



## İdam Mahkûmlarının Son Sözlerinde İnkâra Yer Verme Durumları: Teksas Huntsville Hapishanesi Örnekleme

Çağla ATMACA  
Arş. Gör. Dr., Pamukkale Üniversitesi, Yabancı Diller Eğitimi Bölümü  
caglaatmaca90@gmail.com

Başak UYSAL  
Öğr. Gör. Dr., Gazi Üniversitesi, Sosyal Bilimler ve Türkçe Eğitimi Bölümü  
basakuysal@hotmail.com

### Öz

Bu çalışma, 1982-2016 yılları arasında Teksas Huntsville Hapishanesinde idam edilen 538 idam mahkûmunun son sözlerinde yer alan hâkim temaları incelemeyi amaçlamıştır. Çalışmada nitel ve nicel araştırma tekniklerine bir arada yer verilen karma yöntem kullanılmıştır. Çalışmada elde edilen başlıca nicel veriler şunlar olmuştur: 538 idam mahkûmunun 108'i son söz hakkını kullanmayı reddetmiştir. Geriye kalan 420 mahkûmdan 73'ü son sözlerinde inkâr temasına yer vermiştir. Toplamda 538 mahkûmdan yalnızca 5 tanesi kadındır ve inkâra yer verenler arasında kadın mahkûm bulunmamaktadır. Çalışmanın nitel verilerini ise şöyle sınıflandırmak mümkündür: Tespit sonucunda 15 tema belirlenmiş ve yer verilme sıklığı en fazla olan temaların inkâr, savunma ve sevgi olduğu görülmüştür.

**Anahtar Kelimeler:** Adli Dilbilim, İdam Mahkûmları, Dil, Suç Psikolojisi, Son Söz, Adli Metin

### Condemnation in the Last Words of the Execution Prisoners: Texas Huntsville Prison Sample

#### Abstract

This study aims to examine the emerging themes found in the last statements of 538 death row inmates who were executed at Texas Huntsville Prison between 1982-2016. The study adopted mixed-method research methods that includes both quantitative and qualitative research methods. Quantitative findings of the study are as follows: 108 of 538 death row inmates denied using their right to make last statement. 73 of the rest 420 death row inmates included the theme of denial in their least statements. Only 5 of 538 death row inmates were female and there were no female death row inmates who include denial in their least statements. It is possible to categorize the qualitative data of the study as in the following: at the end of content analysis it was seen that 15 themes emerged and the themes of denial, defense and love have the highest frequency in terms of frequency of usage.

**Keywords:** Forensic Linguistic, Death Row Inmates, Language, Criminal Psychology, Last Statement, Forensic Text

## Introduction

According to Boucher d'Argis's work titled as *Observations sur les lois criminelles*:

*if there were annuals recording the last statements of the tortured people and if it was dared to skim them through or if those miserable people gathered around a gallow were questioned, they would state that convicts died after they had become a reproach to God because of the poverty causing them to commit a suicide, they had blamed the barbarism of the judges, they had cursed the priests, and swore at God (Foucault, 2015: 109).*

This quote shows us that curiosity about the last statements of convicts is not new. However, it is thought that as geography, history and the way they are executed change; the theme, feelings and the moods will affect the geography. If the context of forensic linguistics is considered, it is clear that the themes of the last statements in the death penalties in the late 1700s were reproach, blaming and rage. In the death penalties in the 20<sup>th</sup> and 21<sup>st</sup> centuries feelings, moods and themes in the last words have been analyzed by scientists working in different disciplines. Therefore, this study focuses on the last statements of death row inmates to determine the emerging themes in these statements.

### 1. Review of Literature

According to Tooley's hypothesis, there was a relationship between man's attitude towards death and his awareness of self, his degree of existence, or simply his individuality (Tooley, 1997: 602). Thus, the opinions of an individual about death are also his/her opinions about himself/herself and this will affect his/her language (Uysal, 2016).

Some death row inmates may be involved in violent acts which result in physical harm because Reidy, Cunningham and Sorensen (2001) found out that 35.9% of the inmates referred to violent acts and fewer than one third of these acts ended with serious injury. However, surprisingly enough, most of these ex-inmates were not found to cause a problem in terms of management in the general prison population.

Not only the families of offenders on death row but also those of other victims may have a certain way of grieving. In addition, both types of families share similarities in terms of treatment from other people and their reactions. In a similar vein, it was found out that the families of both murder victims and death row inmates experienced denial, anger, confusion, and feelings of powerlessness. They were also not content with criminal justice personnel's treatment in that they faced lack of compassion, incomplete information, unanswered phone calls and lack of accessibility. Finally it was concluded that all the people including police officers who interact with



such families need special training so as not to increase the suffering of the families (King, 2004).

Whereas it is a new study area as an interdisciplinary study, the concept of death has been used as a finish line in the crossroad of humanity, and the efforts for domestication, naming, reconciliation and interpretation have constantly continued in each period. Moreover, McNerney (2005) has a striking opinion on curiosity for the population having died because of execution:

*These subspecies describe the people, in death row, who were explicitly marginalized by the society. These people were in death row, and they were retained their rights. The death of the ones who did not belong to dominant culture was ignored and this was not a matter of mourning. Those characters here represented the lower class with regard to social and economic aspects, and they were mostly male. Hollywood is very keen on those characters and shows a great interest in transcendence of their lives (McNerney, 2005: 315).*

Not only the offenders on death row but also the families of those offenders are under the focus of study since they could also be affected by execution, and experience grief and loss. By interviewing with 26 family members of the death row inmates in the East Coast of the United States in terms of disenfranchised grief and non-finite loss, Jones and Beck (2007) found out that the reactions of the participants included social isolation, conflict, diminished self-esteem, shame, and feelings of criminalization, guilt and despair. These findings shed light upon the effects of death penalty on the families of death row inmates apart from death row inmates themselves. Individual differences of death row inmates and contextual factors at state level deserve close attention since they could give us important clues about the delicacies of death and dying. Even minority presence and political ideology might come to the fore as part of above-mentioned factors in execution (Jacobs, Qian, Carmichael, & Kent, 2007).

