

# **NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION**

## **REPORT ON THE CLASSIFICATION OF THE PROPOSED OFFENSES OF TORTURE AND ENFORCED DISAPPEARANCE**

**March 7, 2008**

### **Introduction**

The North Carolina Sentencing and Policy Advisory Commission received a study request from Representative Paul Luebke (30<sup>th</sup> District) at its December 7, 2007, meeting. Representative Luebke asked the Commission to do the following:

[S]tudy the most appropriate penalties for legislation making torture, enforced disappearance, and related acts crimes in North Carolina recognizing the severity of these crimes while providing for sentencing that is consistent with the sentences imposed for related crimes such as kidnapping. (*See Appendix A: November 6, 2007, Letter from Representative Luebke and House Bill 1682, Version 2.*)

The Commission has the statutory authority to recommend classifications for criminal offenses. The classification recommendation does not imply either support or opposition to the proposed offense itself. The Commission established the Torture Offense Subcommittee to conduct the study and report back to the Commission at its March 7, 2008, meeting.

### **Subcommittee Meeting**

The Torture Offense Subcommittee met on Friday, January 18, 2008. (*See Appendix B: January 18, 2008, Torture Offense Subcommittee Minutes.*) The members began by examining the proposed offense of torture as it was defined in House Bill 1682:

"Torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for purposes such as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in, or incidental to lawful sanctions. (Proposed G.S. 14-34.9(d)(6), House Bill 1682, Version 1)

The members identified the type of harm that results or reasonably tends to result from the offense as it was written. They debated the degree of harm that the statute required. Then

they discussed the offense classification criteria and identified the appropriate classification. The members developed several suggestions for amending the proposed offense to make it conform to existing law. They also discussed the classification of conspiracies and attempts to commit the offense as well as situations where a death results from the offense. They recommended a course of action for each situation.

The Subcommittee also examined the proposed offense of enforced disappearance of persons as it was defined in House Bill 1682:

"Enforced disappearance of persons" means the arrest, detention, or abduction of persons by, or with the authorization, support, or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time. (Proposed G.S. 14-34.9(d)(2), House Bill 1682, Version 1)

The members followed the same process as they had done with the proposed offense of torture. The members identified the type and degree of harm that results or reasonably tends to result from the offense as it was written. Then they discussed the offense classification criteria and identified the appropriate classification. The members developed a suggestion for amending the proposed offense to make it conform to existing law. They also discussed the classification of conspiracies and attempts to commit the offense as well as situations where a death results from the offense. They recommended a course of action for each situation.

Finally, the Subcommittee discussed an alternative approach to addressing the issues presented by the proposed offenses. They suggested amending the offense of kidnapping (G.S. 14-39) so that it would apply to kidnappings that resulted in torture or the enforced disappearance of the victim. They also suggested making it first-degree kidnapping if either of those acts occurred at the behest of a government official, and prohibiting the offender from using the direction of the government official as an affirmative defense.

The Subcommittee noted that the people of North Carolina do not condone torture and that it is contrary to who they are as Americans. They also expressed concern that it betrays American armed forces personnel who might become prisoners of war and be at risk of torture themselves. The Subcommittee presented its final recommendations to the Sentencing Commission. The Commission discussed the recommendations and adopted them at its March 7, 2008, meeting.

## **Recommendations**

### **Proposed Offense of Torture**

- 1. The Sentencing Commission recommends classifying the proposed offense of torture (as defined in the proposed G.S. 14-34.9(d)(6), House Bill 1682, Version 1) as a Class E felony.**

*Commentary:* The Subcommittee reviewed the elements of the proposed offense and decided that it reasonably tends to result or does result in serious personal injury. That is the criterion for a Class E felony. The members agreed that the elements did not require that the injury be debilitating or long-term, which are part of the criteria for the more serious offense classifications.

