

Portland Police Bureau Training Advisory Council

Date: September 9, 2020

From: Shawn Campbell
Chair, Training Advisory Council

To: Chief of Police Chuck Lovell
Mayor Ted Wheeler

Subject: Inclusion of Demographic Data

On March 13, 2019, the Training Advisory Council (TAC) submitted a recommendation for consideration regarding the inclusion of race and ethnicity demographic data to provide much needed context for the bureau's reporting of force and custodies. The bureau did not respond to our recommendation for six months. When the bureau's response was delivered, it was found by many in the TAC to be incomplete and illogical. Attempts to discuss the issue further were firmly rebuffed by bureau representatives.

<https://www.portlandoregon.gov/police/article/745939>

The central arguments of the bureau regarding why demographic data is not included in use of force reports centered on the claim that demographic data provided by the U.S. Census Bureau is both inaccurate and incomplete, as well as issues related to differential exposure. Though not specifically mentioned in the response, discussions regarding the recommendation also indicated concerns by the bureau that such comparisons would be utilized inaccurately by outside groups. While the TAC recognizes that no dataset or comparison is perfect, it fully rejects the bureau's notion that these issues are significant enough to make comparisons inaccurate to the point of no longer being of any use. The TAC's direct response to the bureau's individual claims can be found via the document attached below.

The TAC also rejects the notion that the inaccurate usage of data by outside groups is a valid reason to not make such comparisons to highlight issues in inequity. The wide disparity between use of force, custody, and population rates for some racial groups is a well-known phenomenon amongst the general public, and is noted in various studies and reports, including Section 9 of the TAC's report regarding patterns in the use of force (see below link). Though the TAC agrees that the comparison of use of force and custody data to demographic data is a complex issue, and that many groups and individuals often oversimplify such issues for the furthering of their own agendas, this cannot be a reason to avoid providing information and needed context to better understand issues of public concern.

<https://www.portlandoregon.gov/police/article/763834>

The events of the past several months highlight the complete lack of trust significant portions of the public have in the Portland Police Bureau. A significant part of this distrust can be attributed to a lack of transparency, with the bureau actively avoiding issues that may paint it in a negative light. Bureau leadership has long been affected by an under-siege mentality, which has created a self-reinforcing loop. The more transparency is avoided, the more the community distrusts the bureau, resulting in the bureau retreating further behind its siege barriers. Unless this cycle is broken, the community will not trust the police and the police will continue feeling that the community is hostile towards them.

Given the above, it is the belief of the TAC that it is in the bureau's best interest to open dialogue regarding better utilizing demographic data to highlight both the bureau's observance and concern regarding issues of inequity. It is the assertion of the TAC that a workable solution, acceptable to all parties, can be found.

We look forward to the opportunity of discussing this issue with you further. If you need to contact me, you can do so via email at ppbtac@gmail.com.

Yours Truly,

Shawn Campbell
TAC Chair

About the Training Advisory Council:

The TAC was created in 2012 as a police bureau advisory body by city resolution 36912. The TAC is a citizen's group with the mission of providing ongoing advice to the Chief of Police and the bureau's Training Division in order to continuously improve training standards, practices, and outcomes through the examination of training philosophy, content, delivery, tactics, policy, equipment, and facilities. The TAC is also tasked by Section 86 of the DOJ settlement agreement with the City of Portland to identify and report to the Chief of Police any patterns in the bureau's use of force. Website: <https://www.portlandoregon.gov/police/61449>

TAC Response to Bureau's Claims Regarding Demographic Data Recommendation

September 9, 2020

Link to Demographic Data Recommendation and Bureau Response:

<https://www.portlandoregon.gov/police/article/745939>

Links to TAC Patterns in the Use of Force Reports:

<https://www.portlandoregon.gov/police/article/763834>

<https://www.portlandoregon.gov/police/article/738715>

Responses to Claims of Inaccuracy:

- The TAC rejects the bureau's assertion that the U.S. Census Bureau's (USCB) American Community Survey (ACS) is too inaccurate to be utilized. While as with any survey it is not perfect, it is widely used by all levels of government, non-governmental organizations, and businesses to allocate billions of dollars in investments. Furthermore, in the case of comparing the relative sizes of various populations in Portland, it can be shown that the shortcomings of the ACS only have a limited effect on each population's relative proportion.
https://www.census.gov/content/dam/Census/programs-surveys/acs/about/ACS_Information_Guide.pdf
- The bureau indicates that the ACS is the least accurate tool for describing an area's population, with the overall margin of error (this is actually the mean absolute percentage error) ranging from 9.61% for five-year estimates to 12.1% for one-year estimates. These figures came from the Yowell & Devine 2013 study referenced by the bureau, which compared the ACS to alternative methods for estimating county populations by comparing estimates to actual 2010 census data. However, a review of this study shows that the bureau incorrectly referenced figures derived from counties with a population between 10,000 and 19,999. Multnomah County has a population of over 800,000. The largest data bracket used in the study is 65,000+, which showed a mean absolute percentage error ranging from 4.72% for five-year estimates to 5.21% for one-year estimates. This error brings into question how well the bureau reviewed the study prior to utilizing it for their argument. It is also notable that the mean absolute percentage error shrinks as county population grows, suggesting that the mean absolute percentage error would further decline if further high population brackets had been included in the study.
<https://www.census.gov/library/working-papers/2013/demo/POP-twps0100.html>
- The assertion that the ACS has a high margin of error is fair, especially for smaller populations, but it ignores the effect of these errors on the relative sizes of populations. The ACS includes calculated margins of error for all of its reported datapoints. For example, for the 2018 five-year ACS, the population estimate for the City of Portland is 639,387 with a margin of error of +/- 510. In comparison, the Black population of Portland is estimated to be 36,801 (5.8% of the total population) with a margin of error of

+/- 1,342. Even if the actual Black population was at the top end of this range, it would still represent only 6.0% of the total population. Given that in 2019, Black subjects represented 22% of custodies and 29% of subjects experiencing force, the Black population would have to be extremely underestimated for disparities not to exist.

<https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/>
<https://www.portlandoregon.gov/police/article/763834>

- The bureau asserts that many communities of color have significantly worse response rates to the ACS based upon the Griffin 2002 study referenced by the bureau. However, the effect of this discrepancy is limited, with the Griffin study reporting White's having a response rate of 96.44% and Black's having a response rate of 93.19%. Assuming that in eighteen years the USCB has not managed to change this disparity in response rates, the discrepancy highlighted in the study at worse suggests, taking into account margins of error, that in Portland the ACS may be missing up to 1,336 Black individuals (based on the difference in White and Black response rates taking into account the margin of error reported in the Griffin study), which if included would result in the Black population accounting for still only 6.0% of Portland's population, well below the Black population's share of custodies (22%) and use of force (29%).
https://www.census.gov/content/dam/Census/library/working-papers/2002/acs/2002_Griffin_01.pdf

Responses to Claims of Incomplete:

- The TAC agrees with the bureau's assessment that the ACS is incomplete given that it only measures residents; not including commuters, visitors, and the houseless population. However, the TAC rejects the assertion that this makes the ACS unusable as a relative comparative measure. Often in the pursuit of comparative analysis, proxy measurements must be utilized when datasets are not available, a practice that is acceptable as long as logic and analysis dictate that the relative rates of the proxy dataset are not significantly different than what one would expect the relative rates of the actual dataset to be. The bureau uses this logic when utilizing custody rates as a comparative measure to use of force rates. In this case, some subjects who have force utilized against them are not taken into custody, but custody rates are utilized as a proxy for police interactions since the more correct dataset is not available or easily obtainable.
- The bureau is correct in its assertion that people commuting for work can significantly alter the total number of people within the city limits. For example, according to the USCB, approximately 260,000 people commute into the city for work and 120,000 residents commute to other locales for work (it should be noted that the bureau overestimates this in their response since they do not account for people commuting out of the city). However, when making demographic comparisons, the question must be asked whether or not the inclusion of commuters would have a significant effect on relative comparisons. In the case of comparing the effects of policing on racial groups, the answer appears to be that the addition of commuters would skew towards increased disparities rather than less. Data regarding the race/ethnicity of workers in Portland and demographic data for the surrounding metro area both suggest that the demographics of commuters skews more White compared to the demographics of Portland residents.
<https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/>
<https://onthemap.ces.census.gov/>

