

SUPREME COURT OF NOVA SCOTIA

BETWEEN:

LORNE WAYNE GRABHER

Applicant

- And -

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF NOVA SCOTIA as
represented by the Registrar of Motor Vehicles

Respondent

Affidavit of Debra Soh

I, Debra Soh, affirm and give evidence as follows:

1. I am a science journalist and a former academic researcher with experience studying sexual offending behaviour.
2. I have been retained by the Justice Centre for Constitutional Freedoms and, as such, have knowledge of the evidence affirmed to in this affidavit except where otherwise stated to be based on information or belief.
3. I was provided a copy of the revised expert report by Carrie Rentschler for *Grabher v. Nova Scotia Registrar of Motor Vehicle*, 2018 NSSC 07 and have prepared a revised report to provide an expert rebuttal opinion.
4. Attached to this Affidavit as Exhibit A is a copy of my revised report dated October 8, 2018.

5. A copy of my curriculum vitae is attached to this Affidavit as Exhibit B.

6. A copy of the email I received from the Justice Centre for Constitutional Freedoms consisting of Carrie Rentschler's revised report is attached to this Affidavit as Exhibit C.

Affirmed to before me on October 19, 2018

at _____.

Notary Public

Debra Soh

EXHIBIT A

EXPERT REPORT

Lorne Grabher

- v -

Nova Scotia Registrar of Motor Vehicles

Submitted by

Debra W. Soh, PhD, DipCrimPsych

Revised version submitted October 19, 2018

CONTENTS OF REPORT

I. Introduction

II. Qualifications

III. Materials Considered

IV. Evaluation of Carrie A. Rentschler's Report

V. References

I. INTRODUCTION

I, Debra Soh, have prepared this report at the request of Jay Cameron of the Justice Centre for Constitutional Freedoms, representing Lorne Grabher.

I have been retained to provide an objective opinion for the Court regarding the contents of Carrie Rentschler's expert report, regarding whether Mr. Grabher's personalized license plate endangers women, contributes to "rape culture," and is a violent "speech act."

I am prepared to testify at the trial or hearing, comply with all directions of the court, and apply independent judgement when assisting the court. This report includes everything I regard as relevant to the expressed opinion and it draws attention to anything that could reasonably lead to a different conclusion. I will answer written questions put by parties as soon as possible after the questions are delivered.

This report begins with a brief explanation of my qualifications, background, and experience as an expert. I then explain how I have formed my expert rebuttal opinion in response to Carrie Rentschler's revised expert report, through my consultation and review of key areas of scientific literature and research, and addressing issues raised in the report.

This report is a revised version of a report submitted by me to Jay Cameron on June 25, 2018, based on an earlier version of a report by Carrie Rentschler. I am a rebuttal expert and my rebuttal opinions are strictly confined to the same subject as the quoted opinion. I hold my opinion with a reasonable degree of certainty.

II. QUALIFICATIONS

I hold a PhD in Psychology in the area of Brain, Behaviour, and Cognitive Sciences from York University, and a Postgraduate Diploma in Criminological Psychology from the University of Birmingham in the United Kingdom.

I have 11 years of experience conducting research on male sexuality, including on the topic of sexual offending. In addition to my research experience, I have worked clinically with violent sexual offenders in the context of assessment and therapy.

During my time as an academic researcher, I was awarded York University's Provost Dissertation Scholarship and received funding from the Canadian government through the Natural Sciences and Engineering Research Council and the Social Sciences and Humanities Research Council. I have published my research, including studies on the topic of sexual offending, in peer-reviewed academic journals, including the *Archives of Sexual Behavior* and *Frontiers in Human Neuroscience*.

I work as a freelance science journalist and am a columnist for *Playboy.com* and the *Globe and Mail*, Canada's national newspaper. My writing has also appeared in *Harper's*, the *Wall Street Journal*, the *Los Angeles Times*, *CBC News*, *Scientific American*, the *Independent*, *New York Magazine*, *Men's Health*, and *Pacific Standard*, among others.

I have been interviewed and/or received media coverage in outlets including the *BBC*, the *New York Times*, the *Washington Post*, *Discover Magazine's Neuroskeptic*, *NPR*, *USA Today*, *National Review*, *Psychology Today*, *TVO's The Agenda*, the *National Post*, the *Toronto Star*, and many others.

III. MATERIALS CONSIDERED

In writing this report, I have reviewed the scientific research literature pertaining to sexual offending, including studies conducted by leading academic scientists in the field, to determine whether Mr. Grabher's personalized license plate poses a risk of increasing the rate of sexual offending against women, and whether it encourages societal attitudes supportive of sexual assault.

My opinion is also based on evaluating comments made by Donald Trump during the United States presidential election of 2016 as they pertain to the case, and whether his comments bear any relevance to Mr. Grabher's license plate.

IV. EVALUATION OF CARRIE A. RENTSCHLER'S REPORT

I have evaluated the merits of each section of Carrie Rentschler's report, titled "Expert Report Prepared for Grabher vs. Nova Scotia Registrar of Motor Vehicles Charter of Rights s.2(b) and s.15 Matter No. [17-1864];" namely, her responses to four questions posed to her by the Honourable Justice Pierre L. Muise, regarding whether the word/phrase "Grabher" on a government-issued license plate should be considered

offensive, particularly in the context of the plate referring to an individual's surname. The comments of Professor Rentschler appear in bold, below, and my analysis follows.

