

OREGON CORRECTIONS POPULATION FORECAST

Office of Economic Analysis

October 1, 2026

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Accessibility Statement

The Department of Administrative Services is committed to ensuring that all individuals have equitable access to our services, resources, and programs.

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Executive Summary

Prior to the Covid-19 pandemic, prison beds numbered over 14,500 and a “normal” relationship existed between population, rates of offending, and incarceration. The shutdown disrupted the criminal justice system significantly, with prison beds falling to 12,000 and felony case filings and prison intakes falling dramatically, as well. A new “normal” appears to have evolved; however, the shortage of public defense attorneys renders this a tenuous equilibrium at best. The advisory committee discussed these issues, including the legislature’s investments in the public defense system. This October 2026 forecast exhibits a modest and slow impact of these investments on prison intakes and prison counts, with the prison population rising a little less than 300 beds by the end of the 2027-29 biennium.

The community corrections forecast is little changed except for the Probation population. Recent actuals, which should be exhibiting the impact of House Bill 4002, are increasing at a softening rate. As such, the projected growth profile has been modulated and the ultimate peak equilibrium is mildly reduced.

This report characterizes the latest forecast for adults in custody (prison) and community corrections caseloads, as well as potential for actual figures to vary from this forecast. All forecast values are published in spreadsheet format and can be viewed and downloaded from the link below. The spreadsheet includes forecast data tables for the prison and community corrections populations.

Website: <https://www.oregon.gov/das/oea/pages/forecastcorrections.aspx>

Questions regarding the forecast and information presented in this report can be sent to Michael Kennedy at:

Email: michael.kennedy@das.oregon.gov

Background

The Office of Economic Analysis (OEA) produces the semi-annual Oregon Corrections Population Forecast which provides projections of the offender populations supervised by the Oregon Department of Corrections (DOC). The forecast estimates the number of adults in custody (AIC) in the state prison system, offenders on probation, parole, post-prison supervision, and felony offenders serving sentences of 12 or fewer months in county jails.

Oregon Revised Statute 184.351 direct the Department of Administrative Services (DAS) and the Corrections Population Forecasting Advisory Committee to produce the forecast. The forecast is mandated to estimate monthly populations over a ten-year period and is published April 1st and October 1st of each year. State agencies, in particular the DOC and the Oregon Criminal Justice Commission (CJC), are mandated to use the forecast for budgeting and policy development where the offender population is concerned.

The Advisory Committee, whose members are appointed by the Governor, is comprised of individuals with knowledge of the criminal justice system. Advice from the Committee forms the basis for forecast assumptions regarding policy and practices in the criminal justice system and the impact of law and policy changes on the corrections populations. Committee members bring to the forecast process decades of diverse experience in the public safety system. They meet prior to each forecast release to discuss forecast-related issues such as trends in crime, potential impact of new laws, changes in public safety policy or practices, and to advise technical aspects of the forecast process.

Corrections Population Forecast Advisory Committee

Jodi Merritt (chair)	Polk County Community Corrections Director
Todd Jackson	Multnomah County Chief Deputy District Attorney
Honorable Jeffrey Auxier	Multnomah County Circuit Court
Aaron Felton	Polk County District Attorney
Brook Reinhard	Criminal Defense Attorney, Reinhard Law
John Bailey	Chair - Parole Board
Ryan Keck	Interim Executive Director - Criminal Justice Commission
Michael Reese	Director - Department of Corrections
vacant	Sheriff's Association Representative

The general forecast process, the publication of the forecast (this document), and technical aspects of performing the forecast (e.g., data analysis), are managed by OEA, in partnership with the CJC, and with substantial assistance from the DOC.

Forecast Process

Assumptions

The Covid-19 pandemic sent all the populations covered in the OEA forecast into freefall circa April 2020. Initially, these populations were expected to rebound to long-term trend levels within a few years. Within a year or so, it became apparent that this rebound was not in the offing. A shortage of public defense attorneys was identified as the predominant factor limiting processing of felony¹ cases for which the Department of Corrections has supervisory and budgetary authority. It should be noted that other factors, such as shifting police, prosecutorial, and judicial practices, also played a role in recent population patterns. The 2025 Oregon legislature passed House Bill 5031 to fund improvements in the public defense system, although deploying these additional resources will take time to occur. The Corrections Population Forecast Advisory Committee discussed these issues in detail and the results of that discussion are reflected in the projections presented in this report. This October 2026 forecast presents a slower and more gradual increase in the prison population as the impact of public defense improvements are realized over many years. In addition to a changing outlook regarding the public defense resolution, there is also now over six years of post-pandemic data and history that comprise an emerging new “normal” that must be recognized. This evolving set of relationships, patterns and trends is beginning to supersede pre-pandemic history in informing future assumptions and predictions.