There are different groups of people who are involved in death row work and they are called stakeholders since this term includes all those who affect and are affected by the actions of death row work. Being one of these stakeholders, correctional officers indicated that their job is a paradoxical experience including both strain and pressure. However, they stated that their work is easier and has fewer problems compared to the other assignments in the prison (Brown & Benningfield, 2008).

The individual characteristics of the offenders on death row, their families' reactions and the contextual factors were examined to provide deeper insights into the terms of death and dying. In other words, the "pre" and "while" phases of imprisonment were examined. However, the "post" phase also needs questioning since some convicts might be proved to be innocent



and released from prison after a long time, which brings specific responsibilities for ex-convicts to cope with innocence and reshape their identities in that they may face fear, suspicion and hate of family members, neighbours and other people. In this regard, one could get the complete picture upon death and dying by taking the three afore-mentioned phases into consideration. Such a deeper understanding could be actualized with the help of more sociological research (Wertervelt & Cook, 2008).

It could be said that execution as a ludic act appears as a kind of community ritual and the effects of these features can be seen in the last statements of the condemned because the formal, semantic and pragmatic characteristics of these statements could give clues about the discourse and event (Rizza, 2015).

Identification of McInerney is undoubtedly true with regard to quantitative data but qualitative data is open to debate. Being ignored cannot be verified even in the context of a few studies mentioned above. Foucault (2015) reminds that there are convicts whose memories are stored in honor even if they are dead whose graves are protected respectfully, and who are mentioned as saints (Foucault, 2015: 118). Therefore, when all of these disciplines are discussed, it is clear that the one which is important and precious is that more than one discipline deals with death in the light of scientific principles.

## 1.1 The Last Statement before Death

As Tooley (1997) stated before, with regard to sociology of language, the concept of death which has an ontological dimension in many negative connotations will be undoubtedly reflected on the last words of people. In addition, Scarre (2005: 227) remarks that the last statements may not always be wise and also it is not certain that only the ones in death row have remarkable insights about the mankind. Along with all these views, last statements during execution, that is, before death, are significant since they are the reflection of the individual's anger.

It could be said that last statements of death row inmates have emerged as a specific genre to be focused on. Based on 283 last statements of inmates on Texas death row, Schuck and Ward (2008) found out various strategies of self presentation depending upon accepting or denying guilt. In this way, a deeper understanding could be gained about how these inmates interpret their situation and how they express themselves with various lexicogrammatical choices. Some researchers preferred to examine the last words of death row inmates with specific headings (Heflick, 2005) while some others referred to Terror Management Theory by forming various categories and coding the sentences according to these categories.



The last statements provide many clues due to the one-time experience. However, it is considered that nobody has a right to judge people for whether they deserved death or whether they were guilty. Forensic linguistics aims to assess the clues. As Chaski (2010: 200) noted, "it is not job of linguists to decide if a person is guilty or not, but it is a job of jury." Hence, this dimension of forensic linguistics study does not aim to take over the responsibility of the court. Nevertheless, this study, which is in the scope of forensic linguistics and examines the last words before death, aims to bring a new perspective to interrogation techniques by giving information about claims of innocence and thematic distribution.

Last statements of offenders on death row may display regional differences in terms of politeness and apologies based on social norms because Eaton (2014) found that offenders who were executed in the Southern United States, which was said to possess a culture of honour, apologized more for their crimes. However, the participant offenders were not found to be more remorseful than the offenders executed in the other parts of the States.

There are various qualitative studies which deal with the last statements of death row inmates to shed light upon the hidden dimensions of death and dying. One of these studies belongs to Upton, Carwile and Brown (2016), who analyzed the last statements of 46 capitally punished inmates in Missouri between 1995-2011. In light of the analyses, the domains of life, death, and execution emerged. In addition, love was the most common theme whereas acceptance was the least common one.

## 1.2 The Last Statement and Claims of Innocence

The purpose of this study is to analyze the texts which belong to offenders who deny their guilt in their last statements. Denial can be divided into sub-headings such as claims of innocence, the idea of injustice and unacceptability of punishment when the last words include denials.

Although feeling blameless does not mean denial lexically, it might mean denial as a defense mechanism. Therefore, denial is taken only as a claim of innocence in this study. When denial as a theme is in question; the channels in which people can reflect themes, moods and feelings are the elements of non-verbal, spoken and written communication. When the texts, which appeared after the last statements had been written down, were examined with the help of key words, different themes were identified. As Luria (1981) states, *if the words constitute a language, then the key words form the context and the theme.*

According to Chomsky (1967), *as a linguist, telling the truth and revealing the lie is the biggest responsibility of an intellectual.* By stating this, he points out that a linguist is responsible for incorrect statements in the contextual texts. For a linguist, there is not any academic difference between a text existing in a



language teaching book focused on vocabulary teaching and a text in an official report. As Behrens (2010: 181) noted, “a linguist has the responsibility of observing a formal process as if he was observing a child in the educational environment.” All of these factors have led the authors to conduct this research.

All in all, when the related literature is examined, it is seen that there need to be more studies upon the hidden details of the last statements of death row inmates with the help of discourse analysis. Therefore, this study aims to find out the details of death row inmates who deny in their last statements and to identify the thematic distribution. With reference to this aim, it is possible to present the main question of the study as "What are the emerging themes in the last statements of death row inmates who claimed innocence?" For this main question, the following questions will be answered:

1. Is there a relationship between the attitudes of the offenders with claims of innocence and their socio-demographic features?
2. What are the emerging themes in the last statements of the death row inmates who claimed innocence?

## 2. Methodology

This study aims to reveal whether there exists any relationship between the attitudes of the offenders with claims of innocence and their socio-demographic features, and to find out the emerging themes in the last statements of these death row inmates. Therefore, this study has an exploratory research design since it aims to describe the current state of the phenomenon in question. There are many reasons for choosing death row inmates in North America as the sample group. First of all, the way that people deny could vary from one culture to another. Whereas it was actualized by the people living in the geography of North America, the universal truth which claims that the human psychology is universal and a common sense was taken as a basis. One of the reasons for choosing North America is that crime occurs mostly in North America in the USA. For example, while the national crime rate was 8.8 in 1977, the rate of crime in 9 states was between 10.8 and 15.8. One of these states located in Northwest was Texas (McCaghy & Charles, 1980: 96).

