

# ***EMOJIS, EMOTICONS AND SMILEYS: A PRIMER***

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SHARE YOUR  
EXPERIENCES IN  
THE  
CHATROOM!

How many of you  
sight-translate as part  
of your duties?

What types of  
documents do you  
sight-translate?

Have symbols or  
images ever cropped  
up in the documents  
you've sight-  
translated?

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# WHY IS THIS IMPORTANT FOR INTERPRETERS?



Interpreters are often required to sight-translate documents.



Text messages and emails are increasingly being used as evidence in court and in resources used with LE/FP clients, and those documents may contain emojis.

# OUTLINE

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DEFINITIONS



EMOJIS AND  
THE LAW



SPECIFIC  
CASES



PROBLEMATIC  
EMOJIS



ADVICE FOR  
INTERPRETERS

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What is the difference between emojis,  
emoticons and smileys?





THE DIFFERENCE IS NOT ALWAYS CLEAR!

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# EMOJI

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<https://home.unicode.org/emoji/about-emoji/>: pictographs (pictorial symbols) that are typically presented in a colorful form and used inline in text

Antidote: one of a collection of small digital images that represent objects and emotions and are used in electronic communication, originating in Japan in the 1990s

<https://www.makeuseof.com/tag/emoticon-vs-emoji-differences/>: a pictogram, a small picture that can show anything from a smiling face to a mango to a cigarette butt



# EMOTICON

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Antidote: a small symbol made with keyboard characters that resembles a face, used in electronic communication to represent emotions

<https://www.makeuseof.com/tag/emoticon-vs-emoji-differences/>: a set of punctuation marks, letters, and numbers arranged to resemble a human face. Each emoticon is more or less universally understood and denotes a certain emotion, or sometimes an object. For example, :-D means laughing or a big grin, :-O is for surprise, and <3 is the closest you get to a heart

Professor Scott Fahlman, a computer scientist at Carnegie Mellon University, used the first digital emoticon on the morning of September 19, 1982. It was a smiley face :-).



# EMOTICON QUIZ!

## TRUE OR FALSE

- ;) indicates a wink
- :P indicates anger
- :'( indicates you have dirt in your eye
- :X indicates the expression “my lips are sealed”
- O:) indicates that you’ve just had a brilliant idea

# ANSWERS

- ;) indicates a wink – TRUE
- :P indicates anger – FALSE (means teasing or sticking tongue out)
- :'( indicates you have dirt in your eye – FALSE (means sad or crying)
- :X indicates the expression “my lips are sealed” – TRUE
- O:) indicates that you’ve just had a brilliant idea – FALSE (indicates a happy face with a halo, meaning I’m extra good and happy)

# SMILEY (FACE)

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- Antidote: an image of a round face with two eyes and a curved smiling mouth
- <https://www.dictionary.com/browse/smiley>: A digital icon, a sequence of keyboard symbols, or a handwritten or printed equivalent, that serves to represent a facial expression, as :-) for a smiling face or ;-) for a winking face

## TO SUM IT UP

- “Smileys are the ancestors of emojis. Created in 1972, they have a round shape, two eyes and a mouth. Emoticons, on the other hand, are symbols that are written using keyboard characters such as ;). Finally, emojis are **all the symbols currently found on smartphones, tablets, computers or social networks.**” (<https://www.europe1.fr/technologies/emojis-emoticones-smileys-cest-quoi-la-difference-3467825>)

# THE MOST FREQUENT EMOJIS

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<https://emojipedia.org/stats/>



## Emoji Popularity: Unicode

Unicode has worked with vendors to rank the [most popular emojis in current use](#). As of December 2021, these were:

1. 😂 Face with Tears of Joy
2. ❤️ Red Heart
3. 🤣 Rolling on the Floor Laughing
4. 👍 Thumbs Up
5. 😭 Loudly Crying Face
6. 🙏 Folded Hands
7. 😘 Face Blowing a Kiss
8. 😍 Smiling Face with Hearts
9. 😍 Smiling Face with Heart-Eyes
10. 😊 Smiling Face with Smiling Eyes