In the outer years of the forecast, fundamental shifts in criminal tendencies and demographics in the general population pose a risk to the forecast. For example, over the past quarter century overall crime rates, including serious person crimes, have declined. If that trend were to reverse over the coming decade, the corrections population could expand well beyond the current forecast.

Criminal justice system practices have a significant effect on the flow of individuals through the court system and into the prisons. Emphasis on specific criminal activity and plea practices, for example, can change based on law enforcement policy and prosecutorial discretion. The amount of discretion in the corrections system, with respect to prosecution of crimes and punishments sought, introduces a considerable degree of uncertainty to the forecast. Even if there was never a change in criminal activity or laws in Oregon, the prison population could vary considerably based on administrative procedures, policies, and individual discretion exercised in law enforcement, prosecution, plea bargaining, and sentencing by judges.

Methodology

The prison population forecast uses a model that simulates adults in custody entering prison, their length of stay in prison, and final release. The primary driver of the forecast in the short term is the

¹ Certain misdemeanor cases are also under DOC budgetary authority.

release rate of the existing prison population. In the long term, new intakes drive population trends. The rate of intakes and releases results in turnover of about half the population every 18 months.

The long-term prison population depends primarily on the forecast of future intakes (number and lengths of stay). In contrast to releases, future prison intakes cannot be mechanically determined based on any current information. Intakes are forecasted based on historical trends and anticipated population growth in Oregon. The trend integrates demographics, crime rates, criminal justice practices, and other factors which influence intakes and sentence lengths. The forecast assumes future intake trends will be like what has been observed in the recent past. The release profile for future intakes is a function of recent patterns as well.

Prison intakes are the major determinant of the long-term prison population size, so it is valuable to have factors which are predictive of future intakes. The size of Oregon's population, as well as its age and gender mix, are primary determinants of future intakes. Changes in criminal sentencing laws are another major factor. When sentencing laws change, the full effect on prison populations can take years to be fully realized, but an attempt is made to estimate and incorporate the complete policy impact in the forecast as soon as the law is passed.

The final forecast is the sum of individual forecasts that explicitly break it down into smaller pieces to improve transparency and to better illuminate the potential impact of future policy reforms. Detailed forecasts are generated by gender and by crime type (Person-, property- and statutory-crime). Beginning with the October 2020 forecast, these six cohorts have been split into twelve by delineating between a prison stay associated with a new crime versus one precipitated by a revocation of community supervision.

The forecast is seasonally adjusted². It is known that the prison population oscillates in a seasonal pattern. Depending on the day of the week or month, prison populations can change by almost 100 prisoners. An algorithm has been created that simulates these variations and implements them into the current forecast. Incorporating seasonal trends explains most of the recent variability in the short-term forecast and makes the near-term forecast considerably more accurate. For this April forecast, the seasonal adjustment algorithm has been updated to reflect variation observed since the Covid-19 pandemic.

² Standard economics' "seasonal adjustment" evens out seasonal oscillation and derives underlying trends. The DOC seasonal adjustment does the opposite, it implements seasonal oscillation into underlying trends to better forecast a precise month.

Intake Trends

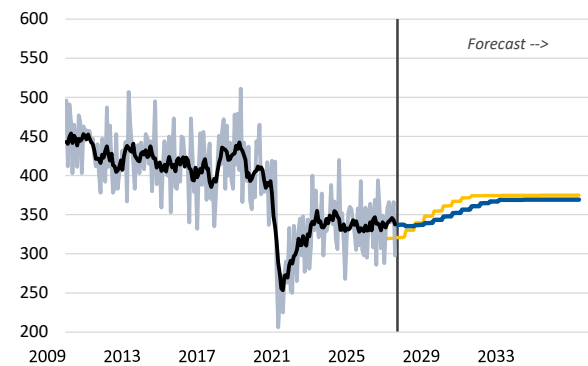
Monthly variance in intakes is large. Relative to the underlying trend, actual intakes can regularly be plus or minus 50 in any given month. This contributes to month-to-month volatility in the overall prison population as well.

