



**Forensic linguistics report into the authorship of text and other
messages relating to a narcotics smuggling allegation**

by Dr John Olsson

Purpose of this report

1. This report relates to text and other messages sent from Dr Paul H Frampton's cell phone in relation to an allegation of drug smuggling in Argentina. The purpose of this report is to attempt to determine whether those messages are likely to have been authored by Dr Frampton.
2. Additionally, I will consider interpretations of several of the messages, which I will indicate below.
3. I have been informed that Dr Frampton will submit this report to the University of North Carolina at Chapel Hill in order to enable them to reconsider the decision of the Provost regarding Dr Frampton's discharge from the faculty.
4. Although I have been commissioned by Dr Frampton, I nevertheless consider my primary duty to be to any court or legally constituted tribunal which may be appointed to consider this matter, or any other body which the university may, under its Charter or any other applicable university regulations, convene for that purpose. This is consistent with the duty which falls on any expert witness when undertaking a forensic analysis. In the UK and in other jurisdictions, the expert's first duty is always to the court, or other appropriate body, regardless of who instructs or pays the expert.
5. Therefore, although I have a contractual relationship with Dr Frampton, under English law that duty extends only so far as exercising reasonable care and skill in making my analysis and in writing this report. My duty to the court (or other properly constituted body) overrides any other duty.

Report author

6. My name is Dr John Olsson. I am a forensic linguist by profession, having practised since 1995. In this time I have prepared hundreds of reports for prosecutors, defence counsel, many police forces, and for private clients. I have been on all of the UK police national expert registers since 1996, and am currently on the National Crime Agency register of experts. I am also an expert before the International Criminal Court.
7. My areas of expertise are in the construction and provenance of written language, including authorship, and the interpretation of meaning.
8. I attach my *curriculum vitae*.
9. Forensic linguistics has been used on many occasions in British and other courts, including in trials for murder, theft, fraud, forgery, and terrorism cases. I have given evidence on numerous occasions in which the authorship of a document was of prime importance in assisting a court to resolve the case.
10. As examples of my work, I assisted the court with written and oral evidence in *R v Kieron Bryan* (Manchester Crown Court 2012), an attempted murder case, *R v David Ryan* (Chester Crown Court 2013), a murder case, and in the *Prosecutor of the International Criminal Court v President Uhuru Kenyatta* (2014), I gave written evidence. I have given written and/or oral evidence in several hundred other cases, a number of which are mentioned in my *curriculum vitae*.
11. In addition, I have assisted attorneys and law enforcement agencies in the United States and other jurisdictions on a number of occasions.
12. I am the author of a number of textbooks on forensic linguistics which are widely used in English speaking universities across the world. These textbooks have also been translated into a number of other languages, including Chinese and Arabic.

Background

13. I have been asked to comment on the authorship of a number of emails and text messages purported to have been sent by Dr Paul Frampton to two persons in relation to an allegation of narcotics smuggling.
14. In a letter from the Provost of the University of North Carolina at Chapel Hill, the Provost refers to nineteen messages sent from Dr Frampton's phone. These messages are quoted on Pages 3 and 4 of the Provost's letter. The first three messages are emails, the remainder cell phone text messages.
15. The emails did not form part of prosecution's disclosure (discovery) to the court. The only messages presented at trial were those contained in an official, stamped document, referred to at Paragraph 18 (ii) below.
16. My understanding is that Dr Frampton was arrested at Buenos Aires Airport having checked in a suitcase which contained a quantity of cocaine. Following a trial and conviction, Dr Frampton was informed by the Provost of the University of North Carolina at Chapel Hill that he was to be discharged from his faculty position at the university. At trial, a number of messages were produced, which the prosecutor alleged had been authored by Dr Frampton as part of the smuggling operation. These messages were found on Dr Frampton's cell phone subsequent to his arrest. The messages were addressed to two individuals, one of whom is named as 'Milani', the other as 'Agent'.
17. It is Dr Frampton's case that he did not compose the text messages attributed to him and that he was unaware that the suitcase which he was carrying contained cocaine.

