (literal on 45.8%).