The impact of the pandemic on intakes can be seen beginning in April 2020. Intakes have averaged 340 since 2022 with little variation other than normal month-to-month volatility. The forecast increases above 350 in 2030 as the public defense system normalizes in the coming years. In the outer years, the intake forecast is driven by predicted growth in the 18-47 (“at-risk”) population. This assumption implies that crime rates will remain relatively stable throughout the forecast horizon.

Chart 1:

Total AIC Intakes

Actuals | 7 Month Average | Forecast | Previous Forecast

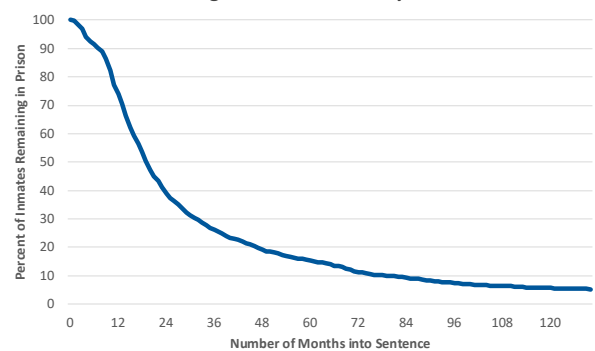


Release Profile of Incoming Adults in Custody

The release profile of recent actual intakes is a critical component in forecasting the length-of-stay characteristics of future intakes. Note that for each given intake class, roughly half will be released within 18 months. Additionally, significant changes to the release profile of a given subpopulation will have long-run impact on the forecast for two reasons: first, the effect is only realized at the end of an offender’s sentence, and second, it takes time for changing length-of-stay characteristics to compound to alter the profile of the forecast.

Chart 2:

Release Profile of Oregon Adults in Custody



Modeling the Adults in Custody Population

Conceptually, the forecast model operates as a sequence of discrete months, feeding forward from one month to the next. Each month starts with the base population for the month; i.e., a distribution of expected length of stay for adults in custody who are in the prison population on the first day of the month. Lengths of stay less than one month represent adults in custody who will be released prior to the next month and are removed from the model. The number of intakes and

distribution of their lengths of stay is projected for each month and flows into the base population for the next month. The equation below represents the elements:

$$Population_{T+1} = Population_T + Intakes_T - Releases_T$$

Where time T is the first of the month in question and time T+1 is the first of the following month.

Starting with the October 2020 forecast, the prison population has been disaggregated into twelve distinct subpopulations, delineated by gender (Male, Female), crime type (Person, Property, and Statutory), and finally admission type (New Crime versus a Revocation). Breaking the population down by these variables allows for analysis and insights not possible at the headline level.

Risks

Dynamic Environment

Fundamental changes in the corrections system, or its inputs, degrade the value of historical trends in forecasting and present a considerable risk to forecast accuracy. System changes establish new relationships between criminal activity and the prison population, and those relationships cannot be known until after stability in the system is reestablished. For example, Measure 11 had considerable indirect impact on the prison population via changed plea practices. It took several years after the implementation of Measure 11 for that effect to be known.

Starting in January 2009, there have been several significant changes in the corrections system from Ballot Measure 57 (2008), House Bill 3508 (2009), Senate Bill 1007 (2010), Ballot Measure 73 (2010), Senate Bill 395 (2011), House Bill 3194 (2013), HB 3078 (2017)³, SB 1562 (2018), and HB 2328 (2019). The impacts of these changes have been realized in the data and no longer require adjustments to the baseline forecast.

For the current forecast, the following three pieces of legislation are still having an ongoing impact on the system. Given that impact estimates of sentencing changes are forecasts in and of themselves, the potential exists for the actual effect to differ from the adjustments being incorporated into the forecast.

Senate Bill 48 (2021) included several reforms designed to reduce the size of the population held in pretrial detention across the state pending trial/adjudication. It is possible that reductions in pretrial populations could have an impact on prison beds, as research indicates that individuals held pretrial are more likely to be sentenced to prison compared to similar pretrial defendants who