1. "I . . . define the appearance of the expression 'Grabher' on a license plate as a *speech act* whose meaning is socially determined. . . . The expression uttered in a speech act is not merely a statement, it is an action — a way of doing things with words. As 'performatives,' words do not only denote things (such as by naming them); they also do things and have effects. To approach the particular vanity plate, 'Grabher' as a speech act means that it not only communicates a message that is said or represented, but it also acts in the world, in ways that have social and cultural effects. . . . [It] is my opinion that the vanity plate in question can contribute to the social conditions in which gender violence is reproduced . . ." (p. 3, Rentschler Report)

"This means that the meaning of any particular speech act includes both what the speaker intended to say, but it also includes what its readers and hearers interpret it to mean, within a set of conditions that shape the production, circulation and consumption of the acts of communication under consideration. . . . Hearers, readers, listeners and other recipients of the communication also confer meaning onto the statement, as part of a larger set of processes in which communication is made, moved, regulated, understood and responded to." (p. 8, Rentschler Report)

"On a more fundamental level, what is at stake in understanding the expression 'Grabher' as a speech act is that it does not just name something, it *does* something, and what it does can be experienced as potentially harmful." (p. 10, Rentschler Report)

Mr. Grabher's personalized license plate was revoked by the Nova Scotia Registrar of Motor Vehicles in December 2016, following a complaint that his plate was "offensive." He has been refused the ability to express his own name, due to it being deemed "socially unacceptable" for the road (Shaw, 2017).

Dr. Rentschler defines the presentation of Mr. Grabher's last name as a "speech act" wherein its existence comprises of both its appearance *and* how it is "received and interpreted" by its audience as an action, or speech action (p. 3, Rentschler Report).

Indeed, the meaning of words can vary based on the listener's interpretation of them, but even in the case that "Grabher" is interpreted as a statement condoning sexual assault,

this would not lead to a higher incidence of sexual violence in our society. I will discuss the particular factors that lead an individual to commit these crimes in greater detail (see Section 10).

2. “The concept of a continuum of sexual violence helps explain the contributive role that expression that is supportive of sexual assault (and *seemingly* supportive of this violence) and play in promoting violence against girls and women . . .” (p. 3)

“The speech act ‘Grabher’ can be located on the continuum of sexual violence, as a form of communication like catcalling, verbal harassment and verbal threats of gender violence.” (p. 4, Rentschler Report)

If expression that appears to be even “seemingly” supportive of violence against women did in fact promote violence against women, we would expect rates of such violence to be skyrocketing. As I will discuss, this is not the reality (see Section 9).

The fact that “Grabher” is someone’s name changes the intention of its use, regardless of how it is received by the listener. Even in the event that the intention is to advocate for sexual violence and harm against women and girls, this would not lead an individual to partake in such action (see Section 14).

3. “In the years just preceding the license plate revocation, several Canadian cases also drew high profile media attention to the problems of gender-based violence, around which major public debates were centered: the legal cases against CBC host Jian Ghomeshi for sexual assault, the sexual assault and cyberviolence case of Rehtaeh Parsons in Nova Scotia, and the cyberviolence case involving Amanda Todd in British Columbia.” (p. 5, Rentschler Report)

Regardless of whether “gender-based violence” and related legal cases are receiving greater attention and prominence in Canadian discourse, there is no discernible connection between coverage of sexual assault cases and whether or not a license plate increases rates of sexual violence against women.

It is also important to note that Ghomeshi was exonerated in a court of law.

4. “Think of news as telling stories about the world rather than as presenting ‘information’ . . . Facts have no intrinsic meaning. They take on their meaning by being embedded in a frame or story line that organizes them and gives them coherence.’ . . . With this in mind, it is possible to tell many different stories about the same events” that offer different, sometimes conflicting, versions of what the event, and the issue it represents, means.” (p. 6)

“Both the surname ‘Grabher’ and the phrase ‘Grab her’ appear on the government-issued license plate. While ‘Grabher’ is the complainant’s name, it is at the same time a phrase meant for public consumption that would commonly be found to support violence against girls and women, and, therefore, would contribute to the potential harms girls and women face as a result of this support. . . . People viewing the license plate would not know whether the word/phrase ‘Grabher’ is a name or statement: it can be both.” (p. 10, Rentschler Report)

Information is dependent on its context for meaning, but this does not override objective reality. If the meaning of a license plate could not reasonably be construed as promoting sexual assault, cultural framing won’t change this. Similarly, an increase in public awareness and/or media attention around the issue of sexual assault does not change the inherent meaning of “Grabher.”

Even in the event that “Grabher” is interpreted as “Grab her,” reading this message will not increase the incidence of sexual violence. In evaluating whether the “Grabher” license plate should be allowed on the road, this is the only consideration that matters.