# EMOJI QUIZ – CAN YOU GUESS THE FOLLOWING WELL-KNOWN SAYING?

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Source: <https://www.thesun.co.uk/fabulous/11461600/famous-sayings-emoji-quiz/>

# EMOJI QUIZ – CAN YOU GUESS THE FOLLOWING WELL-KNOWN SAYING?

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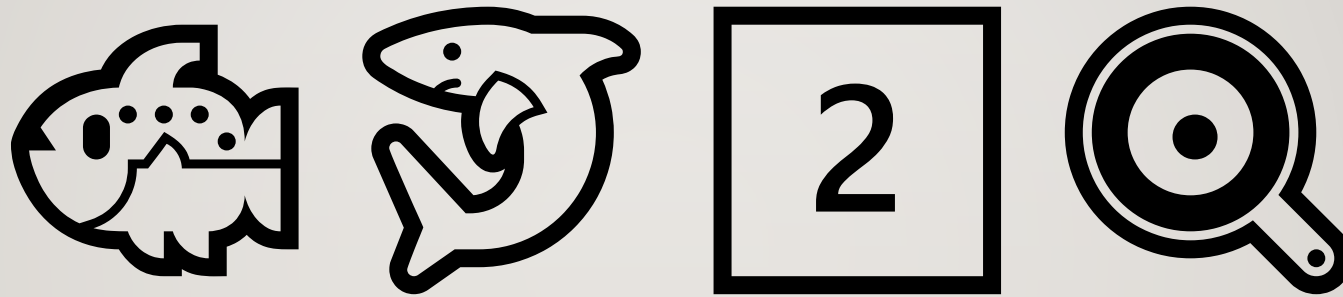


Time flies when you're having fun.

Source: <https://www.thesun.co.uk/fabulous/11461600/famous-sayings-emoji-quiz/>

# EMOJI QUIZ – CAN YOU GUESS THE FOLLOWING WELL-KNOWN SAYING?

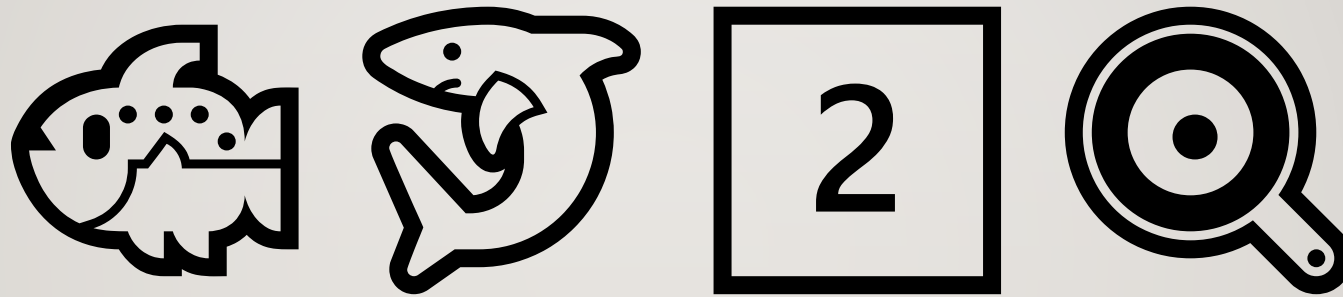
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Source: <https://www.thesun.co.uk/fabulous/11461600/famous-sayings-emoji-quiz/>

# EMOJI QUIZ – CAN YOU GUESS THE FOLLOWING WELL-KNOWN SAYING?

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Bigger fish to fry

Source: <https://www.thesun.co.uk/fabulous/11461600/famous-sayings-emoji-quiz/>

# EMOJIS AND THE LAW

- The use of emojis in court decisions has exploded in recent years, especially in the United States but also elsewhere.  
<https://www.youtube.com/watch?v=rs2hTleEv7E> (2:49)
- Emojis occur most often **in cases where gossip/chat is a key source of evidence:**
  - sexual predation, where the offender and the victim (or a police officer) exchange flirtatious or sexual jokes, often as a form of grooming
  - cases of discrimination in employment
  - cases of bullying
  - contracts



# DIFFERENT INTERPRETATIONS

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- Emojis are subject to various interpretations, and the difficulty of their interpretation is reinforced by the fact that they display differently depending on the platform. In 2016 and 2017, there were still substantial differences in how on-line platforms represented the same emoji symbols.