In this study, mixed method research using a combination of qualitative and quantitative research techniques was utilized (Dörnyei, 2007). Quantitative data were collected through Texas Department of Criminal Justice and murderpedia.org, which serves as an archive by gathering official reports and media news. The numerical data about the socio-demographic features of the people in the reports were used. Mixed method was preferred due to the complementary purposes because in this way the authors could get the chance to quantify the qualitative data and qualify the quantitative data



(Cresswell, Plano Clark, Gutmann, & Hanson, 2003). The findings were converted into quantitative data in the form of frequency (F) and percentage (%) tables classified under the headings of gender, race, and the acquaintance of the offenders. In order to analyse the qualitative data, the last statements of 538 death row inmates were read and the statements including claims of innocence were analyzed. As is seen, data collection tools included the official reports, media news and last statements of death row inmates.

As for data analysis, various tools were employed. Excel and SPSS 16 programs were utilized to analyze the quantitative data while content analysis was adopted to analyze the qualitative data. Frequency (F) and percentage (%) tables were formed with the help of Excel and SPSS 16 programs whereas constant comparison method of grounded theory (Glaser & Strauss, 1980) was applied to gather the emerging themes and sub-categories of the written documents. However, the Informed Grounded theory (Thornberg, 2012) was adopted since the authors first examined the previous studies and then started data analysis procedures due to the possibility of missing important points or being left with unrelated categories. The two authors were involved in qualitative data analysis separately in order to increase the objectivity of the emerging themes and categories. First, the two coders analyzed and categorized the qualitative data based on their own interpretation and they looked at the previously formed themes and categories, and made some revisions after three weeks to ensure intra-rater reliability. Besides, the two authors held a meeting after analyzing 25% of the qualitative data in order to compare and contrast their own analysis results. At the first meeting, there were some differences and disagreements between the two coders upon the formed themes and categories. They discussed to find a common way of analysis for the themes displaying differences. After the first meeting, the two coders went on analyzing the rest of the qualitative data and when they finalized their analyses they held another meeting to compare and contrast their themes and categories. This time agreement level was higher compared to the previous one. The meetings were held to ensure inter-rater reliability and decrease subjectivity of the study results. The inter-rater reliability was also ensured with the help of the formula suggested by Miles and Huberman (1964: 64) in that in the first meeting the agreement level was calculated to be 80% but this level was 90% in the second meeting. In addition, the two coders discussed upon the final emerging themes after the second meeting till there was complete agreement between them.

There were 73 last statements in total which included claims of innocence and they were subjected to thematic distribution by 3 field specialists. There are two authors, one of whom is Turkish language instructor and the other is English language instructor, both of whom were the coders as well. Besides,



expert opinion was also gathered from a psychiatrist of criminal investigation. Based on the analyses and opinions shared, the dominant themes and the keywords reflecting these themes were gathered. In light of the analyses, 15 main themes were identified. The excerpts reflecting the themes were taken from the statements of the convicts. While displaying the excerpts of the convicts, first rank of the offenders and then the rank of their statements were given. The sample sentences given show two different numbers in parantheses. The first number refers to the order of the convict while the second number refers to the order of the sentence in the process of data coding and analysis.

### 3. Results and Discussion

In this part, results of data analyses will be given. First, the research questions will be restated and then the quantitative and qualitative findings will be presented.

#### 3.1 Is there a relationship between the attitudes of the offenders with claims of innocence and their socio-demographic features?

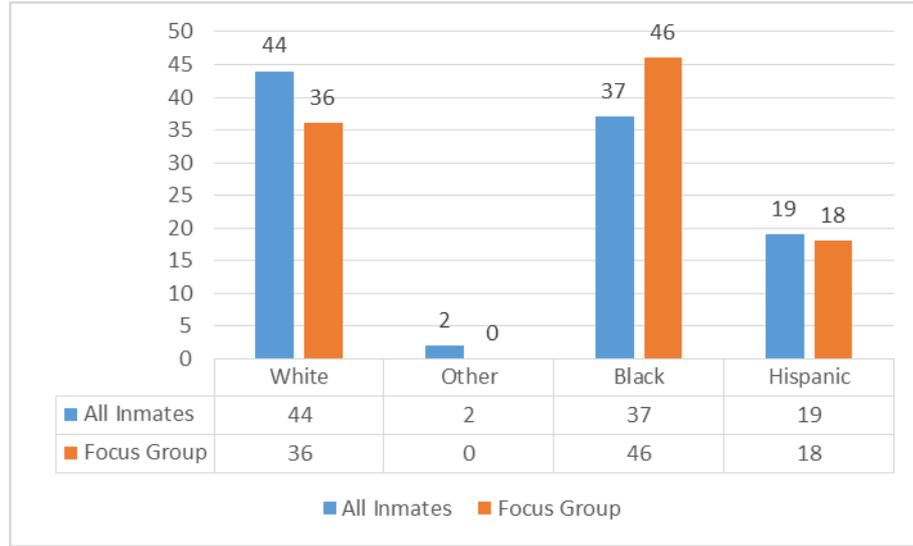
The first research question aims to find out whether there exists any relationship between the attitudes of the offenders claiming innocence and their socio-demographic features. According to the data delivered by the Texas Department of Criminal Justice website, 108 convicts out of 538 have refused to use the right of last statement as of August 2016. It is also possible to describe refusal as silence because according to Kübler-Ross (1987: 66), silence is an art of speech and could be more precious than the words. That's why 108 convicts were not excluded from the evaluation in the qualitative and quantitative phases of the research.

The youngest offender claiming innocence in the last statement is 24 and the oldest one is 66 years old. Compared with the average, it is seen that claim of innocence appears in the age group between 20-30 the least. This reveals the cases ending earlier than expected because of the indisputable evidence. 40-50 age group is the age group where claim of innocence is used the most when compared to overall average. Consequently, as the age of offenders increases, the tendency for claiming innocence increases as well. Another socio-demographic element is the nationality of denier offenders. Table 1 displays the nationality of all convicts and the nationality of convicts denying in their last statements.

Table 1.