2. **The Sentencing Commission suggests making the following changes to the proposed offense of torture:**
  - a. **Amend the first sentence to include “in addition to the definition provided at the common law.”**
  - b. **Replace “severe” injury with “serious” injury.**
  - c. **Amend the last sentence to include “lawful interrogation, detention, arrest, sanctions, or use of force.”**

*Commentary:* The Subcommittee suggested adding the reference to a common law definition of torture so as to limit the new definition to the proposed statute only and to indicate that it would not supersede the common law definition. The Subcommittee suggested using the term “serious” injury to make use of established definitions in the case law. The Subcommittee suggested adding the terms “interrogation,” “detention,” “arrest,” and “use of force” to cover lawful activities by law enforcement officers and others that occur prior to the sanctions.

3. **The Sentencing Commission recommends not classifying conspiracy, attempt, and solicitation to commit torture as distinct offenses but allowing them to be classified according to the established rules for inchoate offenses in the General Statutes:**
  - a. **Conspiracy to commit torture would be one class lower than the torture offense, pursuant to G.S. 14-2.4.**
  - b. **Attempt to commit torture would be one class lower than the torture offense, pursuant to G.S. 14-2.5.**
  - c. **Solicitation to commit torture would be two classes lower than the torture offense, pursuant to G.S. 14-2.6.**

*Commentary:* The Subcommittee pointed out that the majority of inchoate offenses are classified according to these statutes and there was no reason given for singling out these offenses. They also recommended following the current statutory scheme to avoid confusion as to their classes.

4. **The Sentencing Commission recommends not classifying an offense of torture resulting in death as a distinct offense because the General Statutes already classify murder by torture as a Class A felony.**

*Commentary:* The Subcommittee pointed out that murder by torture is first-degree murder which is a Class A felony. The members stated that it would create a conflict to have an identical offense in another offense class and that it could not be made more serious than the current class, only less serious.

## **Proposed Offense of Enforced Disappearance of Persons**

- 1. The Sentencing Commission recommends classifying the proposed offense of enforced disappearance of persons (as defined in the proposed G.S. 14-34.9(d)(2), House Bill 1682, Version 1) as a Class F felony.**

*Commentary:* The Subcommittee reviewed the elements of the proposed offense and decided that it reasonably tends to result or does result in serious societal injury. That is the criterion for a Class F felony.

- 2. The Sentencing Commission suggests amending the proposed offense of enforced disappearance of persons by replacing the term “with the intention of removing them from the protection of the law for prolonged period of time” with the term “with the intention of depriving the detainee of due process of the law.”**

*Commentary:* The Subcommittee observed that the intent of the phrase seemed to be to deny the person access to legal recourse to challenge the detention but that the bill did not use customary language that would convey that idea and, therefore, it would require appellate court interpretation.

- 3. The Sentencing Commission recommends not classifying conspiracy, attempt, and solicitation to commit enforced disappearance of persons as distinct offenses but allowing them to be classified according to the established rules for inchoate offenses in the General Statutes:**
  - a. Conspiracy to commit enforced disappearance of persons would be one class lower than the enforced disappearance of persons offense, pursuant to G.S. 14-2.4.**
  - b. Attempt to commit enforced disappearance of persons would be one class lower than the enforced disappearance of persons offense, pursuant to G.S. 14-2.5.**
  - c. Solicitation to commit enforced disappearance of persons would be two classes lower than the enforced disappearance of persons offense, pursuant to G.S. 14-2.6.**

*Commentary:* The Subcommittee pointed out that the vast majority of inchoate offenses are classified according to these statutes and there was no reason given for singling out these offenses. They also recommended following the current statutory scheme to avoid confusion as to their classes.

- 4. The Sentencing Commission recommends not classifying an offense of enforced disappearance of persons resulting in death as a distinct offense because a death resulting from a kidnapping is already first-degree murder under the felony murder rule.**

*Commentary:* The Subcommittee pointed out that a murder which is committed in the perpetration or attempted perpetration of a kidnapping is currently first-degree murder which is a Class A felony.