5. “If the statement “Grabher” appeared elsewhere and *not* on a government-issued license plate, say on a bumper sticker, then the government would likely not be considered a co-author/co-speaker of the phrase, nor would its location somewhere other than the license plate provide government legitimacy to its cultural meanings. Members of the public could still find the phrase ‘Grabher’ to be an expression of, and/or supportive of, violence against women, whether it was on the license plate or located elsewhere on the vehicle.” (p. 12, Rentschler Report)

Dr. Rentschler states that the location of the word “Grabher” (i.e., on a government-issued plate) gives the phrase “more authority” because it appears to be endorsed by the province of Nova Scotia (p. 13).

The phrase “Grabher” should not be interpreted as offensive or promoting violence against women (see Section 7); therefore, even if appearing on a government-issued license plate lends “legitimacy” to a given phrase in the viewer’s mind, there would be nothing wrong with this because “Grabher” does not promote any harmful or offensive sentiments.

6. “[In] other jurisdictions, particularly in the U.S., vanity license plates have been denied and/or revoked on a number of grounds, including obscenity, vulgarity, the use of swear words, and the naming of sexual body parts.” (p. 12, Rentschler Report)

In the province of Quebec, however, a 46-year-old man named Sylvain Poirier succeeded in purchasing custom license plates that state the words, “PENIS” and “ANUS.” The Société de l’assurance automobile du Québec (SAAQ) requires that the chosen inscription not include a message that expresses “an obscene, scandalous, or sexual idea.”

The SAAQ said, however, there is no need to prohibit Poirier’s choices of words, because they are “biological parts of the body” (Payen, 2018). A similar logic could be used to argue in favour of allowing Mr. Grabher his plate because it merely reflects his last name and should not be considered obscene or vulgar.

7. “As an expression, the meaning of ‘Grabher’ could be understood to signify the support, condoning and encouragement of gendered physical violence against girls and women. ‘Grabher’—read as ‘Grab her’—is a speech act that can potentially contribute to the harms of gendered violence against girls and women . . . [Recipients] of the phrase may interpret it as encouragement to grab or grope female individuals without their consent. ‘Grab her’ can also be interpreted as a command that targets a particular class of people: girls, women and other female-identifying individuals. The speech act does not have to be made with the intention to cause harm or support violence against women in order for it to have these effects.” (p. 13, Rentschler Report)

The word/phrase “Grabher” should not be deemed offensive, because it does not connote support of physical or sexual violence against women.

Dr. Rentschler states that it would be “very common” to read the phrase “Grabher” as two words with a space inserted between them: “grab her;” however, the phrase

“Grabher” on a license plate could be interpreted as a variety of different permutations if the reader were to insert a space (e.g., “GR ABHER,” “GRA BHER,” “GRABH ER,” etc.). Interpretation of the phrase could therefore result in any number of nonsensical meanings.

Even in the event that a viewer interprets “Grabher” as “grab her,” they may well come away from this interpretation in a neutral manner, not ascribing any inherent meaning to the phrase.

It is a stretch to assume that the phrase encourages physical contact without a woman’s consent. The word, “grab,” is defined by the Oxford Dictionary as “grasp or seize suddenly and roughly;” however, this definition does not make any assumptions that doing so would be without an individual’s consent. One could imagine any number of circumstances in which grabbing an individual could be a positive experience; for example, in an instance of playfulness.

We simply do not read English as Professor Rentschler contends. The word, “together”, for example, represented on a license plate as “2gether”, is not demonstrably a trigger for violence simply because it contains the words, “To Get Her”. Similarly, the public use of the written stand-alone word “together” is not a trigger for sexual violence. Again, if it were, it would be empirically demonstrable.

8. “Some of the people who belong to and identify with the class of people targeted by the phrase could reasonably be assumed to find this phrase not only upsetting, but also potentially harmful or threatening.” (p. 13, Rentschler Report)

“The fact that a complaint was not made to the Registrar prior to this time would not constitute proof that some people may have reasonably found the phrase problematic, harmful, and/or offensive, before 2016. In light of the Canadian recognition of violence against women and girls as a social problem that needs to be redressed, the phrase ‘Grabher’ could also have been interpreted to signify support for the groping and physical assault of girls and women, even 27 years ago.” (p. 18, Rentschler Report)

Regardless of how someone on the receiving end of such a command would interpret it, this still has no bearing on the likelihood that an individual who views the “Grabher” plate will commit a sex offense.

There exists no empirical evidence or research to suggest that exposure to cultural slogans normalizes sexual violence against women or leads an individual who would not otherwise behave in this way, to commit a sexual offense. A psychologically healthy person will not feel justified in committing a sexual offense, even if they were exposed to a phrase that explicitly condoned sexual violence against women, whether or not the individual believes that the statement is being endorsed by the provincial government.