## OTHER ISSUES

Emojis are **often visually quite small**.

Many emojis **look alike**.

We generally assume that emojis are static, but they **can be animated**:

<https://www.youtube.com/watch?v=kEGBkQhAQKk>





(0:30)

They mean **different things** in **different cultures!**

[https://www.youtube.com/watch?v=iP8EM7h\\_JIA](https://www.youtube.com/watch?v=iP8EM7h_JIA) (2:02)

# CASE I

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Killing . Meet me in the  
library Tuesday   

# CASE I

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- United States, 2016. A 12-year-old girl was prosecuted for threatening her college in a message containing a series of emojis. They were **considered sufficient evidence to initiate legal proceedings.**
- The **threat was ultimately deemed “not credible”** but according to a Fairfax County school spokesman, the student was charged with threatening a school and cyber-harassment. According to the girl’s mother, the message was actually a response to the girl’s own harassment.
- The court hearing was held *in camera*, so it’s not known whether the girl was punished in any way.

[https://www.washingtonpost.com/news/local/wp/2016/02/27/a-12-year-old-girl-is-facing-criminal-charges-for-using-emoji-shes-not-alone/?hpid=hp\\_hp-top-table-main-emoticons%3Ahomepage%2Fstory&hpid=hp\\_hp-top-table-main-emoticons%3Ahomepage%2Fstory](https://www.washingtonpost.com/news/local/wp/2016/02/27/a-12-year-old-girl-is-facing-criminal-charges-for-using-emoji-shes-not-alone/?hpid=hp_hp-top-table-main-emoticons%3Ahomepage%2Fstory&hpid=hp_hp-top-table-main-emoticons%3Ahomepage%2Fstory)

Killing 🔫. Meet me in the  
library Tuesday 🔫🔪💣

## CASE 2

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“Good morning 😊 interested in the hous# 🎊 🧚♀️ 🙌 🌬️ 🐿️ 🍾 just need to discuss the details ...  
When's a good time for you?”

(smiley/red face, flamenco dancer, two women with bunny ears, victory sign, wind chime, squirrel and bottle of champagne)



# CASE 2

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Israel, 2016. In a cancelled real estate rental deal, a couple was ordered to compensate a landlord for approximately \$2,400.

“Good morning 😊 interested in the hous# 🧚‍♀️ 🧚‍♂️ 🕊️ 🌐 🐿️ 🍷 just need to discuss the details ...  
When's a good time for you?”

The seller withdrew his ad thinking that the deal was done but the potential buyers pulled out. The court found this succession of emojis to indicate consent.

<https://qz.com/987032/emojis-prove-intent-a-judge-in-israel-ruled/>

## CASE 3

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“all mine? 🍆”

# CASE 3

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- “[In] the sex trafficking case against Nxivm cult founder, Keith Raniere, evidence was presented that on one occasion Allison Mack, a cult member and actor who played Clark Kent’s friend on the long-running “Smallville,” sent Raniere nude photos of other women members. Upon receiving the digital photos, Raniere sent her [the text in question].”
- “Although the intent behind Raniere’s smiling devil did seem quite clear, that emoji alone did not determine his guilt.”

<https://www.forbes.com/sites/oliverherzfeld/2019/10/24/the-legal-implications-of-emoji/?sh=50d0aa416bbd>

“all mine? 🍈”

# THE IMPORTANCE OF CONTEXT

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Sending “emojis is not harmless and can land you in court. [...] A pistol icon alone will not be enough, but linked to other threatening elements, it clearly expresses malicious intent.”