*The Nationality of Death Row Inmates*



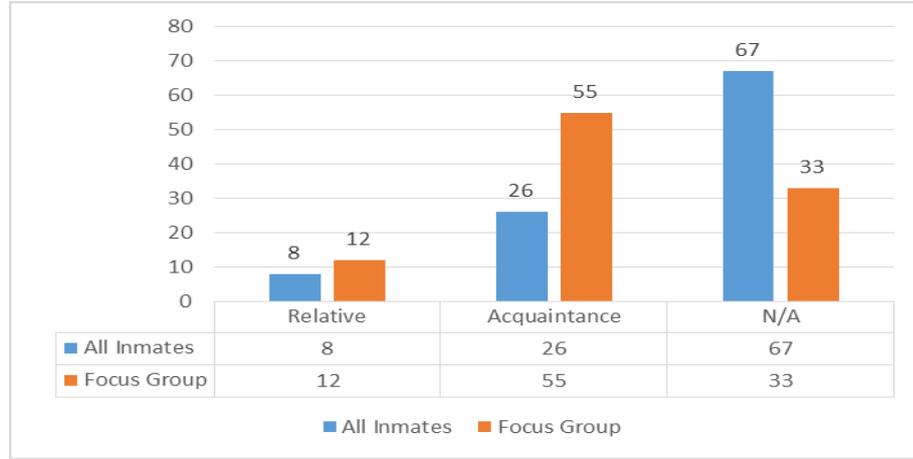


When Table 1 is examined, it is seen that there is only 1% change in the rate of denial (claim of innocence) by Hispanic convicts compared to the overall average. The percentage of denial by white convicts is 44% for all convicts. However, it is 36% for the convicts who denied in their last statements. The percentage of black convicts who represent 37% of the overall average becomes 46% for the convicts who use denials in their last statements. Therefore, it is possible to say that denial is used by the black convicts more when compared to the white and Hispanic convicts. Similarly, the least rate of denial belongs to the white convicts. The rise in the rate of denial by black convicts brings to mind the question of whether denials are due to the racist reasons. In addition to this, there are only 2 convicts who stated in their last statements that they were executed because of racism. Although the blacks constitute 11% of total population, 49% of the people killed in 1977 and 51% of those arrested were black according to Mccaghy and Charles (1980: 96). Considering the time gap between these two studies, it would be wrong to say that the black tend to commit a crime. If these data are analyzed by taking the socio-economic group and the educational background of the black into account, a profile of a scientific criminal section can be created. One of the most important elements in denials is being acquaintance of the offender. If the victims and the offenders are examined, it is possible to get the following results (See Table 2).

Table 2.

*Acquaintance of the Victim with Death Row Inmates*





When all convicts are examined, it is seen that the murder rate of the relatives or acquaintances is 34% while the murder rate of the denier convicts is 67%. Friends, lovers, ex-lovers, colleagues and neighbors were categorized under the heading of acquaintance and the first degree relatives were included in the relatives heading. As the victim is more acquainting to the convict, it is possible to say that he denies more. Handled independently from the legal procedure, this cannot be explained by accusing a specific audience (family, spouse or friends) of a crime as an element of mental heritage.

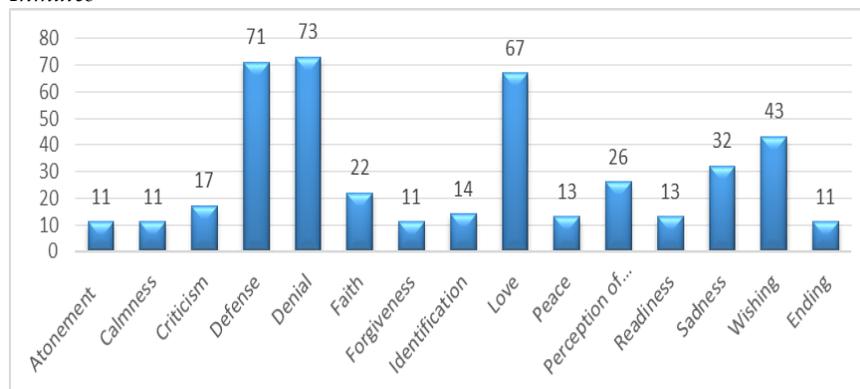
### 3.2 What are the emerging themes in the last statements of the death row inmates who claimed innocence?

The second research question focuses on the emerging themes in the last statements of death row inmates. The average number of words used in the last statements of all death row inmates is 102 while it is 138 in the last statements of 73 death row inmates who claimed innocence in their last statement. This shows that the texts with the theme of claim of innocence are relatively longer than the other texts. These themes are shown below.

Table 3.



*Emerging Themes of Claims of Innocence in Last Statements of Death Row Inmates*



Considering the diversity in the distribution of themes, it is seen that there are themes with both negative and positive connotations in the last statements of 73 death row inmates who claimed innocence in their last statements. According to Kellehear (2005: 203), "the lack of emotion in poor households aroused consternation among the historians and they thought that the silence caused by the consternation is an evidence for the limitation of the emotions rather than the management of the emotions." However, confirming this claim is not possible only by analyzing the chart above and a table which reflects the educational status and indicates that individual welfare or educational status is not a determining factor in the last statements at the moment of death.

With reference to the table, it is seen that the themes which have the most frequency (F) of use are denial (F: 73), defense (F: 71) and love (F: 67) while the one used the least are end, forgiveness, calmness and atonement with the same frequency (F:11). Evaluation of these themes is listed below.

**Denial.** As stated above, calling this theme 'the claim of innocence' rather than 'denial', will not cover the death row inmates who partly accept a crime or accept another crime. However, it will deny the crime which will cause his/her death and shortly it will narrow down the scope of the study. First, the claims of innocence have all addressed the witnesses, then the victims' family and finally the family of death row inmates, death row inmates and the State of Texas. Below are some quotations that exemplify denials in the last statements examined. The emerging main themes and sub-categories are also given with sample quotations.

*First and foremost, I would like to tell the victims' families that I am sorry because I don't feel like I am guilty (139; 1).*

*If it matters to anyone, I did not kill Olga (127; 1).*



Rage is another way of denying:

*Get my money. Give me my rights. Give me my rights. Give me my rights.  
Give me my life back (322; 9, 12, 13).*

Rage also brought along the statements generally censored by authorities. When the theme of rage is studied in the context of addressed people, the addressees have first become all the witnesses and then legal expert and lastly the warden.

