

People and Power: Person-First Language Usage and the Criminal Justice System

Casey E. Orr, Michigan State University

Abstract

Language is power. Word choice and terminology, especially those referring to people, are expressions of societal norms and institutional power. Dehumanizing crime-first terms and labels are abundant and common in criminal justice contexts despite being protested by system-involved individuals and activists. Instead, many advocate for person-first terms wherein identifying language emphasizes an individual's humanity. With a peace-focused anthropological framework, this paper presents the case for person-first language in criminal justice contexts. It is evident that adopting first-person language usage regarding the criminal justice system is necessary after analyzing and considering the multiple sources, such as the voices of those who have been justice-involved and other communities that have adopted person-first language principles. However, while language can demonstrate and inspire progressive change, terminology alone cannot remedy the institutional harms of the criminal justice system. While person-first language should replace crime-first terms in the common vernacular of the United States, the criminal justice system will remain unjust without systemic change.

Keywords

person-first language, language usage and terminology, criminal justice system, structural violence, peace studies, stigmatization, linguistic anthropology and cultural analysis

Casey E. Orr is an undergraduate student in Anthropology, Criminal Justice, and Peace Studies at Michigan State University. They will graduate with two Bachelor of Arts degrees in April 2024 and intend to pursue graduate education in a related field to expand their knowledge and continue peace and progress-focused research.

Introduction

Suspect, detainee, defendant, criminal, inmate, felon: These are only a fraction of the dehumanizing terms used in criminal justice contexts. From the moment a crime is suspected, reported, or assumed, a person ceases to be colloquially considered a person. Instead, they are stripped of their humanity and given one of these labels in an unequal exchange. As Jerome R. Wright, a formerly incarcerated individual, says, “the minute you are arrested, the language begins to be totally derogatory, debasing, and dehumanizing” (Bryant & Jefferson, 2021). Despite the pushback of these terms by system-involved individuals and activists, the everyday dehumanizing language in discussions of crime and the justice system is under-analyzed, ignored, or otherwise normalized in American society.

To resolve this, Wright and others advocate for a linguistic shift towards terms such as “person with a felony conviction” and removing derogatory, crime-first terms like “felon.” As this paper will demonstrate, the growing movement for this person-first language is not unsubstantiated nor unnecessary. A review of anthropological, linguistic, and peace-focused literature shows that language usage and identifying terminology are expressions of systemic injustices and methods of perpetuating additional harm. Because of this, shifting towards person-first language should be a goal of criminal justice-related literature and media, with an equal emphasis on changing language within everyday discussions.

However, language alone does not fully encapsulate the damage and power of institutions and shifts in language do not necessarily demonstrate systematic change. To understand the depths and nuances of language and power, a critical and comprehensive analysis of person-first language shifts within the justice system is necessary. Ultimately, using person-first language when discussing individual interactions with the justice system must occur as doing so can increase awareness and be a sign of societal change; however, to ensure systemic progress, a critical theoretical framework should examine the extensive social and structural impacts of language.

Language and Power: An Anthropological Overview

The fields of linguistic anthropology and sociolinguistics study language from dialects to the power that word choice and grammar structures have on communities. Within a linguistic and peace-focused framework, diction and the descriptors used for people, places, and institutions are dual-faceted tools of power; language is both an expression of systemic ideas and a method of perpetuating change.

In some circumstances, how language exemplifies power is distinct and explicit. Salzmann et al (2014) discuss the physical differences of languages among different castes in Khalapur, India. In this village, though all spoke the same language, castes distinguished themselves from other castes through accentuation and vowel stresses. Additionally, Salzmann et al noted that the more populous castes had a more expansive vocabulary when compared to smaller castes. In this

example, power is seen in the typical language usage of individuals from different castes. There is an explicit connection between power and how language is formed, used, and shared. Though only sometimes this direct, language and power are connected and continually impact and shape the other.

How an individual or group is viewed in society can be seen through the word choices associated with, or used against, those groups. Consider the historically-based and violence-charged slurs used against BIPOC (Black, Indigenous, and People of Color) and LGBT+ (Lesbian, Gay, Bisexual, and Transgender +) communities. Structural violence, with a home in institutions, is expressed through language, and these words thus have power. However, as society slowly creeps towards equity, certain terms are being reclaimed by targeted members to mitigate their power (Coles, 2016).

Crucially, the reclamation of some slurs can demonstrate the dichotomous power of language previously discussed. In a systematically oppressive society, slurs represent the linguistic embodiment of institutional harm and hate against oppressed and marginalized individuals. As progress accumulates, the power behind these words begins to fade. Institutional injustice is addressed through actions like the legalization of same-sex marriage. The ensuing process of reclaiming a word builds on systemic change, and a term once used to perpetuate hate is reclaimed by the very population it harmed, thus lessening the system's hold on culture. To support this, Galinsky et al (2013) found that self-labeling with derogatory words lessened the stigmatizing forces and intents of the original label.

Language is power, and there are real implications and power structures behind every word, especially those used as identifiers, descriptors, or slurs against targeted groups. Because of the clear power dynamics inherent in language, this paper advocates for the expansive use of person-first language around the criminal justice system and those who interact with it.