Documents

18. In order to undertake this analysis I have relied on the following documents:

- (i) a letter from the Provost to Dr Frampton dated 23 April 2013. On Pages 3 and 4 of this document, the Provost lists a number of messages claimed to have been sent by Dr Frampton. The Provost's letter will be appended to this report. As noted above, my understanding is that the first three messages are emails, with the remaining 16 messages being text messages;
- (ii) further messages contained in a document stamped with an official Argentinian Government stamp. Some of these messages also appear in the Provost's letter. I have also placed this official document in the Appendix.

19. I also have access to a number of emails authored by Dr Frampton for comparison purposes. These emails are not connected to the Argentinian matter, and are contemporaneous with the events to which this matter relates. I have redacted the names of the addressees from those emails for the purposes of confidentiality. Those emails are also included in the Appendix (Reader's note: I have redacted the names to forms such as 'X' or 'Xy' – the originals contain the addressees' first names, not – for example – titles such as 'Professor', 'Dr', etc).

Points regarding the documents

20. Regarding the above messages, Dr Frampton states that he may have sent the three emails, but states that he did not send the 16 cell phone texts quoted by the Provost, or any other cell phone texts to anyone in connection with the allegations against him.

(i) In this report, I will deal with

(a) the emails; and

(b) the text messages

with respect to:

- interpretation of the emails, and
- authorship of the emails and the text messages.

21. All other matters lie outside my knowledge and expertise.

Summary

22. For the reasons given in this report it is my professional opinion that

- (i) Dr Frampton is probably the author of the emails;
- (ii) Dr Frampton is not the author of the text messages, and
- (iii) the emails are amenable to several interpretations, not just the interpretation that the Provost appears to have placed upon them.

Authorship of the emails

23. As noted above, Dr Frampton states that he may have authored the three emails but that he did not author the text messages.

24. One difference between the emails (Messages 1-3 in the Appendix) and the text messages (Messages 4-19) is that the email messages are presented in what appears to be standard written English.

25. Another difference is that Messages 1-3 are the only messages which refer to a 'case' or 'suitcase'.

26. My first observation upon examining the emails was that they are written in a formal style. Given the nature of the topic I would have expected the emails to be in an informal style. One indication of style formality is that there are no contractions. Hence, in Message 1 'Karen is very excited' might more usually have been written 'Karen's very excited'; while 'this is NOT a hotel' would more typically be rendered 'this ISN'T a hotel'. Similarly, in an informal communication 'I do not' in Message 2 would be more usually given as 'I don't', while 'it is not guaranteed' in Message 3 could have been written 'it isn't guaranteed'.

27. However, comparison with Dr Frampton's Contemporaneous Emails shows that even when writing to close colleagues and students with whom he appears

to have a close acquaintanceship, Dr Frampton usually adopts a formal style, e.g.:

Page 1, 'Contemporaneous Emails'

- (i) we did not look at (~didn't);
- (ii) I have not yet had time to (~haven't);
- (iii) it will be accepted (~it'll);
- (iv) I did not submit (~didn't);

Page 2, 'Contemporaneous Emails'

- (v) I have been thinking about (~I've been);
- (vi) this is not necessary (~isn't);

28. In approximately 600 words of running text there is only one contraction, viz. 'I'll try to send you a more specific e-mail tomorrow'.

29. The third email contains a passive construction, viz. 'it is not guaranteed', as opposed – for example – to 'I can't guarantee it'.

30. Use of the passive voice is also a feature of Dr Frampton's mode of writing, and in the Contemporaneous Emails it can be seen that he uses passive forms where others might more typically use active verb constructions, e.g.:

Page 1, Contemporaneous Emails

- (i) should be corrected (~we should correct them);
- (ii) it will be accepted (~they will accept it);
- (iii) was it resubmitted (~ did someone resubmit it).