*I gotta go, road dog. (320; 5).*

Rage under the theme of denial is not a new concept to mankind. It is also seen that the remark of Boucher d'Argis (1790) at the beginning of the article has been referred to in time.

Blaming is a sub-theme which might be encountered as supporting denial in the study where denier convicts are included. An analytical denial has a cause. Considering the addressees of the accusation, it is clear that the highest percentage belongs to the officials. Prosecutors, decision makers, lawyers and lastly the wardens constitute the officials. The second most commonly accused factor is the State of Texas. These are respectively followed by survivor convicts, the families of the convicts, abettors, the witnesses of the execution and other suspects. The officials are accused of causing the death of an innocent man:

*They are taking the life of an innocent man (79; 5).*

It is seen that the survivor offenders are accused of perjury:

*I do not know why, Mindy, you are doing this, but I will still forgive you  
(147; 2).*

The family of the convict is also one of those who are accused of causing death:

*You are murdering me and I feel sorry for you. Get in church and get saved  
(287; 15, 16, 17).*

**Defense.** The addressees of defense statements have become firstly the witnesses, and theme of defense is the second theme in the last statements of death row inmates. Then, it is followed by the families of convicts and victims, and lastly by officials.

*I left the scene of where the incident happened. I guarantee you if I would  
have been there you would not be standing where you are if I would have  
been there (212; 13, 14).*

In this situation, nearly half of the convicts did not perceive their rights for last statements as an emotional time but as a questioning and defense time,



and included the theme of defense in their last statements. The defense-themed statements also possess features of extrajudicial statements.

Assessed as a sub-theme in defense, accusation is a theme which is possible to support denial. When the addresses of the accusation are included, it is seen that the officials have the highest percentage. Prosecutors, decision makers, lawyers and warden represent these officials. The second accused addressee is the State of Texas. These are respectively followed by survivor death row inmates, their families, abettors, other suspects and witnesses. Officials are accused of causing the death of an innocent man in the following quotation:

*Not one of my sell out lawyers would use this evidence, because they all work as a conspiracy with the court. No doubt about it (219; 5, 6).*

The survivor death row inmates are accused of perjury:

*Don't lie man. Be happy. Are you happy? Are you all happy (365; 3, 4, 5)?*

The victim's family is also accused of causing the death of the offender:

*And whether you believe it or not, I did not kill them (287; 2).*

Another sub-theme to be addressed under the theme of defense is the psychology of the offender. He believes that he was sacrificed, not punished due to the execution:

*This is genocide in America. This is what happens to black men when they stand up and protest for what is right and justice (222; 74, 75).*

*Love.* Love, which is mentioned by 67 denier offenders, is the third most frequent theme after denial and defense. This is also an explanation of why this theme is relatively rare when compared to other themes with negative connotations. In the statements of love, the address is apparently the family and friends of the offender and those are followed by all witnesses and lawyers.

*I love you all – (names of children) – Corey, Steve (garbled) – (111; 4).*

According to Strange (2005: 202): "Death is an emotional experience as well. One of the difficulties of a good death is the cooperation of the loved ones to accept the inevitable end of death because of the illnesses and the accidents" and according to Tooley (1997: 603): "Death was not a personal drama but an ordeal for the community, which was responsible for maintaining the continuity of the race." Thus, the convict does not feel alone and wants to declare his/her love to the other people and thanks them.

*I would like to thank you for standing by me and loving me and carry my best to my "sun," my Butterfly (130; 5).*



Contrary to 67 offenders who included theme of love in their last statements, 12 offenders did not include this theme and when their last statements were analyzed again, the results are as follows: The most frequent themes used by the convicts who did not include the theme of love in their last statements are the themes of defense and sadness. This implies that questioning and testifying psychology avoids the theme of love.

**Wishing.** It is possible to analyze the theme of wish in several sub-themes. Under the theme of wish among 43 convicts' last statements; 8 convicts wish the best for the future, 12 convicts bequest, 2 convicts give advice and 21 convicts indoctrinate. Addressed audience consists of the family of the convict first and then the family of the victim and all witnesses. The following example belongs to a statement of a death row inmate offering good wishes for the future:

*I hope everybody has their peace (336; 7).*

In the following excerpts, the address is the family of the victim:

*I did not kill your loved one, but I hope that one day you find out who did. I wish I could tell you the reason why, or give some kind of solace; you lost someone you love very much (351; 3, 4).*

Bequest is a sub-theme of wish in the last statements of 12 death row inmates and the address is the family of the convict:

*Do what I told you and you will see me one day. Do that and promise me. (427; 3, 4).*

“The dead person entrusts the remaining to God” (Aries, 1975: 9). Besides, bequest is also an indicator of anxiety. According to Kastenbaum (1993: 87), “The separation anxiety seems to be a bequest”:

*If I am paying my debt to society, I am due a rebate and a refund, but I love you all and you all watch out for Mom and you all keep up, keep going (204; 13).*

About offenders, who give advice, Corre (1896) states that: “Such a discourse is so close to the ethics, which is seen traditional in the literature, that it can only be fake” (Foucault, 2015: 116). Indeed, the number of offenders who gave advice in the last statements is quite a few.

*Look at my life and learn from it. I am very remorseful about what I did. (432; 11, 12).*

When indoctrination is thought as a wish, it is seen that the address of these indoctrinations is the family of the convict:

*Hello, ain't got to worry about nothing. I am going home (420; 1, 2).*



In some situations, the address is the offender himself:

*I know in my heart what I did and I call upon the spirit of my ancestors and all of my people and I swear to them and now I am coming home (150; 3).*

**Sadness.** Sadness is a theme identified in 32 death row inmates' last statements:

*I am sorry for the pain: sorry for what I caused my friends, family and loved ones. I feel a great deal of responsibility and guilt for all this crime (279; 1, 2).*

Sadness has turned into reproach when it is felt more. The addressee audience is firstly the family of the convict and then all witnesses:

*My family is not here present and that is by my wish and my wish only. Now the table is turned. You are all here, the Robinson family is her to see me executed (212; 9, 10, 11).*

When felt more, sadness ends up with crying:

*Don't want to talk too much, I will cry. I'll just cry everywhere. I'm sorry, Teach, for not being a better son and not doing better things. It wasn't your fault (256; 3, 4, 5, 6).*

Mills and Wooster (1987) take crying as a vital part of healing or growing process that should not be hindered while Solyer (1995) characterizes it as an inborn healing mechanism.