- The bureau is correct in asserting that tourists visiting Portland have an effect on the overall city population, though this fluctuates significantly dependent upon the time of year (it should be noted that the 73,000 tourists each day average used by the bureau in their response appears to be for the entire state, the average for the Portland metro area is actually closer to 24,000 overnight visitors per day). However, it is highly doubtful that the demographics of the tourist population at any given time in the city significantly skews relative population shares. Even if we ignore the rising share of international tourists in the region, most of whom arrive from Asia or Europe, and assume tourist demographics similar to the entire United States, there is little to no effect on the relative populations of groups where significant police interaction disparities have been noted. For example, the overall United States population is 12.7% Black, much higher than the 5.8% share in Portland. If we assume that 12.7% of tourists in Portland at any one given time are Black, it only raises the Black population to 6.0%, still well below the disparities seen in custodies (22%) and use of force (29%).

<https://www.travelportland.com/wp-content/uploads/2019/09/DeanRunyan2018-TravelPortland.pdf>

https://industry.traveloregon.com/wp-content/uploads/2019/04/OREconomicImp18_DeanRunyan.pdf

<https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/>
- The bureau is correct in asserting that local visitors to Portland from the surrounding area also have an effect on the overall city population, and that these visitors are not counted by any estimates. However, given the demographics of the surrounding metro area, which tends to be less racially diverse than Portland, especially for the racial groups facing the greatest levels of disparity, it is highly unlikely that including visitors would lessen noted disparities. If anything, including visitors would likely increase them.

<https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/>
- The bureau is correct in asserting that houseless and unsheltered individuals, who are often not accounted for, have an effect on overall city population. According to the Multnomah County Point in Time (PIT) report, many racial groups are much more represented in the houseless community than they are in the general population. For instance, it is estimated that 16.2% of the houseless community is Black, compared to 5.8% of Portland's overall population. However, it is doubtful that the houseless population is large enough to significantly skew the overall relative population shares. For example, the 2019 PIT report estimated the county houseless community at 4,015 individuals. If included with the overall population, this would only shift the city's Black population share to 5.9%. While it would be fair to point out that the PIT report likely underestimates the size of the houseless population, it is doubtful that it does so to an extent significant enough to skew overall relative population shares. For example, just to raise the Black population share by one percentage point to 6.8% would require a houseless population of 68,100 individuals, 17 times greater than the PIT report estimate.

<https://multco.us/joint-office-homeless-services/point-time-counts>
- The TAC fully agrees that the demographics, and racial disparities therein, of the houseless community are very important given that approximately half of individuals taken into custody and half of the subjects experiencing force were reported to be transient, which includes houseless individuals and people who refuse to provide an

address. However, needed analysis to better understand this relationship is unavailable due to the bureau's inability to identify individuals who are specifically houseless.

Responses to Claims of Differential Exposure:

- The TAC agrees with the bureau's assertion that solely comparing custody and use of force data to relative population data fails to account for many factors; such as involvement in criminal activity, socioeconomic status, neighborhood demographics, biases of those calling for police service, etc. Furthermore, the TAC believes that any comparison of use of force and custody data to relative population data should include mention of these factors outside of the direct control of the bureau, as well as examples of how the bureau is working to limit contributing factors over which it does have control; such as individual officer biases and problematic policies and directives. It is recognized that this is a complicated area of study where though many of the factors involved are widely agreed upon, numerous studies disagree on the effect of each individual factor. However, even taking into account the above, the TAC also believes that comparisons of use of force and custodies to relative populations does play an important role in highlighting existing disparities to both the bureau and community, providing a much needed emphasis on why reforms, both in the bureau and wider societal reforms, are needed, as well as creating a sense of transparency and that the bureau is not only aware of the problem, but doing its part to help alleviate it.
- It is notable that between 2015 and 2019, the proportion of subjects who experienced force but were not taken into custody each year ranged between 6% to 23%. Despite this relatively high rate in most years, the bureau continues to compare use of force rates to custody rates. This is done because custody rates are the only dataset currently available to measure police interactions and because though not perfect, the comparison still provides useful information. A similar argument can be made for comparing use of force and custodies to relative population proportions.
<https://www.portlandoregon.gov/police/62708>
- It is also notable that the bureau does compare its annual stops data to relative population proportions, including explanations of how other factors skew such a comparison. Given this precedent, the TAC sees no reason why something similar cannot be done for use of force data and other datasets.
<https://www.portlandoregon.gov/police/65520>