## **Subcommittee Alternative to Proposed Offenses**

- 1. As an alternative to the proposed offenses of torture and enforced disappearance of persons, the Sentencing Commission suggests amending the offense of kidnapping (G.S. 14-39) as follows:**
  - a. Add the terms “torture” and “causing the disappearance of” to the purpose listed in subsection (a)(3) of the statute.**
  - b. Add the phrase “or the action was authorized, directed, compelled, or condoned by a government official” to subsection (b) as a fourth basis for elevating the offense to first-degree kidnapping.**
  - c. Prohibit any affirmative defense that the act was committed at the behest of a government official.**

*Commentary:* The Subcommittee classified the proposed offenses as requested. They expressed concern that the appellate courts would have to interpret a lot of the new language and concepts. In the interest of judicial economy, the members also suggested an alternative based on existing law. They proposed amending the kidnapping offense to create an offense of kidnapping for the purpose of torturing the person or causing their disappearance. This offense would be a Class E felony unless it was done at the behest of a government official, in which case it would become a Class C felony. The members also suggested prohibiting the defendant from claiming as a defense that he or she acted at the behest of a government official.

## APPENDICES

- A. November 6, 2007, Letter from Representative Luebke and House Bill 1682, Version 2.
- B. January 18, 2008, Torture Offense Subcommittee Minutes.

Appendix A



North Carolina General Assembly  
House of Representatives  
State Legislative Building  
Raleigh 27601-1096



REPRESENTATIVE PAUL LUEBKE  
30TH DISTRICT

November 6, 2007

Judge Erwin Spainhour, Chairman  
North Carolina Sentencing Commission  
P. O. Box 2472  
Raleigh, NC 27602

Dear Judge Spainhour:

House Bill 1682, Study/NC No Place for Torture Act, received a favorable committee substitute in the House Judiciary I Committee on May 17, 2007, and was referred to the House Committee on Rules, Calendar and Operations on May 24, 2007.

I respectfully request that Version 2 of this bill be heard before the December 7, 2007, meeting of the North Carolina Sentencing Commission.

Yours truly,

A handwritten signature in cursive that reads "Rep. Paul Luebke".

Rep. Paul Luebke  
30<sup>th</sup> House District

cc: Susan Katzenelson  
John Madler

Attachment



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2007

H

2

HOUSE BILL 1682

Committee Substitute Favorable 5/17/07

Short Title: Study/NC No Place for Torture Act.

(Public)

---

Sponsors:

---

Referred to:

---

April 19, 2007

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO STUDY THE MOST APPROPRIATE PENALTIES FOR LEGISLATION MAKING TORTURE, ENFORCED DISAPPEARANCE, AND RELATED ACTS UNLAWFUL IN NORTH CAROLINA, RECOGNIZING THE SEVERITY OF THESE CRIMES WHILE MAKING THE SENTENCING CONSISTENT WITH SENTENCES IMPOSED FOR RELATED CRIMES SUCH AS KIDNAPPING.

The General Assembly of North Carolina enacts:

**SECTION 1.** The North Carolina Sentencing and Policy Advisory Commission shall study the most appropriate penalties for legislation making torture, enforced disappearance, and related acts crimes in North Carolina, recognizing the severity of these crimes while providing for sentencing that is consistent with the sentences imposed for related crimes such as kidnapping.

**SECTION 2.** The Sentencing Commission shall report its findings and recommendations to the General Assembly, including recommended language for a bill to be introduced in the 2008 Regular Session of the 2007 General Assembly. The report and recommendations shall be delivered to the Speaker of the House of Representatives and the President Pro Tempore of the Senate not later than January 31, 2008. The report and recommendations may be included in the report to the General Assembly required by G.S. 164-36(a), provided the report and recommendations required by this act are delivered no later than January 31, 2008.

**SECTION 3.** This act is effective when it becomes law.

## **Appendix B**

### **MINUTES (Not Adopted) NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TORTURE OFFENSES SUBCOMMITTEE MEETING RALEIGH, NC January 18, 2008**

The Torture Offenses Subcommittee met on Friday, January 18, 2008, at the Judicial Center Conference Room in Raleigh, North Carolina.

**Members Present:** Chairman Erwin Spainhour, Sheriff Hayden Bentley, Locke Clifford, Honorable Richard Elmore, Bill Hart, Honorable Eleanor Kinnaird, Honorable Paul McCoy, Honorable Fred Morrison, Honorable Ronald Payne, Honorable Tim Spear, Jonathan Williams.