9. “[Speech acts] also, in this case, make a command with implicit expectations of behavior, to ‘grab her,’ expressed by and through the province on the license plate. ‘Grabher,’ then, is not only a word or name; it is a speech act that seemingly condones violence against girls and women. Someone may say ‘Grabher is just my name,’ but for others, it is a statement of support in favor of grabbing women that is a clear example of rape culture [and] represents a statement in support of physical violence against women.” (p. 28-29, Rentschler Report)

“In the current context, the statement ‘Grabher’ could be understood to condone a culture supportive of violence against women and girls, or what is commonly referred to through the terminology of ‘rape culture.’” (p. 14, Rentschler Report)

There is no evidence that Canada is a “rape culture” or “a culture supportive of violence.” According to the most recent data provided by Statistics Canada, rates of the most severe form of sexual offending in Nova Scotia have decreased between 2016 and 2017, mirroring a similar trend from the year before (Statistics Canada, 2017). Regarding self-reported data, the rate of sexual assault in 2014 remained unchanged from 2004 (Statistics Canada, 2014).

There is no evidence that “GRABHER” on a license plate is causative of rape, or promotes rape culture. This is speculation by Professor Rentschler.

10. “I explain the potentially harmful social effects that the enactment and appearance of the license-plate expression ‘Grabher’ can have in light of the role it can play in reproducing the forms of violence against women that result from the dominant normative models of masculinity.” (p. 24, Rentschler Report)

Similarly, “dominant normative models of masculinity” do not enforce a culture supportive of rape. Only 1% to 2% of the adult male population is convicted of a sexual crime (Marshall, 1997).

Considering that the majority of men in society adhere to typical male gender roles (since these behaviours would not be considered “normative” if the majority of men did not), it becomes clear that sexual violence is *not* the norm in society. Our culture does not tolerate violence—sexual and otherwise—against women, demonstrated by the fact that these acts are punishable by law. It is therefore inappropriate to make such wide sweeping claims about an entire class of individuals (i.e., men) and to presume that the behaviour of a small subset of the population is representative of *all* men.

There is a general consensus within the scientific literature that sexual recidivism is associated with deviant sexual interests and having an antisocial personality (Hanson & Bussiere, 1998; Hanson & Morton-Bourgon, 2005; Quinsey et al., 1995; Roberts, Doren, & Thornton, 2002). Deviant sexual interests refer to a preference for sexual acts that are illegal (e.g., child molestation; sexual assault) or unusual (e.g., fetishism) and have been shown to have biological underpinnings (e.g., Cantor et al., 2016; Labelle et al., 2011).

Antisocial personality disorder, which is marked by a lack of remorse and a blatant disregard for the well being of others (American Psychiatric Association, 2013; Gendreau et al., 1996) has also been shown to be a strong predictor of sexual offending (Hanson & Bussiere, 1998). Individuals who offend against *male* victims—as opposed to female victims—have a greater likelihood of re-offending.

Another reason why some men commit sexual assault is due to having what is known as a *coercive paraphilia*, which is a sexual preference for rape (Malamuth & Check, 1980; Soh, 2016). Approximately 60% of convicted rapists exhibit this sexual preference (Lalumiere, 2003).

Signs that a sexual partner is resisting or abhorring a sexual encounter will, for most men, inhibit sexual arousal, but for men with coercive paraphilia, these cues and the use of coercion during sex, heighten their sexual arousal (Thornton, 2010). Because these men prefer unwilling partners, they are more likely to commit predatory sexual violence, and will seek out non-consenting partners even when they have a spouse or partner at home.

This is not what would typically be seen in most men; as mentioned, most men do not find the thought of committing sexual assault pleasant. Most would instead be horrified at the thought. Indeed, meta-analyses have shown differences between convicted rapists and non-sexual offenders with regards to this sexual preference (Lalumiere & Quinsey, 1994; (Lalumiere, Quinsey, Harris, Rice, & Trautrimas, 2003). For example, in a sample of non-sexual offenders, only 10% of men exhibited this sexual preference (Lalumiere, 2003).

If a man were to take a phrase on a license plate as a sign that sexual violence is acceptable, there are myriad other potential cues that he will be exposed to on any given day (e.g., through advertising; store signs; news media) that could also potentially be deemed risky. Instead of banning any and all words that could be taken as justification for unacceptable behaviour, a more appropriate approach would be treatments targeting the needs and risk factors of the individual who has committed a sexual offense (e.g., Hanson, Bourgon, Helmus, & Hodgson, 2009).

The plate does not encourage a culture supporting sexual violence against women, and if the Registrar were to reinstate it, allowing it on the road will not lead to women in society being less safe.

11. “The identification of the problem of rape culture in Canada has been especially visible in Nova Scotia around cases of gender violence and cultural rituals that express support for sexual violence at universities.” (p. 15, Rentschler Report)

Again, men who perpetuate sexual violence and advocate for attitudes supporting sexual assault likely exhibit antisocial personality disorder. These traits are specific to the individual and those involved in the particular cases, and cannot be ascribed to all men, more generally.

12. “One major news event discussed in this Report is the 2016 coverage of U.S. Republican presidential candidate Donald J. Trump’s 2005 *Access Hollywood* tape, where he was recording talking about this exploits with women, and specifically his ability to ‘grab them by the pussy’ without their consent. The public and popular discourse around this 2016 speech act and media event set some of the terms for and orientation of debate about sexual violence and gendered oppression at the time of the ‘Grabher’ license plate revocation.” (p. 4-5)

On October 8, 2016, the *Washington Post* published a news story and accompanying video, documenting a conversation between Donald Trump and Billy Bush, host of the TV show, *Access Hollywood* (Fahrenthold, 2016). On video, Trump is heard saying, “When you’re a star, they let you do it. You can do anything. Grab them by the pussy.”