As a sub-theme, pain is stated by death row inmates as a physical pain and it was included in the last words twice in total. It has also been known that non-verbal communication tools (gestures and facial expressions, coughing, unfinished sentences) would also be effective while dealing with the physical pain as a sub-theme. However, only those expressed in texts are discussed in this section:

*My left arm is killing me. It hurts bad (487; 4, 5).*

Another sub-theme to be addressed under the heading of sadness is shame. Considering the offenders whose last statements include the sub-theme of shame, it is seen that all address the family and friends of the offender:

*Sorry that I have to put my family through this. It is wrong to put the families through this. (336; 2, 13).*

The feeling of shame was observed to occur because of the physical situations and sadness was sometimes used in order to remind the victim by convicts. While reminding the victims, the positive characteristics of the victim was considered:



*Ros was a personal friend of mine. She was a beautiful person, very educated, her. I'm very tight with the Robinson family. She was proud that she had a father that was a doctor (212; 5, 6, 7, 8).*

**Perception of Process.** Perception of process is a theme included by 26 denier convicts. Perception of process occurred in a way to reach God and Jesus, infinity, and continuity, which could be felt in the following lines: "Between the moment of death and the end of survival there is an interval that Christianity, like the other religions of salvation, has extended to eternity" (Tooley, 1997: 604). That's why, it is considered in conjunction with the theme of belief:

*I am coming home (150; 3).*

Perception of journey can sometimes occur to refuse the end of survival by backsliding:

*And ah, don't be surprised if your Mom be the helper of God that would grab my hand and say "You are now into eternal life with God." (221; 19).*

"So, death is a journey. In the West, it is at least a metaphor which has been used for thousands of years due to the myth of the journey across Styx River" (Skelton, 2005: 271). As for the East, it is possible to base this journey to an older story, even to the unity of existence. Then, people, who are made up of soil and buried in that soil again when they are dead, have the belief of the continuity of the journey regardless of the geographical conditions:

*From God's dust I came and to dust I will return - so the earth shall become my throne (320; 4).*

**Atonement.** Atonement is a theme which 11 of the 71 death row inmates included in their last statements. In terms of address, the statements including the theme of atonement are varied. The addressees of atonement statements have been the media, the convict himself, his friends, all witnesses and the family of the victim.

*If my murder makes it easier for everyone else let the forgiveness please be a part of the healing (390; 10).*

The main perception of atonements is about social and moral dimensions:

*With this let all debts be paid that I owed - real or imagined (246; 2).*

All the quotations for all witnesses talk about social and moral dimensions of atonement rather than its religious dimension. Moreover, the death row inmate expresses his own death as an action for fair hearing or as a way of relieving the family of the victim:

*Wherefore, I figure that what I am dying for now is what I have done in my past. This is what I am dying for. Not for killing Rosalyn (212; 26, 27, 28).*



The statements of Foucault (2015: 89-90) remind theme of atonement as it follows:

*The eternal game has already begun. The sufferings in the world make people think of the pain in the other world, and points out what they are. However, the sufferings in this mortal world also gain value as an atonement to mitigate the punishment given in the afterlife. If God is in resignation, he will not hesitate to take such a pain into account.*

As stated above, there are 4 more death row inmates' statements serving for the religious dimension of atonement and certainty of religious forgiveness:

*As I have said from the very first thing, I am innocent of this crime and God knows I am innocent and the four people that was murdered know I am innocent and when I get to heaven I'll be hunting you and we'll talk (224; 2).*

**Faith.** Belief is a mechanism of indoctrination as strong as denial. In addition to this, the frequency of belief theme in last statements is 22, which is less than half of the denial theme. However, the effect of belief in the last statements is one of the themes that are encountered when the literature is reviewed. Foucault excerpts the following quote of Damiens executed in 1700s, screaming in each and every pain: *'Forgive me God, forgive me our Lord.'* *The executioners gathered around and Damiens was telling them he hadn't swore at them because of their mistakes, and he was not mad at them. He was begging them so that they pray to God for himself and wanting Saint Paul priest to pray for him during the first messe (Foucault, 2015: 36).*

It is possible to come across with such prayers and resignation in the historical process regardless of the place. However, when the Christianity is in question, the content of the meaning attributed to death also shapes the belief theme in the last statements:

*I have no hard feelings toward anyone cause the Lord feels that it is my time to come home to Him, my work on earth is done and that (224; 6).*

In addition to belief, faith and acceptance are also found in the last statements, and this once more verifies the negative connotations of death (misfortune, reverses of fortune) as Tooley stated before.

*I feel like this is the Lord's will that will be done (139; 6).*

*I just played the hand that life dealt me (432; 10).*

**Criticism.** Criticism is seen as a way of objection to the way of punishment. The address is firstly all the witnesses and then the officials. The concept exposed to criticism the most is often justice:

*A very high-priced prostitute that sells itself, called justice, to the highest bidder (167; 15).*



Another aspect of criticism is sarcastic humor. Sarcasm was identified as a sub-theme in the last statements of 5 death row inmates. The addressees differ a lot. The following addressees are all the witnesses of execution.

*This is a great American justice (167; 19).*

In the following example, the death row inmate has done irony because of his physical condition by calling out his parents, and in a way he used the theme of indoctrination.

*Ironic, isn't it? I'm a cross (223; 7, 8).*

*"When the purpose of a joke is only him, himself; that is, when it is not just a joke, there are just two purposes to serve, and these two can be regarded under a single heading. It is either a hostile joke (serving for aggressiveness, satire or defense) or just an ordinary one" (Freud, 1979: 100).* The following example is one of the jokes addressing the family of death row inmates, which Freud describes as 'hostile' (Freud, 2003).