**Guests:** Representative Pricey Harrison (N.C. House of Representatives), Sarah Preston (ACLU-NC). Members of Stop Torture Now, NC: Christina Cowger, Steve Edelstein, Jane Hunt, Jim Hunt, Jule Shanklin, Andy Silver.

**Staff:** Tamara Flinchum, John Madler, and Troy Page.

#### **INTRODUCTION**

Chairman Spainhour called the meeting to order at 10:10 a.m. Members and guests in attendance introduced themselves. Chairman Spainhour noted that Representative Paul Luebke (District 30) would not be able to attend the meeting, but that Representative Pricey Harrison (District 57) would attend and speak for his interests in House Bill 1682 (Study/NC No Place for Torture Act). He then reviewed the agenda for the meeting. He explained that the subcommittee had been formed at the December Commission meeting to study Representative Luebke's request that the Commission recommend offense classifications for the proposed offenses of "torture" and "enforced disappearance" in edition 1 of HB 1682.

Before beginning discussion of the proposed offenses, John Madler noted that other staff of the Commission were meeting with members of a working group from the United Kingdom studying the potential creation of a sentencing commission for the U.K., and that Commission members were invited to remain after the subcommittee meeting to meet with the delegation and discuss their experiences as commissioners.

#### **REVIEW AND CLASSIFICATION OF PROPOSED OFFENSES OF TORTURE AND ENFORCED DISAPPEARANCE**

Mr. Madler began by directing the members' attention to the materials provided and the text of edition 1 of HB 1682. He explained that the bill had been amended to a study bill in edition 2 and could have been incorporated into the annual studies act of the General Assembly, but that the legislature had recessed from the long session before passing the studies act. He explained that, without a mandate to the Commission to study the issue, Representative Luebke requested that the Commission recommend offense classes for the proposed offenses based on

the offenses as they were written in edition 1. He noted that although edition 1 included “kidnapping” in its list of offenses, Representative Luebke indicated that he intended to exclude that offense from future versions of the bill; the Commission therefore did not need to review the existing offenses of kidnapping for potential reclassification.

### **Torture**

Senator Kinnaird asked if North Carolina had an existing definition in the law for “torture.” Bill Hart and Judge Payne explained that the State’s definition of “torture” was developed in case law for the offense of first-degree murder, generally as a variation of murder that was “especially heinous, atrocious, or cruel,” and that any definition in HB 1682 might supplant the existing, common law definition. Mr. Hart later noted that he was not certain that the offense of torture in HB 1682 would replace the common law definition entirely, because there were variations between the elements of the statute and torture’s common law version.

Mr. Madler reviewed the felony offense classification criteria for the members before they began discussion of the torture offense. Chairman Spainhour recognized Representative Harrison’s arrival and asked for any comments that she wanted to make on Representative Luebke’s behalf. Representative Harrison said that the bill’s sponsors were relying on the Commission’s expertise in recommending classes for the proposed offenses and appreciated its assistance.

Judge Payne noted that the proposed offense of torture as contained in edition 1 of HB 1682 included “attempts” and that the list of elements in the handout did not expressly include that term. Mr. Madler asked that the members divorce the classification exercise from the exact text of edition 1 of HB 1682. He said that Representative Luebke wanted the Commission to classify the offense based only on the substantive elements as reflected in the definition of torture provided, but that the meeting would address the inchoate offenses (*e.g.*, attempt and conspiracy) later.

Troy Page then summarized for the members some concerns with the bill that they had raised during the December meeting. He noted in particular that members had several questions about the proposed offense’s relationship to existing offenses. Mr. Page described several issues with the bill that members felt could impede legitimate law enforcement investigations because the elements listed might expose law enforcement officers to accusations of “torture.” Finally, Mr. Page said that several members noted that legal recourse already existed against state actors who engage in torture, particularly as a civil action against public officials for deprivation of rights under color of law, pursuant to 42 U.S.C. §1983.

The members then discussed possible offense classifications for the torture offense. Mr. Clifford noted that felony offense classes C, D, and E dealt with serious personal injury and seemed like the only options. Judge Payne suggested that because the offense did not require the use of a weapon or the infliction of “long-term” injury, Class E seemed most appropriate. Judge Morrison noted that Class C might be appropriate if the harm inflicted were viewed as widespread societal injury due to the actions of government actors.