At the time of his comments, Trump was known as a celebrity TV host; when the *Access Hollywood* tape was leaked by the media, he was a presidential candidate. It is therefore

unclear as to why the remarks of a presidential candidate would have such prominent influence, according to Dr. Rentschler, or why October 2016 should be considered the point in time after which “grab her” would come to have greater cultural significance. One would expect that greater relevance would have been placed on Trump’s words a month later, upon being elected as President of the United States.

In the 2 years since this news initially broke, it is unlikely that members of the public would be as primed to make an association between seeing the letters “Grabher” on a license plate and the words “by the pussy,” based on comments made by Trump during the U.S. Presidential election.

Furthermore, even if this association were made in the viewer’s mind, it would not lead a psychologically healthy individual to commit a sexual offense, or to support attitudes endorsing sexual violence against women.

13. “Trump’s statement and his power and position as president of the U.S. reinforce certain norms of aggressive and aggrieved white masculinity that support violence against women.” (p. 24, Rentschler Report)

Dr. Rentschler states that the meaning of the phrase “Grabher” has significantly changed since Donald Trump’s infamous statement, “grab them by the pussy,” was leaked to the public via media reports in October 2016. She refers to the subsequent press attention, as well as the popularity of the Women’s March, as evidence that the words “grab her” now connote something different than prior to Trump’s statements being made public.

However, the media coverage associated with the presidential campaign in 2016, as well as the Women’s Marches, do not offer any legitimate evidence that the words “grab her” would necessarily conjure up any association to Trump’s comments.

As well, there are no empirical, quantitative (i.e., numbers-based) studies to suggest that “aggrieved white masculinity” supports violent acts or sexual assault against women (see Section 14 for further details).

Further, there is no evidence that “aggrieved white masculinity” is a social phenomenon in Nova Scotia, or that Mr. Grabher or anyone else suffers from it. It is doubtful whether “aggrieved white masculinity” is even a real thing, or that it is sufficiently ascertainable to make it relevant to the question of whether or not the license plate in this case creates

an elevated risk of harm to society. Certainly, no evidence on these points is provided by Professor Rentschler.

14. “In addition to the harassment and sexual assault cases against Donald Trump, several other high-profile cases of sexual harassment and sexual assault have been reported by women and men against US actors Bill Cosby and Kevin Spacey, CBC personality Jian Ghomeshi, and Hollywood producer Harvey Weinstein, among others that bear on the context in which this case is understood. These cases brought broad public attention to the problem of sexual harassment and sexual violence, while also revealing the ways male power and privilege protect those who commit acts of violence against women, and in the case of Spacey, men.” (p. 20, Rentschler Report)

Dr. Rentschler states that the aforementioned high-profile cases of sexual harassment and assault speak to the problem of sexual violence in society. There are no empirical studies offering evidence for the idea that “male power” or “privilege” facilitates sexual assault. It is also unclear what relevance Spacey, who allegedly assaulted male victims, plays in a report arguing for the safety of women and girls.

Such studies frequently employ *qualitative* research methods, including conducting interviews and content analysis, and ideas drawn from theory. As a result, they cannot be generalized to what would be expected in wider society, because these approaches do not account for potential biases (e.g., not accounting for confounding variables that could skew the results), and are constrained by their subjective nature. These theories fail to provide any quantitative (i.e., numbers-driven) conclusions pertaining to sexual offenders.

As mentioned earlier, men who commit sexual violence against women are antisocial, and in the case of sex offenders, their antisociality manifests as misogyny and hatred of women (Soh, 2018b). It isn’t appropriate to generalize from cases of sexual assault to masculinity and male-typical traits, more broadly (e.g., Soh, 2018a).

The plate has no relevance to the remarks made by Donald Trump. In addition to the unlikelihood that the average person reading the plate would necessarily read “Grabher” as “Grab her,” it is even more unlikely that they would make the association to Trump’s comments, or coercive or violent action toward women. Perhaps most importantly, Donald Trump didn’t even say “Grab her by the pussy.” He said, “Grab them by the pussy.”

Even if someone were to drive around with a sign proclaiming, “Grab them by the pussy,” this would not inspire otherwise law-abiding, pro-social men to commit a sexual offense.

15. “The ‘Grabher’ case, it should be noted, is not in any way parallel to or on the scale of the Trump statement or the media events surrounding it. For one, the ‘Grabher’ license plate did not have the media attention the Trump case had. Most of the media attention the ‘Grabher’ license plate expression has received is a result of reporting about the legal case. Unlike Trump, Mr. Grabher is an everyday citizen and not a presidential candidate, so he does not represent a powerful institution from which he speaks. And perhaps most notably, Mr. Grabher does not seem to have intended to make a statement that threatens violence against women and/or condones it, unlike Trump’s statement . . .” (p. 23, Rentschler Report)

“Nonetheless, the Trump case overwhelmingly creates an interpretive framework in which people would likely interpret the phrase ‘Grabher’ as condoning and/or threatening violence against women, whether Mr. Grabher intended it to or not.” (p. 23, Rentschler Report)

In the first quote above, Dr. Rentschler explicitly states that she does not believe Mr. Grabher’s intention in using his namesake license plate was for the purpose of threatening or condoning violence against women.