<https://www.linfo.re/magazine/insolite/les-emojis-qui-peuvent-vous-envoyer-derriere-les-barreaux>

# HOW WOULD YOU DESCRIBE YOUR EMOJI USAGE?

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- A. Never use the darn things!
- B. I use them but only sparingly. I don't want to come across as flighty.
- C. I pepper my emails and texts with them. They add warmth and humour!
- D. The *Guinness Book of World Records* has expressed interest in my usage.





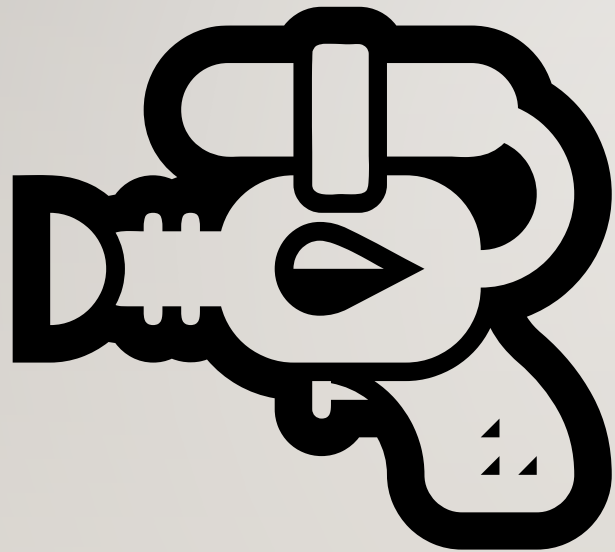


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# PROBLEM EMOJIS

# THE PISTOL

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<https://emojipedia.org/pistol/>

## **Pistol**

A squirt gun (water pistol), as used to [spray water](#) for fun.

On major platforms, depicted as a green or orange toy gun with an orange tip and barrel pointed left. Google, Microsoft, and Facebook's designs include mounted reservoirs.

Originally depicted as a classic handgun, as a revolver or other pistol. In 2016, [Apple switched its design](#) from weapon to toy; other major vendors followed suit by 2018. Deprecated emoji sets or smaller platforms still display the emoji as a handgun.

Microsoft [initially displayed](#) the emoji as a toy ray gun before switching to a revolver, then squirt gun. Google [once featured](#) a [blunderbuss](#).

*Pistol* was approved as part of [Unicode 6.0](#) in 2010 and added to [Emoji 1.0](#) in 2015.

Twitter



Facebook



JoyPixels



OpenMoji



emojidex



Messenger



LG



HTC



Mozilla



SoftBank



Apple



Google



Microsoft



Samsung



WhatsApp



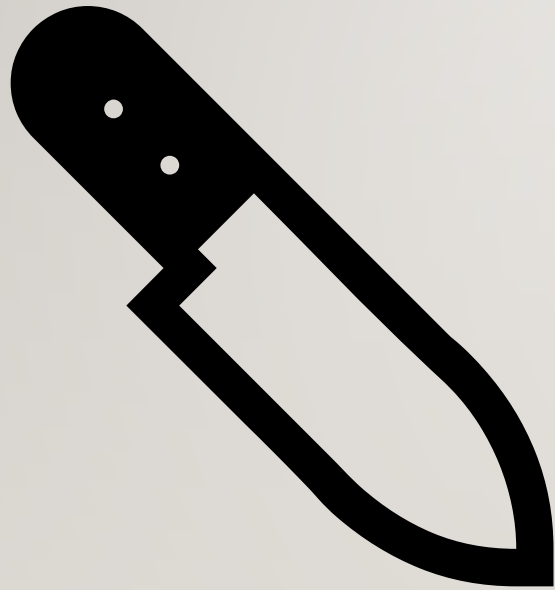
# External Links

-  [All Major Vendors Commit to Gun Redesign](#)
-  [Apple and the Gun Emoji](#)
-  [Gun-Emoji Pairings](#)



# THE KITCHEN KNIFE

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<https://emojipedia.org/hocho/>



## Kitchen Knife

A knife with a long steel blade, as a [chef](#) uses to slice [meat](#) or vegetables. Depicted with a black or brown handle and positioned at a 45° angle, often with its point at the lower right.