Mr. Clifford reiterated the offense’s close relationship to kidnapping, and suggested that a more appropriate measure may be to insert language regarding torture into the elements of

kidnapping under G.S. 14-39. Mr. Hart suggested that torture also could be listed as an element that elevates second-degree kidnapping (Class E) to first-degree kidnapping (Class C).

Judge Elmore noted that amending kidnapping instead of classifying the new offense would achieve both Class E and Class C, given the two degrees of kidnapping. Chairman Spainhour reminded the members that the objective of the subcommittee was to classify the proposed offenses. Judge Payne moved that the subcommittee recommend Class E for the offense of torture; the motion was seconded. The members discussed the offense's use of "severe" injury when existing North Carolina law provided no definition for that level of injury. They compared it to standards for "serious" injury or "serious bodily" injury, or "significant" injury in the Commission's Offense Classification Criteria for Class F. Judge Payne's motion was then approved.

Chairman Spainhour then asked if there were additional notes or suggestions that the members wanted to include in the report on the torture offense, such as changing the element of "severe" injury to that of "serious" injury. Mr. Clifford moved that the subcommittee suggest that change and was seconded. The motion carried.

Judge Payne reminded the members of the Commission's December meeting in which they were told that the offense was meant to apply to non-governmental actors, and asked if a note should be included that the offense as written would not. There was no motion to that effect.

The members then discussed their previous concerns that the offense might impede lawful investigations and interrogations by law enforcement agencies. Sheriff Bentley noted that in addition to the mental suffering described previously, the offense might also subject officers to liability for using non-lethal methods of restraint like mace or stun guns (*e.g.*, Tasers). The members discussed whether or not the offense required any criminal intent on the part of the hypothetical law enforcement officer, and whether or not the "suffering" inflicted had to be related directly to the subject matter under investigation. Chairman Spainhour recognized Christina Cowger of Stop Torture Now NC, who noted that the offense was not intended to affect state or local law enforcement officers and that amendments to the substance of the offenses might address law enforcement's concerns. Mr. Clifford pointed out that the "prototype offenders" envisioned in the bill were the pilots of private aeronautics companies that flew terrorism suspects to countries where they were likely to be tortured at the behest of the Central Intelligence Agency (CIA). Several members asked how the offense could address those activities without also impeding legitimate law enforcement functions, and noted that as written the bill would have a chilling effect on otherwise lawful investigations.

Senator Kinnaird suggested that in order to address the concerns over legitimate law enforcement functions, the definition of torture (G.S. 14-34.9(d)(6) in HB 1682, edition 1) could be amended to change the end of the paragraph from "... or incidental to lawful sanctions" to "... or incidental to lawful interrogation, detention, arrest, or sanction." Mr. Clifford moved that the subcommittee suggest that change in its report and was seconded. The motion carried. After discussion about whether "sanctions" would include the lawful "use of force," Mr. Clifford moved to amend the suggested language so that subsection (6) would end with "...incidental to lawful interrogation, detention, arrest, sanction, or use of force." The motion was seconded and carried.

The members then discussed whether or not they should suggest amendments to G.S. 14-39 (Kidnapping). They discussed whether “torture” should be included in the list of the offender’s purposes (specifically G.S. 14-39(a)(3)) that would enable prosecution for kidnapping or should be listed as a fourth ground for raising kidnapping from the second degree to the first degree under G.S. 14-39(b). They then discussed whether such an amendment would be intended to reach civilian offenders rather than the state actors targeted in HB 1682, and whether there was a significant distinction between torture committed by private actors and torture committed as the result of a government program. Mr. Steve Edelstein of Stop Torture Now NC noted that they did not want the bill to impede legitimate law enforcement activities, but that it was important that some version of the bill pass as a public statement against torture. Chairman Spainhour said that the subcommittee shared that sentiment, and that the suggested amendments were being offered only as a way to produce a bill that was actually prosecutable without impeding legitimate law enforcement functions.