Person-First Language: A Tool for Agency

Person-first, or person-centered, language is relatively simple in concept but difficult to implement due to how language and terminology are ingrained in American culture. In short, person-first language changes how individuals are labeled and known by others. Rather than referring to someone by a dehumanizing label, person-first language emphasizes the humanity of an individual by including the “person” before the trait, action, or behavior being. In communities that have adopted it, person-first language is a simple change that can have countless positive impacts (Hazelden Betty Ford Foundation, 2021).

In the case of the criminal justice system, person-first language is as simple as “a person with a felony conviction” rather than “a felon.” Words like felon, convict, inmate, and bodies are used extensively by correctional systems, journalists, and the public at large. In doing so, humanity is stripped from the humans under the label. Instead of people, they are criminals, felons, or convicts. Jerome R. Wright, a formerly incarcerated advocate for person-first language, says, “If

you can't see me as [a] human being, then you will never treat me as a human being. And I can never escape the parameters of the system," (Bryant & Jefferson, 2021). Person-first language attempts to restore some dignity and agency for those who are system-involved by placing their personhood before the ensuing descriptor, rather than the descriptor being the sole label. However, this is met with great resistance, both implicit and explicit. Changing the ingrained language usage of an entire culture is not a simple feat, but it is possible and far from unprecedented.

In recent years, areas related to addiction have undergone an extensive push for person-first language. For example, replacing referring to people as "addicts" or "users," with "a person with an addiction" or "a person who abused substances." Those within and close to the community—such as people with addictions and/or social workers and counselors—push for further use of this type of language because it increases the agency and humanization of those with addictions. This language helps to remove the stigma from the individual in a way that can foster community and self-esteem rather than cause further harm. A person with an addiction is still a person; this is reaffirmed when we refer to people with addictions as people before mentioning their addiction. Drs. Stephen Delisi and William C. Moyers discuss the benefits of person-first language surrounding addiction, including its ability to reduce bias, stigma, and shame (Hazelden Betty Ford Foundation, 2021). Additionally, they emphasize that this advocacy is focused on the public, not people with addictions or undergoing treatment. The purpose is not to limit the insider-community's (such as those with addictions or those who work with people with addictions) words and terms but rather to change how those in the outsider community (all others) view and discuss addiction.

Through this language shift, instead of reducing someone to their addiction, their status as a person comes first and foremost. This can reduce stigma, build self-esteem, and overall foster discussions of addiction progressively and productively (Wogen & Restrepo, 2020). Because of these benefits, many continue to push for person-first language when discussing addictions. Furthermore, this conversation has been extended to areas where person-first language and dignity are lacking, such as discussions of system-involved individuals.

Humanizing Language within Justice-System Interactions

Even the name of the American Criminal Justice System reduces a person to a single action and makes it their identity; there are no people in the system, there are only "criminals" who need to be brought to "justice." For centuries, this has been the cultural norm, so it is no surprise that these crime-first terms remain pervasive even in contemporary times with many non-system-involved individuals failing to consider their terminology to be problematic, let alone overtly harmful. Despite this, the movement towards person-first language is growing and supported by many system-involved activists.

One of the most well-known pieces of advocacy for person-first language was written by the late

Eddie Ellis in his 2003 piece titled “An Open Letter to Our Friends on the Question of Language.” Ellis, a formerly incarcerated individual, wrote about the harm that comes from constantly and continually referring to people with criminal records by their criminal history:

In an effort to assist our transition from prison to our communities as responsible citizens and to create a more positive human image of ourselves, we are asking everyone to stop using these negative terms and to simply refer to us as PEOPLE. People currently or formerly incarcerated, PEOPLE on parole, PEOPLE recently released from prison, PEOPLE in prison, PEOPLE with criminal convictions, but PEOPLE. (Ellis, 2003, p. 1)

Ellis’ movement asks those who have not been incarcerated to be more aware of the language they are using to discuss people with criminal histories. Like the person-first language model referencing addiction, the goal is not to limit the expression of those who have been incarcerated or the justice-system-involved. Those insider-communities (in this case, those who are system-involved) retain the agency and autonomy to refer to themselves however they prefer. Instead, the push for person-first language targets the outsider-community of those who have not been system-involved. Therefore, person-first language should not restrict the language of those targeted by these static terms but rather increase the understanding and empathy of outsiders by emphasizing humanity.

The systemic imbalances created by the criminal justice system are reinforced and replicated by referring to those who have been system-involved with one-word derogatory descriptors. Lisette Bamenga, a formerly incarcerated woman, emphasizes how “words like ‘criminal’ and ‘convict’ also justify poor conditions in jails and prisons and make it OK to deny people basic needs after they are released” (Bamenga, 2021). Instead of reinforcing one’s humanity, we are reducing them to a single word, creating an “us versus them” or “citizen versus convict” dynamic. Person-first language can bridge this gap simply by referring to people as “a person who was formerly incarcerated” and “a person who has never been incarcerated.” In both cases, the individual’s humanity was reaffirmed and prioritized over their incarceration status.