May be used for content concerning cooking and food preparation, but often represents various senses of cutting and stabbing. Its Unicode name, [Hocho](#), means “kitchen knife” in Japanese and refers to a variety of knives used in [Japan](#).

Not to be confused with  [Dagger](#) or  [Crossed Swords](#).

*Kitchen Knife* was approved as part of [Unicode 6.0](#) in 2010 under the name “Hocho” and added to [Emoji 1.0](#) in 2015.

Facebook



JoyPixels



OpenMoji



emojindex



Messenger



LG



Apple



Google



Microsoft



Samsung



WhatsApp

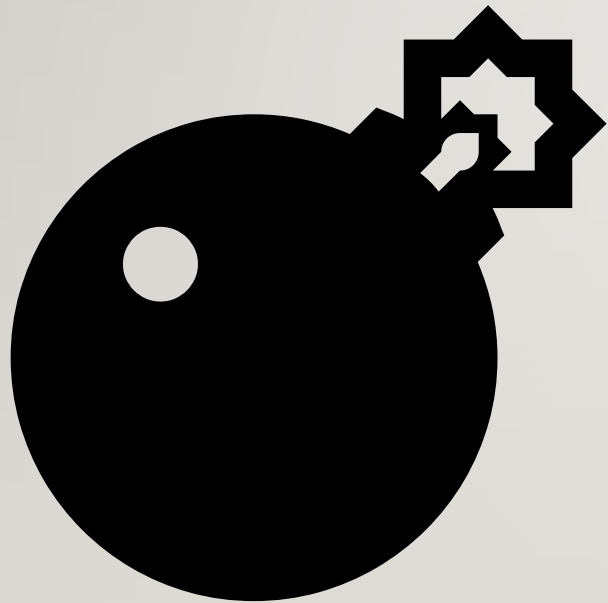


Twitter



# THE BOMB

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<https://emojipedia.org/bomb/>

## **Bomb**







A cartoon-styled bomb, depicted as a black ball with a burning fuse.

Commonly used for various figurative bombs or explosions, e.g., slang *bomb*, a “home run” in [baseball](#) or [softball](#); “excellent” or “attractive.” Sometimes applied in contexts of war, weapons, or violence.

Earlier designs from [SoftBank](#) and [au](#) by [KDDI](#) animated the bomb as [exploding](#).

*Bomb* was approved as part of [Unicode 6.0](#) in 2010 and added to [Emoji 1.0](#) in 2015.



Facebook	
JoyPixels	
OpenMoji	
emojidex	
Messenger	
LG	

Apple	
Google	
Microsoft	
Samsung	
WhatsApp	
Twitter	

# THE EGG PLANT


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<https://emojipedia.org/eggplant/>

## **Eggplant**

A long, bulbous, bright purple eggplant, or aubergine in British English, shown with a leafy stem. Considered lucky in Japan to dream of an eggplant the [first night of the New Year](#).

Widely used to represent a penis. Due to its phallic use, the hashtag #  
 was once banned (2015) on Instagram's search function.

*Eggplant* was approved as part of [Unicode 6.0](#) in 2010 under the name “Aubergine” and added to [Emoji 1.0](#) in 2015.

Apple



Google



Microsoft



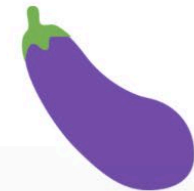
Samsung



WhatsApp



Twitter



# THE PEACH

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<https://emojipedia.org/peach/>



## Peach

The fleshy, pinkish-orange fruit of the fuzzy peach, shown with green leaves and sometimes a stem.

Thanks to its distinctive cleft, the emoji is most [commonly used](#) for “buttocks.” In certain contexts, the [peach emoji may refer to \*impeachment\*](#).

*Peach* was approved as part of [Unicode 6.0](#) in 2010 and added to [Emoji 1.0](#) in 2015.

