

Public Defense Forecast Technical Workgroup: Meeting 1 Summary

The Technical Workgroup convened on October 4th, 2024. Present at the meeting were representatives from the Chief Financial Office (Department of Administrative Services), the Legislative Fiscal Office, the Governor's Office, the Office of Public Defense Services (OPDS), the Oregon State Police, the Oregon Judicial Department, the Criminal Justice Commission, and the Office of Economic Analysis (OEA).

The workgroup reviewed the outline of its intended work, including defining OEA's forecast output, determining necessary data inputs, and reviewing potential methodologies.

The purpose of the meeting was to determine the specifics regarding OEAs' public defense forecast output. As a precursor to the discussion, the workgroup reviewed the output prescribed in Senate Bill 337, namely, to forecast adult and juvenile populations eligible for counsel. These populations are to be broken down by circuit versus appellate court.

OPDS reviewed the existing methodology and data inputs. The workgroup discussed the theoretical relationships between a case filing and the assignment of a public defender. It was determined that a possible approach to forecasting cases where an individual was eligible for a public defender would be to start with the universe of case filings, both for circuit and appellate courts. This universe would then be broken down into distinct case types that OPDS would need for contracting, budgeting, and planning purposes. They would also be delineated by county.

Certain post-disposition events would also be captured where a public defense could be assigned, including probation violations, a case being reinstated or a case returning to aging status (possibly due to a warrant being executed).

Further, each case could be identified as to whether the individual was eligible for public defense, and then whether one was assigned. It is possible that such a dataset could provide a suitable underpinning for the desired forecast output.

The length of the forecast horizon was discussed. For purposes of planning, a three-biennia out forecast was determined to be sufficient. The increments of time (monthly vs. quarterly vs. fiscal year) were also discussed. This degree of atomization will ultimately hinge on the availability of the data, but it was noted that more atomic is preferable. Not stated, but of primary importance, is that more granular output can always be aggregated up while it is far more difficult to disaggregate data after the fact.

Summary

Subject to further analysis, the primary output for the OEA public defense forecast will be a caseload matrix with three series: total cases filed, subset of those cases eligible for public defense, and then the further subset assigned public defense. This matrix will be replicated for some number of case types (e.g., Felony, Juvenile, Appellate, etc.) The output will be monthly and will extend out to three future biennia¹. As a next step, OEA will engage with OJD and OPDS to discuss case filing data with a particular eye towards refining the target case types reflected in the forecast output. If a test dataset can be acquired, OEA will analyze the data and prepare initial findings for the workgroup's review.

¹ For the April 2024 forecast, the output would extend out to the 2029-31 biennium.