The word/phrase “Grabher” is not offensive, and the fact that it is someone’s surname should eradicate any possible confusion as to whether a license plate denoting this phrase should be considered offensive. It is unlikely that most people would interpret ‘Grabher’ as having any relevance to violence against women (see Section 7), even in a cultural climate post-Trump’s remarks.

Exposure to a license plate alone will not lead to sexual crimes against women. A person who wants to commit a sexual offense will do so, regardless of what society’s messages are.

Of note, Mr. Grabher’s son has an identical personalized license plate, which reads as “Grab her,” from the province of Alberta. If Dr. Rentschler’s suppositions are correct, one would expect that, post-October 2016, the areas around which Mr. Grabher’s son drives would have been an increase in sexual offending against women, following from Trump’s “grab them by the pussy” remark.

Considering that Mr. Grabher's wife owns a company named "Grabher's Consulting" (Colbert, 2017), one would similarly expect an increase of sex crimes in the vicinity of Ms. Grabher's company, as well as in any neighbouring communities that do business with her, post-October 2016.

Professor Rentschler points to no research or evidence on these points, nor does she address them in her Report.

16. "One recent study of street harassment against women found that 'fear of rape can make street harassment—even the seemingly 'innocent' forms—threatening and unnerving for women.'" (p. 27, Rentschler Report)

Letters on a license plate cannot be conflated with "street harassment"—a license plate is an inanimate object, and arguably much less intimidating and dangerous than interacting with another autonomous being.

It is also especially unlikely that women would find the word "Grabher," presented on the license plate of a motor vehicle, "threatening and unnerving" due to a "fear of rape."

There is no evidence at all that Mr. Grabher's plate creates an elevated risk of rape. Therefore, there is no reason to think that people who see his name will fear being raped simply because others can see his name also.

17. "All of this data evidences the structural and systemic nature of violence against women, and the role speech acts play in enacting that violence. While the license-plate expression 'Grabher' may appear to some as non-violent, even seemingly non-violent expressions and acts can contribute to gender violence and the harms it causes." (p. 28, Rentschler Report)

Mr. Grabher's plate is not offensive or dangerous to women by any means, and I have found no evidence to support the idea that a license plate bearing his surname would increase rates of sexual violence against women or encourage societal attitudes supportive of sexual assault. To suggest that Mr. Grabher's surname is "a statement in support of physical violence against women" (p. 29) is completely unfounded.

While I do not expect my opinion to change on this case, if anything were to come to my attention that could reasonably affect my expert opinion on the matter, I will notify each party in writing of said change as soon as possible.

V. REFERENCES

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EXHIBIT B

DEBRA W. SOH
Ph.D., Dip.Crim.Psych.
Freelance Science Journalist
(647) 628-5353

EDUCATION

2017	Doctor of Philosophy, Psychology, York University, Canada Specialization: Brain, Behaviour, and Cognitive Sciences
2011	Postgraduate Diploma in Criminological Psychology, University of Birmingham, United Kingdom
2010	Master of Arts, Psychological Science, Ryerson University, Canada
2008	Bachelor of Arts (High Honours), Psychology, Carleton University, Canada
2005	Bachelor of Arts, Philosophy, University of Ottawa, Canada

AWARDS AND SCHOLARSHIPS (IN CAD)

2015	York University Provost Dissertation Scholarship	\$22,000
2015	Ontario Graduate Scholarship	\$15,000 (declined)
2013	York University Research Cost Fund	\$1300
2013	York University Fieldwork Cost Fund	\$900
2012-2014	Natural Sciences and Engineering Research Council CREATE Doctoral Training Program	\$42,000
2012	York University Faculty of Graduate Studies Scholarship	\$2500
2010	Ryerson International Conference and Research Support Fund	\$500
2010	Ryerson University Graduate Studies Foreign Study Grant	\$500
2010	Ryerson Students' Union Travel Grant	\$500

2010	Ryerson University Dean of Graduate Studies Travel Grant	\$200
2010	Ryerson University Department of Psychology Travel Grant	\$200
2010	Canadian Psychological Association Travel Grant	\$200
2009	Social Sciences and Humanities Research Council (SSHRC) Michael Smith Foreign Study Supplement	\$6000
2009	Social Sciences and Humanities Research Council Master's Canada Graduate Scholarship	\$17,500
2009	Ryerson Graduate Award	\$2500
2009	Ryerson Faculty of Arts Award	\$1000
2008	Ryerson Graduate Scholarship	\$7000
2008	Carleton University P. D. McCormack Fund	\$11,000 (declined)
2008	Carleton University In-Course Scholarship	\$1000 (declined)
2007	Carleton University In-Course Scholarship	\$1000
2006-2008	Carleton University Dean's Honour Roll	
2001	Queen Elizabeth II Aiming for the Top Scholarship	\$100

