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NISS June 4 Webinar

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Dear Professor Rosenberger, Moderator Kelling, and Speakers for the June 4 NISS webinar on police use of force:

I saw the program for the referenced webinar, which I hope to attend. Only Dr. Knox's abstract mentions racial disparities. But most discussions regarding reducing police use of force are informed by and reflect the belief that generally reducing adverse criminal justice outcomes (including being subjected to the use of force by police) will tend to reduce (a) relative racial differences in rates of experiencing the outcomes and (b) the proportion blacks make up of persons experiencing the outcomes. In fact, the opposite is case.

That is (and, for simplicity, putting the matter solely in terms of relative differences), reducing any outcome, while tending to reduce relative differences in rates of avoiding the outcome, tends to increase relative differences in the outcome itself. References 1 to 5 discuss this issue with regard to misperceptions about effects of reducing adverse criminal justice outcomes on measures of racial disparity.

Reference 6 explains the matter fairly simply with respect to misperceptions regarding effects of reducing other adverse outcomes on measures of racial disparity.

I saw a January 12, 2021 webinar in which Professor Engel discussed a study that found training on de-escalation techniques in Frankfurt, Kentucky was followed by a larger proportionate reduction in being subjected to the use of force for whites than blacks (if I recall correctly). I was unable to locate that finding in the study itself. But I note that a pattern whereby reducing an outcome tends to cause a larger proportionate reduction in the outcome for the group with the lower baseline rate for the outcome (while causing a larger proportionate increase in the opposite outcome for the other group) is simply a corollary to the aforementioned pattern regarding relative differences. See ref. 7.

I hope you find the references of interest and consider the points they make as bear on issues in your presentations. I especially urge you not to lead viewers to believe that reducing any adverse criminal justice outcome would be expected to reduce (a) and (b) for the outcome. That, of course, may happen from time to time, and, when it does, that would be something warranting further study. But typically the opposite will occur.

I previously brought these issues to the attention of Professor Rosenberger in 2015 and 2016 connection with his leadership roles with the American Statistical Association (ASA). References 8 and 9 urged ASA, among other things, to explain to the government that reducing adverse school discipline, borrowing, and criminal justice outcomes tends to increase, not reduce, (a) and (b) for the outcomes. Given my interactions with the Chair of the Science and Public Affairs Committee on the matter, I think that it is fair to say that, as an institution, ASA understands (or then understood) that reducing adverse criminal justice outcomes tends to increase relative racial differences in rates of experiencing the outcomes. But, due to ASA leadership's refusal to address the matter, very few of its members understand this. In fact, probably only a miniscule proportion of ASA members understands that it is even possible for the relative difference in a favorable outcome and the relative differences in the corresponding adverse outcome to change in the opposite direction as the prevalence of an outcome changes, much less that this tends to occur systematically. And probably the overwhelming majority of members share the mistaken belief that reducing adverse outcomes will tend to reduce relative racial and other demographic differences in rates of experiencing the outcomes.

I may at some point write NISS a letter similar to those written to ASA, urging NISS to do the things ASA declined to do. In fact, given the nature of NISS, it would seem to have a specific responsibility to explain this issue to many of its clients (like that Comptroller of the Currency, which in its enforcement of fair lending laws has long acted according to the mistaken belief that relaxing lending requirements will tend to reduce, rather than increase, relative racial differences in loan rejection rates, see ref. 6 and slides 10 & 11 of ref. 2).

Further, apart the fact that many statisticians promote the mistaken belief that reducing adverse criminal justice and

other outcomes will tend to reduce (a) and (b) for the outcomes, the near universal failure of statisticians to understand that it is even possible for relative differences in a favorable outcome and relative differences in the corresponding adverse outcome to change in opposite directions as the prevalence of an outcome changes is a serious blemish on the profession. These particular failings, however, are part of a larger problem in the analyses of demographic differences arising from the failure to understand the ways measures tend to be affected by the prevalence of an outcome, a subject of the earlier ASA letter and references 10 and 11. It is that larger problem that undermines virtually all efforts to appraise the effects of policies on differences in the circumstances of advantaged and disadvantaged groups.

I could not find an email address for Dr. Riddle. So, I would appreciate Professor Rosenberger's forwarding this note to him.

Best regards,

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1. "[A Criminal Justice Reform Premise That Is Statistically Flawed](#)," Law360-Access to Justice (Apr. 5, 2021)
2. "[Misunderstood Issues in the Measurement of Demographic Differences](#)," Upstate New York 2021 Statistics Conference, Rochester, NY (Apr. 24, 2021)
3. "[Usual, But Wholly Misunderstood, Effects of Policies on Measures of Racial Disparity Now Being Seen in Ferguson and the UK and Soon to Be Seen in Baltimore](#)," Federalist Society Blog (Dec. 4, 2019).
4. "[United States Exports Its Most Profound Ignorance About Racial Disparities to the United Kingdom](#)," Federalist Society Blog (Nov. 2, 2017).
5. "[The Pernicious Misunderstanding of Effects or Policies on Racial Differences in Criminal Justice Outcomes](#)," Federalist Society Blog (Oct. 12, 2017).
6. "[Misunderstanding of Statistics Leads to Misguided Law Enforcement Policies](#)," *Amstat News* (Dec. 2012)
7. "[Divining Difference](#)," *Chance* (Fall 1994)
8. [Letter to American Statistical Association](#) (Oct. 8, 2015)
9. [Letter to American Statistical Association II](#) (July 25, 2016)
10. "Race and Mortality Revisited," *Society* (July/Aug. 2014)
11. [Comments for Commission on Evidence-Based Policymaking](#) (Nov. 14, 2016)