*For the Flake family, stay strong. It's bad to see a man get murdered for something he didn't do, but I am taking it like a man, like a warrior (420; 5, 6).*

**Identification.** Identification is one of the themes used in the last statements. Nobody wants to die for nothing. However, people who have been executed unfairly die for nothing. In this regard identification is inevitable. Identified characters are strong and have the characteristics of a fighter.

*It's bad to see a man get murdered for something he didn't do, but I am taking it like a man, like a warrior (420; 6).*

Sometimes, the identified characters appear to be given a clear identity:

*To all my partners, tell them I said like Arnold Schwarzenegger, "I'll be back." (497; 6).*

*We recognize that many leaders have died. Malcom X, Martin Luther King, and others who stood up for what was right (222; 19, 20).*

Identification also appears as a deal with the victims' families and empathy initiative.

*Now you are all probably mad at me and I would probably be in the same situation you all in if anybody I thought killed anybody in my family ahh (212; 3).*

**Peace.** Peace is one of the themes which was hard to be identified and agreed upon. It is possible only with the context to determine whether a statement about peace is for indoctrination or for a good death because peace is a sign of good death.



When the definition of Steinhauer (2000) on a good death is considered, the following conclusion attracts attention: It is possible to say that death row inmates had a period of 'good death' when they are thought to use peace, forgiveness, good wishes and love themes together. 13 of denier death row inmates included the theme of peace in their last statements. This number is significant in terms of both qualitative and quantitative terms.

*I am fine; I am happy; I will see you on the other side (269; 17).*

**Readiness.** Readiness is one of the themes addressed in the last statements by 13 death row inmates and the addressed person has been the warden.

*I'm ready (58; 6).*

Analyzing the texts on readiness theme, it is remarkable that these texts are quite short compared to the other last words. While a letter consists of about 138 words, the letters including readiness theme have about 62 words. This points out that as a theme stated at the beginning of the article and preferred by 108 death row inmates, the contextually closest theme to the theme of silence is the readiness theme.

**Ending.** The ending theme is included as a theme in the last statements by 11 death row inmates. The ending and farewell expressions are used for the officials first who are responsible for the execution and then for the family and friends of death row inmates.

*Go ahead and finish it off (480; 5).*

*O.K., now I'm finished (111; 7).*

The ending was examined in a completely different perspective. Therefore, the ending theme was not seen in the last statements of the death row inmates who included the perception of process and belief theme in their last statements. The addressee in these statements is firstly their family and then the witnesses.

*Tell my family goodbye (449; 1).*

**Forgiveness.** Apologetic and forgiveness are discussed under the same theme. 11 death row inmates included themes of apologetic and forgiveness in their last statements.

*I forgive everyone for this process, which seems to be wrong (123; 4).*

Apologetic statements are helpful in identifying the inconsistencies and contextual disconnections when considered in conjunction with the theme of denial since they are for the family of the victims.

*I ask for your forgiveness and that you will all forgive me (279; 6).*

*I ask for forgiveness for all of the poison that I brought into the US, the country I love (285; 8).*



## Conclusion and Suggestions

This study aimed to find out the relationship between the attitudes of the offenders with claims of innocence and their socio-demographic features, and to identify the emerging themes in the last statements of these death row inmates. It was found that claim of innocence appears in the age group between 20-30 the least while in the age group between 40-50 the most. Denial was used by the black convicts the most when compared to the Hispanic and white convicts who have the lowest rate of denial. One of the most important elements in denials was being acquaintance of the offender. As for the emergent themes, there were themes with both negative and positive connotations. The themes with the highest frequencies were denial (F: 73), defense (F: 71) and love (F: 67) whereas the ones with the lowest frequencies were forgiveness, calmness and atonement with the same frequency (F: 11).

The findings of the study display similarities and differences when compared to the previous studies. Echoing Jacobs, Qian, Carmichael and Kent (2007), this study also identified the importance of individual differences in terms of claiming innocence in the last statements. Parallel to Jones and Beck (2007), families were found to play a role in the last statements of death row inmates in that they referred to their own families and/or the victim's families while denying their crimes in their last statements. Foucault (2015) also suggested that the main themes are rage, defense and denial. It has been 400 years since then. However, it is still clear that the situation is the same for death row inmates. Nevertheless, it is certain that the way of execution, the justice system and law have been in progress. In this study, too, the themes of rage, defense and denial emerged but additionally there were love, wishing, sadness, perception of process, atonement, faith, criticism, identification, peace, readiness, ending and forgiveness themes. Moreover, some sub-themes such as blaming, accusation, the psychology of the offender, bequest, pain, shame and humor were gathered in light of the qualitative data analyses. Apart from these differences, this study differs from some other studies in the following ways. Contrast to Upton, Carwile and Brown (2016), who analyzed the last statements of 46 capitally punished inmates between 1995-2011 and found that love was the most common theme and acceptance was the least common one; this study found that denial (F:73) has the highest frequency while forgiveness, calmness and atonement has the lowest frequency (F: 11). In this study love (F: 67) also had a high frequency compared to the most of the emergent themes but it comes in the third place in terms of frequency of occurrence after denial (F: 73) and defense (F: 71).

The fact that 16% of all death row inmates denied means that one out of 10 death row inmates denied. In that case, one of the statements of Chaski (2010) comes to the mind: *Instead of executing a convict, free that convict.* In



terms of forensic linguistics, it could be concluded that death row inmates should be informed enough about their right of last statements, and this is different from the interrogation in court and not open for a reaction.

In this study, 5 out of 538 convicts were female and there were not any female convicts claiming innocence in their last statement. The fact that male offenders are more than female convicts supports the quantitative data of McInerney (2005). Similar to this study, Schuck and Ward (2008), who also found that 71 out of 418 convicts, who preferred using their right of last statements instead of being silent, claimed innocence in their last statements. In addition, they stated that 16% of the convicts claimed innocence in the research conducted with the same sample group in 2008. As of 2016, this rate has been 13% when the convicts refusing to use their right for last statement are included and it has been 16% when they are excluded. Moreover, Schuck and Ward (2008) also found out various strategies of self presentation in denying guilt among the 283 last statements of inmates on Texas death row.