Mr. Williams pointed out that existing laws such as war crimes statutes were designed to reach government officials with command authority and to prevent them from “hiding behind” their government offices, but that the torture offense and suggested amendment to kidnapping would address actions of civilians acting as agents of those government officials. Mr. Andy Silver of Stop Torture Now NC said that the offense was drafted to get around the immunity of federal officials engaging in torture. Mr. Clifford explained that no law enacted by North Carolina would be able to limit the sovereign immunity of the United States government. Mr. Hart pointed out also that by making the torture action a criminal offense for civilians, a prosecutor would have to prove the element of involvement by state actors, which would be difficult to do without an admission. The members discussed the difficulty of proving such an agency relationship and whether authorization by a government official should be prohibited as a defense in certain actions.

Mr. Clifford moved that the subcommittee include in the preamble to its notes on the bill a statement as to the “un-American” nature of torture in that it is not only “not who we are,” but that it betrays American armed forces personnel who might find themselves prisoners of war and be at risk of torture, themselves. The motion was seconded and carried. After additional discussion of civilians acting as agents of government officials, Mr. Clifford moved that the subcommittee suggest an amendment to G.S. 14-39 to prohibit a defense that the kidnapping was carried out (authorized, directed, compelled, or condoned) at the direction of a government or government agency. The motion was seconded and carried. After a brief discussion of the two degrees of kidnapping, Mr. Hart moved that the subcommittee suggest amending G.S. 14-39(b) to include kidnapping committed “at the behest of a government official” as a ground for raising kidnapping to first degree. The motion was seconded and carried.

Mr. Madler then drew the members’ attention to the related offenses in HB 1682 of attempted and conspired torture and torture from which “death results.” Mr. Clifford moved that the subcommittee recommend that the attempt, conspiracy, and solicitation of torture follow the normal rules of G.S. 14-2.4, 14-2.5, and 14-2.6 (a reduction of one level (attempt, conspiracy) or two levels (solicitation) from the offense class of the primary offense) instead of incorporating them into the new statute. The motion was seconded and carried. For the “death results” offense, Mr. Hart moved that the subcommittee recommend no class and include a note that murder by

torture is already a Class A felony, which cannot be made more severe. The motion was seconded and carried.

### **Enforced Disappearance**

Mr. Madler reviewed the elements of the proposed offense of “enforced disappearance” in the members’ materials. The members discussed the fifth element (“with the intention of removing them from the protection of the law for a prolonged period of time”) and what purpose was achieved by that element. After some discussion, the members decided that the element appeared to be directed at persons who abduct others and then prevent the victims from having any access to legal recourse to challenge their detention. Judge Payne moved that the element be amended to “... with the intention of denying the detainee due process of the law.” The motion was seconded and carried.

Chairman Spainhour reminded the members that the exercise was to classify the offense before amending it. The members discussed the distinctions between Class C (widespread societal injury) and Class F (serious societal injury). Judge Payne moved that the subcommittee recommend that enforced disappearance be placed in Class F. The motion was seconded and carried. Judge Spainhour asked if there were any other suggestions about the substantive elements of the offense. There were none.

Mr. Madler noted that like torture, the enforced disappearance offense also had specific offense classes in edition 1 of HB 1682 for attempt and conspiracy and for cases when “death results.” Judge Payne moved that the subcommittee recommend that the attempt, conspiracy, and solicitation of enforced disappearance follow the normal rules of G.S. 14-2.4, 14-2.5, and 14-2.6 (a reduction of one level (attempt, conspiracy) or two levels (solicitation) from the offense class of the primary offense). The motion was seconded and carried.

For the “death results” offense, Judge Payne moved that the subcommittee recommend no class and include a notation that murder committed in the course of a kidnapping is already first-degree murder under the felony murder rule. The motion was seconded and carried.

### **ADJOURNMENT**

Chairman Spainhour asked if there was any further discussion. There was none. Mr. Madler noted that the staff would draft a report of the subcommittee’s work and distribute it by e-mail for the members’ review and comment prior to the Commission meeting of March 7, 2008. Chairman Spainhour adjourned the meeting at 11:55 a.m.

Respectfully submitted,

Troy D. Page  
Research & Policy Associate