RESEARCH EXPERIENCE

2013-2014, Ph.D. Minor Paper Research Student

Neurosciences and Mental Health Program, Peter Gilgan Centre for Research and Learning, The Hospital for Sick Children, Toronto, Canada

2012, Research Analyst 2

Clinical Sexology Services, Law and Mental Health Program, Centre for Addiction and Mental Health (Clarke Institute of Psychiatry), Toronto, Canada

2010, SSHRC Michael Smith Foreign Study Researcher

Centre for Forensic and Criminological Psychology, School of Psychology,
University of Birmingham, Birmingham, UK

2009-2010, M.A. Cognitive Neuroscience Practicum Student

Clinical Sexology Services, Law and Mental Health Program, Centre for Addiction
and Mental Health, Toronto, Canada

2007, Research Assistant

Department of Psychology, Carleton University, Ottawa, Canada

2007, Research Assistant

Institute of Neuroscience, Carleton University, Ottawa, Canada

CLINICAL EXPERIENCE

2010-2011, Psychological Associate

St. Andrew's Healthcare, Birmingham, UK

- Medium-secure forensic psychiatric hospital
- 110+ independently conducted assessments
- Independently conducted 1:1 and group therapeutic interventions

TEACHING EXPERIENCE

Teaching Assistant

- Introduction to Psychology (York University, 2015)
- Statistics I and II (York University, 2014-2015)
- Statistics II (York University, 2014)

- Sensation and Perception II (York University, 2013)
- Introductory Psychology (Ryerson University, 2009, 2010)
- Personal Growth and Adjustment (Ryerson University, 2008)

PROFESSIONAL AFFILIATIONS AND ACTIVITIES

- Student Member, International Academy of Sex Research (2015-2017)
- Student Member, Canadian Sex Research Forum (2014-2017)
- Panel Speaker, “Meet the Grads” Event, Neuroscience Association at York (2013)
- Tour Leader, York University Graduate Program in Psychology Interview Day (2013)
- Student Affiliate, Canadian Psychological Association (2009-2010)
- Graduate Student Affiliate, American Psychological Association (2009-2010)
- Student Representative, Association for the Treatment of Sexual Abusers (ATSA) Student Committee (2010-2011)
- Student Representative, Ryerson Psychology Research and Training Centre (PRTC) Planning Committee (2009)
- Student Volunteer, American Psychological Association 117th Annual Convention, Toronto (2009)

MEDIA CONTRIBUTIONS (FREELANCE WRITING)

I write about the science and politics of sex. I am a columnist for *Playboy.com* and the *Globe and Mail*. My writing can also be found in *Harper's*, the *Wall Street Journal*, the *Los Angeles Times*, *CBC News*, *Scientific American*, the *Chicago Tribune*, *Newsday*, *New York Magazine*, *Men's Health*, the *Independent*, the *Weekend Australian*, *Quillette*, the *Korea Herald*, *Salon*, and *Pacific Standard*.

MEDIA CONTRIBUTIONS (COMMENTARY)

I have been interviewed and/or received media coverage in outlets including the *BBC*, the *New York Times*, the *Washington Post*, *Discover Magazine's Neuroskeptic*, *NPR*, *USA Today*, *National Review*, the *National Post*, *Psychology Today*, *TVO's The Agenda*, the *Toronto Star*, and many others.

PUBLICATIONS

Cantor, J. M., Lafaille, S., Hannah, J., Kucyi, A., **Soh, D. W.**, . . . Mikulis, D. J. (2016). Independent component analysis of resting-state functional magnetic resonance imaging in pedophiles. *Journal of Sexual Medicine*, *13*, 1546-1554.

Soh, D. W., & Cantor, J. M. (2015). A peek inside a furry convention. *Archives of Sexual Behavior*, *44*, 1-2.

Soh, D. W., Skocic, J., Nash, K., Stevens, S., Turner, G. R., & Rovet, J. (2015). Self-regulation therapy increases frontal gray matter in children with Fetal Alcohol Spectrum Disorder: evaluation by voxel-based morphometry. *Frontiers in Human Neuroscience*, *9*, 1-12.

Cantor, J. M., Lafaille, S., **Soh, D. W.**, Moayedi, M., Mikulis, D. J., & Girard, T. A. (2015). Diffusion tensor imaging of pedophilia. *Archives of Sexual Behavior*, *44*, 2161-2172.

Soh, D. W., & Schneider, K. A. (2013). Functionally imaging the magno- and parvocellular layers of the human LGN during binocular rivalry. Conference abstract. *Journal of Vision*, 13, 548.

PROFESSIONAL PRESENTATIONS (*PRESENTER)

***Soh, D. W.**, & Cantor, J. M. (2015, August). *A peek inside a furry convention*. Poster presented at the International Academy of Sex Research 2015, Toronto, Ontario, Canada.

***Soh, D. W.**, & Cantor, J. M. (2015, July). *A peek inside a furry convention*. Poster presented at the Puzzle of Sexual Orientation Conference, Lethbridge, Alberta, Canada.