The witnesses of the death row inmates have been the officials, victim, the family of them and press officers. A forensic linguist and a psychiatrist in the process ought to record the elements of non-verbal language by taking part in the record of the last statements. All in all, death is for all human-beings. Forensic linguistics is not entitled to say whether a person deserves to die, but it is possible to make last statement texts usable in the courses such as "Effective Communication", "Persuasion," "Non-Verbal Language Skills" and "Semantics" by evaluating them in the scope of forensic linguistics so that we could gain a better understanding behind the underlying themes in such a last statement: I didn't kill your loved one. Actually I didn't kill anyone...

## References

- Andreas, R. T. S., & Ward. J. (2008). Dealing with the inevitable: strategies of self presentation and meaning construction in the final statements of inmates on texas death row. *Discourse Society*, 19(1), 43-62.
- Behrens, S. (2010). *Language in the real world and introduction*. New York: Routledge.
- Brown, K. L., & Benningfield, M. (2008). Death row correctional officers. Experiences, perspectives, and attitudes. *Criminal Justice Review*, 33(4), 524-540.
- Chaski C (2010) Linguistics as a Forensic Science: The Case of Author Identification. In Susan Behrens and Judith A. Parker (eds.). *Language in the Real World*. Routledge.
- Chomsky, N. (1967). *The responsibility of intellectuals*. The New York Review of Books, Retrieved from <http://www.nybooks.com/articles/1967/02/23/a-special-supplement-the-responsibility-of-intelle/>



- Cresswell, J. W., Plano Clark, V. L., Gutmann, M. L., & Hanson, W. E. (2003). *Advanced mixed methods research designs*. In A. Tashakkori & C. Teddlie (Eds.), *Handbook of mixed methods in social and behavioral research*. Thousands Oaks, Calif.: Sage.
- Death Row Inmates Information and Statistics. Retrieved from <https://www.tdcj.state.tx.us/>.
- Death Row Inmates. Retrieved from <http://murderpedia.org/>.
- Dörnyei, Z. (2007). *Research methods in applied linguistics. Quantitative, qualitative and mixed methodologies*. New York: Oxford University Press.
- Eaton, J. (2014). Honor on death row: Apology, remorse, and the culture of honor in the U.S. South. *SAGE Open, April-June*, 1 –9. DOI: 10.1177/2158244014529777.
- Foucault, M. (2015) *Hapishanenin Dogusu*. (6th Edition). Ankara: İmge Press.
- Glaser, B. G., & Strauss, A. L. (1980). *The discovery of grounded theory: strategies for qualitative research* (11<sup>th</sup> ed.). New York: Aldine Publishing Company.
- Heflick, N, A. (2005) Sentenced to Die: Last Statements and Dying on Death Row, *The Journal of Death and Dying*, 51: 323–336.
- Jacobs, D., Qian, Z., Carmichael, J. T., Kent, S. L. (2007). Who survives on death row? An individual and contextual analysis. *American Sociological Review*, 72, 610–632.
- Jones, J. S., & Beck, E. (2007). Disenfranchised grief and non-finite loss as experienced by the families of death row inmates. *OMEGA*, 54(4), 281-299.
- Kastenbaum, P. (1998) *Olume Yanit Var Mi?*, İstanbul: Okyanus Press.
- Kellehear, A. (2005) *Ölme Uzerine Bir İnceleme*. İstanbul: Bogazici Press.
- King, K. (2004). It hurts so bad: Comparing grieving patterns of the families of murder victims with those of families of death row inmates. *Criminal Justice Policy Review*, 15(2), 193-211.
- Kübler-Ross, E. (1987) *Buyumenin Son Asamasi: Olum*. İstanbul: Ruh ve Madde Press
- Luria A. (1981) *Language and Cognition*. Washington D. C.: V. H. Winston and Sons,
- McCaghy, Charles H (1980). *Crime in American Society*. New York: Macmillan.
- McInerney F. (2005). *Filmlerde Olme*. Kellehear, Allan. (2005). *Ölme Üzerine Bir İnceleme*. In Kellehear, A (Eds.) İstanbul: Bogazici University Press.



- Miles, M. B., & Huberman, A. M. (1994). *Qualitative data analysis*. London: Sage Publication.
- Mills and Wooster (1987)
- Reidy, T. J., Cunningham, M. D., & Sorensen, J. R. (2001). From death to life. Prison behavior of former death row inmates in Indiana. *Criminal Justice and Behavior*, 28(1), 62-82.
- Rizza, C. (2015). Death row statements: A discourse of play. *Discourse & Society*, 26(1), 95- 112. DOI: 10.1177/0957926514543228.
- Scarre, G. (2005) Olme ve Felsefe. In Kellehear, A (Eds.) Olme Uzerine Bir Inceleme (1st ed.). Istanbul: Bogazici University Press.
- Schuck, A. R. T., & Ward, J. (2008). Dealing with the inevitable: Strategies of self-presentation and meaning construction in the final statements of inmates on Texas death row. *Discourse & Society*, 19(1), 43-62. DOI: 10.1177/0957926507083687.
- Steinhauser, K. K, Clipp, E, C. McNeilly, M, Christakis, N. A., McIntyre, I. M., Tulsy, J A (2000). In Search of a Good Death: Observations of Patients, Families and Providers. *Annals of Internal Medicine*. 132: 825-832.
- Taylor, G. (1999). Guilt and remorse. In Culture and Emotion. Anthony Masted, Agneta H. Fischer (eds.). Psychology Press.
- Thornberg, R. (2012). Informed grounded theory. *Scandinavian Journal of*
- Tooley M (1997). *Time, Tense and Causation*. London: Clarendon Press.
- Upton, M. A., Carwile, T. M., & Brown, K. S. (2016). In their own words: A qualitative exploration of last statements of capital punishment inmates in the state of Missouri, 1995-2011. *OMEGA—Journal of Death and Dying*, 0(0), 1-19. DOI: 10.1177/0030222816652972.
- Uysal, B. (2016). A Review on time perception of death row inmates' denials in their last statements in the context of forensic linguistics: The sample of Texas Huntsville Unit. *OMEGA—Journal of Death and Dying*, 0(0), 1-14. DOI: 10.1177/0030222816674733.
- Wertervelt, S. D., & Cook, K. J. (2008). Coping with innocence after death row. *Contexts*, 7(4), 32-37.