Opinion 1

31. Given the above observations, and in the absence of any linguistic evidence to the contrary, despite the relatively small amount of data for examination, it is my professional opinion that Dr Frampton is likely to have authored the email messages.

Interpretation of the emails

32. At the top of Page 3 of his letter, the Provost writes: “Your communications with the agent and Ms. Milani demonstrate an understanding that the suitcase constituted or contained something of significant value, and that delivering the suitcase involved substantial risk”.

33. With respect to the Provost, the only messages which contain references to the suitcase are the emails. Not only do the text messages not contain any references to the suitcase, its existence can only be inferred from the text messages if one were familiar with the facts of the case. Moreover, the construction placed on the references to the suitcase by the Provost relies on the type of cognitive frame associated with the theme of ‘drugs’, ‘airports’ and ‘suitcases’ found in popular cultural artefacts such as films about drug smuggling. There is nothing in the emails referring to the suitcase which conclusively indicates that it contains drugs, or that – even if it does – that Dr Frampton was necessarily aware of that fact. I appreciate that that construction can be inferred from the messages, but I suggest that other inferences are equally, if not more, likely.

34. I suggest that what is likely to have caused the Provost concern are, in particular, these two phrases in the emails

- (i) ‘Karen is excited about her suitcase’; and
- (ii) ‘Karen’s special suitcase’.

Emphasis added.

35. The reader will be aware of the polysemic nature of language: there is probably

no word in the language that has one, and only one, meaning. All words, all utterances, are polysemic.

36. I suggest that most nonspecialists consider language to be monosemic, i.e. that in a given context a particular word or expression will, for most users of the language, have only one meaning.

37. Thus, in the first of these excerpts the word ‘excited’ might suggest that the suitcase contains something to be excited about – for example, ‘drugs’. However, ‘is excited about her suitcase’ may equally be construed as ‘exercised about’ or ‘worried about’. In the second example, ‘special’ could simply be a reference to any sentiment ‘Karen’ attaches to her suitcase – for example if it represents a wellknown brand, or was a gift from a friend.

38. The above are examples only, and represent no more than a few possibilities as to meaning.

Opinion 2

39. For the above reasons, I do not consider the three emails quoted by the Provost to be conclusive proof as to knowledge by Dr Frampton that the suitcase contained drugs. In my professional opinion, several other interpretations are possible. Moreover, in this connection I would point out two evidential matters which relate to these emails.

Evidential matters

40. Experts do not normally become involved in evidential matters. However, in the present instance an evidential question relates closely to the linguistic evidence.

41. The official stamped document referred to above lists the messages disclosed to the court for trial purposes. The three emails do not form part of this disclosure. The Provost does not appear to have been aware of this fact or, if he was aware

of this fact, does not appear to have considered its consequences in relation to his decision.

42. However, because the emails were not used at trial the prosecutor must have concluded that they had no evidential value. If the prosecutor thought the emails had no evidential value then, with respect to the Provost, the emails should not reasonably have formed part of the Provost's deliberations.

43. In any case, the content of the emails does not irrefutably link to any alleged drug smuggling operation: as noted above, it is perfectly possible, and reasonable, to draw nonadverse inferences from the emails.

Opinion 3

44. For the above reasons, with respect to the Provost, the emails should not have formed part of matters taken into account by the Provost when making his decision.

Authorship of the text messages

45. It is observable that the text messages are written in a different style from that of the emails. Whereas the emails are written in standard English, the messages contain several 'textspeak' characteristics, such as '2' for 'to', 'u' for 'you' and 'r' for 'are'.

46. At least some of the text messages do not appear to have been written by a native speaker of English:

- (i) Message No. 9, for example, contains a Spanish, rather than an English, spelling, namely the word 'situacion', rather than 'situation': "PLS Come online baby. Life-death situacion with no gun?" The spelling of *situation* as *situacion* suggests that this text was not authored by a native speaker of English.