While little empirical research has been done on the long-term impact of person-first language for system-involved individuals, when it is preferred, person-first language garners support in various other communities. Within addiction discussions, Wogen and Restrepo (2020) found that person-first language can reduce stigma, increase self-esteem, and strengthen social bonds. Crocker and Smith (2019) discuss how the person-first language movement of the 1970s has led to greater understanding and acceptance of people with disabilities within the healthcare sphere.

When it comes to societal acceptances, some related studies have begun to tackle the topic with a focus on public opinion. Denver et al. (2017) found that the public associates “crime-first” terms (like offender or felon) with an increase in risk for reoffending. People associated with these terms as dangerous and unfit for reintroduction into society, thus continuing the cycle of incarceration and systemic violence. The alternative use of person-first language would increase personal resilience and reduce societal stigma, whereas crime-first language exacerbates systemic harms.

Barriers to Implementation

Despite the empirical evidence and lived experiences of those formerly incarcerated, implementing person-first language around the criminal justice system is no simple feat. Between the centuries of ingrained usage and dehumanization of those who commit crimes, the shift may not seem necessary or even productive to some. The impact and ability to implement will also differ based on region, field, or medium. Journalism, for instance, is one realm wherein the shift is crucial but will face strong pushback.

The Marshall Project's Bill Keller discusses the journalistic obstacles to changing language usage. A journalist himself, Keller discusses the tendency to "resist the banishing of words" within journalism (2016). These words undeniably cause harm due to the history and systemic backing of the crime-first terms, but the words themselves are not colloquially problematic. Furthermore, crime has become commodified, and morbid stories generate profit. There is entertainment value in maintaining the status quo of the "true crime" genre, in everything from specialized podcasts to local news. For these reasons, those in mass-media refute the necessity of person-first language, whether in the name of profit or principle. By retaining a click-bait-based use of limited language, journalists can continue this cycle of crime-story-profit and benefit from the harm they are perpetuating.

Journalism is a crucial way to reach the public at large, which makes the limitations of implementation even more harmful. Because crime-first terms are so ingrained in society through media, most people will not learn about the widespread harm of such terms or their alternatives if journalists do not adopt these ideals. As of now, crime stories sell, and there is no pressure on major outlets to change. The derogatory language usage will remain intact in the most influential markets and therefore in society's vernacular as acceptable.

Progress, not Purpose: Language as a Pathway to Peace

Language can shape worldviews, stigmatize or uplift people, and be wielded as a tool. Person-first language regarding the justice system could restore some dignity to those devastated by the justice system. However, it is essential to note that language—while vastly influential and vital—does not always equate to substantial change. If isolated, the push for person-first language within the Criminal Justice field will not address the systemic injustices continually perpetuated. The symbolic change of language usage is necessary, but unless it is also a substantial change, structural issues should not be considered addressed.

In 2019, the city of New York ruled that correctional officers could no longer refer to incarcerated individuals as "bodies" or "packages" (Rex Brown & Annese, 2019). On the surface, this would seem to follow the ideals of person-first language as it prohibits incredibly dehumanizing language. However, the policy only addressed the language usage of correctional officers in New York City. Person-first language, therefore, does not reach outsider-communities who could adopt this language or expand their empathy towards

people who are incarcerated or system-involved. Furthermore, the language policy did nothing to ensure the rights or dignity of incarcerated people in New York City, and grievous offenses continue to occur (see Glorioso & Copenhagen, 2022). When it comes to justice-system-involved individuals, simply referring to them with person-first language does not resolve the vast issues of our justice system.

There are still massive racial, gender, sex, and class disparities in prisons and jails (McLeod, 2022). A headline that says “over 20 incarcerated people protest” instead of “20 inmates protest” does not address the issues that led to the protest. Like the prior examples of symbolic policy in New York, using person-first and progressive language both socially and politically does not mean the issues are resolved. Language can indicate social progress in how people are viewed, discussed, and treated, but it is not a guarantee of change. Language can simply be the change of the word “bodies” to “incarcerated individuals” while still ignoring the humanity and civil rights of incarcerated people across the United States.

Person-first language can and should be implemented within the criminal justice system directly. Incarcerated individuals deserve to retain their humanity and not be reduced to a label. However, structural change cannot occur solely within the walls of a penitentiary. To exemplify the person-first change, policy and social attitudes need to be adapted to embrace and recognize the humanity of system-involved individuals. Until then, any language change will simply be symbolic and lack the mark of true progress.

Conclusion

Person-first language usage can restore dignity to those affected by the popular dehumanization of individuals convicted of crimes; furthermore, the use of person-first language in media and scholarship may represent shifting cultural norms regarding crime and show the progression of societal empathy. However, while person-first language should be used when discussing the Criminal Justice System, it is also necessary to understand why the simple usage of it is not a denotation of permanent progress, especially when viewed through a critical theoretical framework. The focus instead should be on cementing progressive linguistic ideals through substantial policy that will positively impact those affected by the justice system, rather than stopping at the symbolic use of person-first language.

I am a father, a brother, a friend,

an artist, an alright dancer, a poet,

my mother's oldest, a July cancer.

Please don't call me convict.

by Paine the Poet on fwd.com

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