***Soh, D. W.**, & Cantor, J. M. (2014, October). *A peek inside a furry convention*. Poster presented at the Canadian Sex Research Forum 2014, Kingston, Ontario, Canada.

Rovet, J., Nash, K., Skocic, J., **Soh, D. W.**, Koren, G., . . . Lerch, J. (2014, October). *Self-regulation therapy induces neuroplastic change in children with FASD*. 3rd EUFASD Meeting, Rome, Italy.

Rovet, J., Nash, K., Stevens, S., Skocic, J., Koren, G., **Soh, D. W.**, . . . Morris, A. (2014, September). *Neuroplastic effects of self-regulation therapy in children with FASD*. Annual FACE meeting, Toronto, Ontario, Canada.

***Soh, D. W.**, Schneider, K. A., & Cantor, J. M. (2014, May). *Functional and structural neuroimaging of paraphilic hypersexuality in men*. Proposal

presented at the York University Annual Psychology Brain, Behaviour, and Cognitive Sciences Day, Toronto, Canada.

***Soh, D. W.**, Skocic, J., & Rovet, J. R. (2014, January). *Self-regulation therapy is associated with increased frontal gray matter in children with Fetal Alcohol Spectrum Disorder: A voxel-based morphometry study*. Paper presented at The Hospital for Sick Children Neuroimaging Interest Group (NIIG) Rounds, Toronto, Canada.

***Soh, D. W.**, & Schneider, K. A. (2013, June). *Functionally imaging the magno- and parvocellular layers of the human LGN during binocular rivalry*. Poster presented at the York University Centre for Vision Research (CVR) Interactions in Vision Conference, Toronto, Canada.

Lafaille, S., Hannah, J., **Soh, D. W.**, Kucyi, A., Girard, T. A., Mikulis, D. M., & Cantor, J. M. (2013, June). *Investigating resting state networks in pedohebephiles*. Poster presented at the 39th Annual Conference of the International Academy of Sex Research, Chicago, IL.

***Soh, D. W.**, Skocic, J., Nash, K., Stevens, S., Morris, A., & Rovet, J. (2013, May). *Voxel-based morphometry (VBM) to evaluate the effectiveness of the Alert Program for Self-Regulation® in Children with Fetal Alcohol Spectrum Disorder*. Paper presented at the York University Annual Psychology Brain, Behaviour, and Cognitive Sciences Day, Toronto, Canada.

***Soh, D. W.**, & Schneider, K. A. (2013, May). *Functionally imaging the magno- and parvocellular layers of the human LGN during binocular rivalry*. Poster presented at the 13th Annual Meeting of the Vision Sciences Society, Naples, FL.

***Soh, D. W.**, Lovett-Baron, M., Girard, T. A., & Cantor, J. M. (2010, June). *Brain regions that respond to sexual stimuli in men: Meta-analysis by Activation Likelihood Estimation (ALE)*. Poster presented at the 71st Annual Convention of the Canadian Psychological Association, Winnipeg, Canada.

***Soh, D. W.**, & Girard, T. A. (2010, May). *Deficits in spatial memory in schizophrenia*. Demonstration presented at the 3rd Annual Science Rendezvous, Toronto, Canada.

***Soh, D. W.**, Cantor, J. M., & Girard, T. A. (2009, October). *Brain regions that respond to sexual stimuli: A meta-analysis of fMRI and PET studies*. Poster presented at the Ryerson University Department of Psychology Research Symposium, Toronto, Canada.

AD HOC REVIEWER

PLOS One (2016)

American Journal of Psychiatry (2011)

Journal of Clinical Psychopharmacology (2011)

EXHIBIT C

Revised Report of Carrie Renschler

1 message

Jay Cameron <jcameron@jccf.ca>
To: "Dr. Debra W Soh" <drdebrasoh@gmail.com>

Fri, Jul 6, 2018 at 9:18 PM

Dear Dr. Soh,

Thank you for agreeing to give evidence in this proceeding.

I hereby provide you with a revised opinion of Professor Carrie Renschler, received by our office on July 6, 2018.

Please review Dr. Renschler's Report and provide your opinion on the following:

1. After reading Professor Renschler's report, are there any inaccuracies or inconsistencies in Professor Renschler's Report with which you disagree? If so, please provide quotations of all of Dr. Renschler's evidence with which you disagree, and explain why.

I have previously provided you with a copy of Rule 55 of the Nova Scotia Civil Procedure Rules. Please ensure that you comply with the requirements for an expert report

Please state for the Court that you are retained to provide an objective opinion for the Court (Rule 55(1)(a), as well as the remaining items in Rule 55(1), 55.04 and 55.05.

Please be sure, as part of your expert rebuttal report, to state clearly for the Court that you are a rebuttal expert, and that your rebuttal opinions are strictly confined to the same subject as the quoted opinion.

Thank you for your assistance in this matter,

Jay Cameron

Jay Cameron, BA, LLB
Barrister and Solicitor
Providing services on behalf of a Professional Corporation
Litigation Manager
Justice Centre for Constitutional Freedoms
#253, 7620 Elbow Drive SW
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Direct line: (403)909-3404

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