- (ii) Message 17, addressed to MILANI, is as follows: “WHY ARE YOU IGNORING ME? AT THIS LAST MOMENT. WE DID NOT DECIDE HOW TO MEET TOMORROW []IN BRUSSELS AND KEEP COCA & LIVES. AT SIRU WE MAY LOSE BOTH!! NOT A GOOD IDEA.” Here, the simple past tense is used in the fourth sentence: ‘we did not decide’. However, because the event to which the decision relates has not yet occurred (the arrival in Brussels), it would be more correct for the writer to have said: ‘we have not decided...’ Further, to give the statement more emphasis – which the use of capitals would suggest is the purpose of the message – a more appropriate version would be ‘we have not *even* decided...’
- (iii) With regard to the same message ‘at this last moment’ is, though not incorrect, not idiomatic. It would be more idiomatic to say ‘at this late stage’. Thus, in the above text, it is evident that the writer’s knowledge of English idiom is weak. This contrasts with Dr Frampton’s own written English which is consistent with that of a native English speaker.
- (iv) It is a feature of the Spanish language that the subject is often omitted in a sentence. This characteristic is common in what are known as ‘pro-drop’ languages, i.e. languages in which the subject pronoun is omitted (e.g. Spanish, Italian, Romanian). When native speakers of Spanish speak English, they sometimes reproduce this feature. Examples among the messages include: “[I] was worried only”, “[I] want to kiss u”, “[I] need to know”, “[I] am ready to come to Brussels”. This omission of the subject is not a characteristic of the three emails or the contemporaneous emails.

47. In Message No. 15 the writer states that he is ‘ready to **come** to Brussels’. However, since neither party is in Brussels at the time of writing, **come** is not the correct verb: it should be **go**. Nonnative speakers of English frequently have problems with the come/go dyad in relation to destinations. Thus, the use

of ‘come’ in this context suggests that this text was authored by a nonnative speaker, not Dr Frampton.

48. Several of the texts use airport codes, rather than city names of the destinations, e.g. RDU and BRU. While Dr Frampton may be familiar with these abbreviations if he is a frequent air traveller, most people would not use these codes in everyday text conversations. A much likelier explanation for their existence is that they were introduced by a person used to dealing with airports at a professional level, for example a law enforcement, or customs, officer working at an airport in relation to narcotic smuggling to other airports.

49. The spelling ‘coca’ is used throughout the texts. As an internet search confirms, most nonspecialists are not aware of the correct spelling of ‘coca’ and many confuse this spelling with ‘cocoa’. The use of the spelling ‘coca’ in these messages suggests someone with specialist knowledge.

50. In addition to the above points , I suggest the text messages read like a film script with phrases such as ‘sniffer dogs’, the apparent obsession of the writer with ‘loyalty’, and therefore its antithesis betrayal, the danger, e.g. as in ‘life-death situacion’, the reference to weapons, as in ‘with no gun’ and the, I suggest, melodramatic ‘want to kiss u b4 i die’. The preoccupations inherent in these messages – and, more importantly, the terms in which they are expressed – are not compatible with a person who has spent his life in academia.

51. I consider the likely author of the text messages to be:

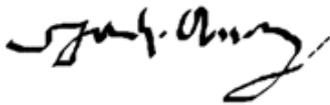
- (i) a mature adult, who is a native speaker of Spanish;
- (ii) someone who works in law enforcement, is familiar with international drug smuggling operations, especially in the context of airports.

Report conclusion

52. In my professional opinion, Dr Frampton is not the author of the text messages.

They are more likely to have been authored by a professional law enforcement officer with experience in international drug smuggling detection operations, a person who is, moreover, a nonnative speaker of English.

Signed:

A handwritten signature in black ink, appearing to read "John Olsson". The signature is written in a cursive style with a prominent flourish at the end.

Dr John Olsson

15 July 2017