Facebook



JoyPixels



OpenMoji



emojidex



Messenger



LG



Apple



Google



Microsoft



Samsung



WhatsApp



Twitter



# THE UNAMUSED FACE


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<https://emojipedia.org/unamused-face/>

## **Unamused Face**

A yellow face with slightly raised eyebrows, a frown, and eyes looking to the side. May convey a variety of negative emotions, including irritation, displeasure, grumpiness, and skepticism, as if giving the [side-eye](#).

Not to be confused with  [Smirking Face](#), which features similar eyes but a wry smile.

*Unamused Face* was approved as part of [Unicode 6.0](#) in 2010 and added to [Emoji 1.0](#) in 2015.

Apple		HTC		Facebook	
Google		Mozilla		JoyPixels	
Microsoft		SoftBank		OpenMoji	
Samsung		Docomo		emojidex	
WhatsApp		au by KDDI		Messenger	
Twitter				LG	



# THE SMIRKING FACE

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<https://emojipedia.org/smirking-face/>

## Smirking Face

A yellow face with a sly, smug, mischievous, or suggestive facial expression. It features a half-smile, raised eyebrows, and eyes looking to the side. Often used to convey flirtation or sexual innuendo.

Not to be confused with  [Unamused Face](#), which has similar eyes but a pouting mouth. This emoji has a cat variant,  [Cat Face With Wry Smile](#).

On [Snapchat](#), this emoji next to a contact denotes that this person snaps you frequently but you do not often snap them in return.

*Smirking Face* was approved as part of [Unicode 6.0](#) in 2010 and added to [Emoji 1.0](#) in 2015.

Apple



Google



Microsoft



Samsung



WhatsApp



Twitter



Facebook



JoyPixels



OpenMoji



emojidex



Messenger



LG



HTC



Mozilla



SoftBank



Docomo



au by KDDI



# SO, WHAT'S AN INTERPRETER TO DO?



WHAT WOULD YOU  
DO IF YOU WERE ASKED  
TO SIGHT-TRANSLATE A  
TEXT CONTAINING  
EMOJIS?

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## ADVICE

If the testimony is read in court, emojis should not be characterized orally, but should be displayed.

In other words, don't attempt to describe emojis or interpret their meaning. Leave that to the judge, lawyers or relevant experts.

NAJIT has just published a position paper on the question. NAJIT's advice: Just say "emoji."

# FINAL THOUGHTS

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“[A]s emoji[s] become more common, we will likely see continued references to [them], as well as the emergence of expert witnesses who are engaged to testify as to emoji context, meaning and intention.”

<https://www.forbes.com/sites/oliverherzfeld/2019/10/24/the-legal-implications-of-emoji/?sh=40156c5b6bbd>



TO END ON A HUMOROUS NOTE... CAN YOU GUESS  
THE SECRET MEANINGS OF THE FOLLOWING EMOJIS?

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[https://www.youtube.com/watch?v=WDBb\\_FBnxBU](https://www.youtube.com/watch?v=WDBb_FBnxBU) (14:43)

# AND THE ANSWER IS...

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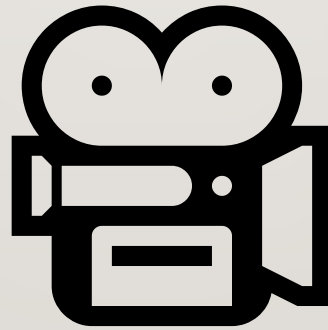
(greatest of all time - GOAT)



(small penis)

CAN YOU GUESS THE SECRET MEANINGS OF THE FOLLOWING EMOJIS?

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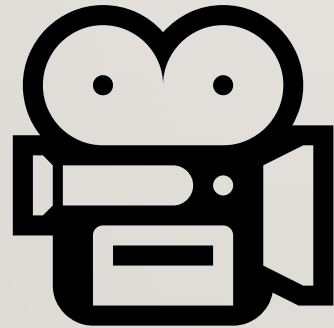


AND THE ANSWER IS...

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(bitch)



(send nude or naughty videos)

YOUR TURN

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