³ <https://olis.oregonlegislature.gov/liz/2017R1/Measures/Overview/HB3078>

are not detained while their cases are pending. The actual impact on prison beds, however, is unknown due to several factors. First, judicial pretrial release orders are the primary driver of pretrial detainment and SB 48 requires all presiding judge orders to be reformed according to a model order authored by the Chief Justice of the Oregon Supreme Court. As of July 1, 2022, pretrial release orders were released by all presiding judges across the state. However, given that individual presiding judges were able to work with local stakeholders to craft their specific pretrial judicial orders, there is variation across the state in the content of these orders. The precise impact of these orders and the variation between judicial districts is not yet known and anecdotal evidence suggests that some districts have been experiencing higher jail populations during these initial implementation months. Therefore, while the intent of the reforms aimed at judicial pretrial release orders is to reduce the size of the population detained pretrial, as of this time it is impossible to predict whether and how much of a reduction will occur or what the characteristics of the impacted population will be. Second, it is possible that the impacts of SB 48 may be primarily limited to lower level, non-prison eligible offenses.

House Bill 4002 (2024)⁴ was recently passed by the Legislature and designed to reform Measure 110, passed by the voters in 2020. The bill removes barriers and establishes programs and policies aimed at improving access to substance use disorder treatment. It also establishes a criminal justice framework for possession or delivery of controlled substances designed to encourage treatment over penalties such as jail or probation. According to the latest estimates from the Oregon Criminal Justice Commission, the impacts of HB 4002 are relatively small when it comes to the prison population forecast, but sizable in terms of increases in probation, post-prison supervision, and local control caseloads. As for the specific impacts built into the forecast, there is an increase of 31 adults in custody that phase in over the next few years, which is predominantly male, new statutory crimes. This is primarily driven by additional convictions and enhancements for drug delivery law changes. Additional impacts are expected in the local control (+5), local control misdemeanor (+226), and post-prison supervision (+92) populations. The largest impact is expected in the probation caseload where the forecast increases nearly 3,800 in the years ahead. The bill creates Drug Enforcement Misdemeanors for possession of user amounts of controlled substances, which can be sentenced to up to 18 months of probation. As the effective date of the bill was September 1, 2024 and the full impact won't be realized for several years, the ultimate magnitude is still relatively uncertain. Lags in the availability of community corrections data compound the lack of current insights. More information will be available for the next forecast cycle.

HB 5031 (2025) provides more than \$2 million in funding to address Oregon's public defense crisis, primarily targeting the six counties with the most severe shortages—Coos, Douglas, Jackson, Marion, Multnomah, and Washington—through increased attorney compensation, training programs, and law school recruitment efforts. Successful implementation of the legislation is anticipated to increase prison intakes as more defendants gain adequate legal representation and

⁴ <https://olis.oregonlegislature.gov/liz/2024R1/Measures/Overview/HB4002>

move through the court system to resolution. This effect is expected to be particularly pronounced for property and statutory crimes, which have not seen intake levels rebound to pre-pandemic levels largely due to the ongoing public defense crisis that has left many cases unresolved or delayed. Given the bill's effective date of July 24, 2025, any potential impacts remain to be observed in future reporting periods.

An additional risk to the forecast involves any additional impact from two court decisions: the US Supreme Court decision in the 2020 case of *Ramos v. Louisiana* and the Oregon Supreme Court decision in the 2022 case of *Watkins v. Ackley*. At present, the forecast assumes that the impact of these rulings on releases are complete. To the extent that more eligible adults in custody remain, it would place downward pressure on the total prison population in the coming months.

The Office of Economic Analysis and the Criminal Justice Commission will continue to monitor releases and modify these adjustments as necessary.

Adults in Custody Forecast

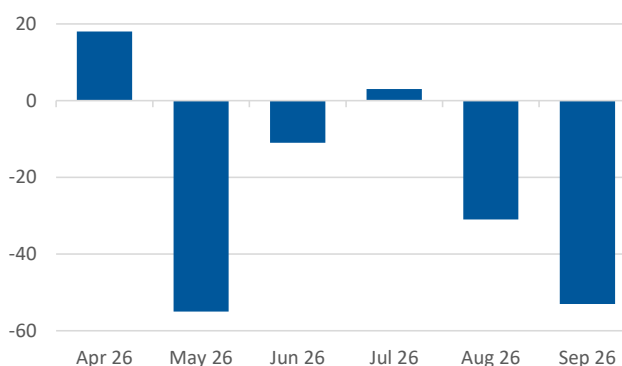
Tracking

The previous forecast over-projected beds by an average of 21 beds. This is due primarily to the assumption that intakes will start to reflect public defense system investments immediately. As discussed elsewhere, the intake forecast exhibits a more gradual growth profile for this October 2026 iteration.

Chart 3:

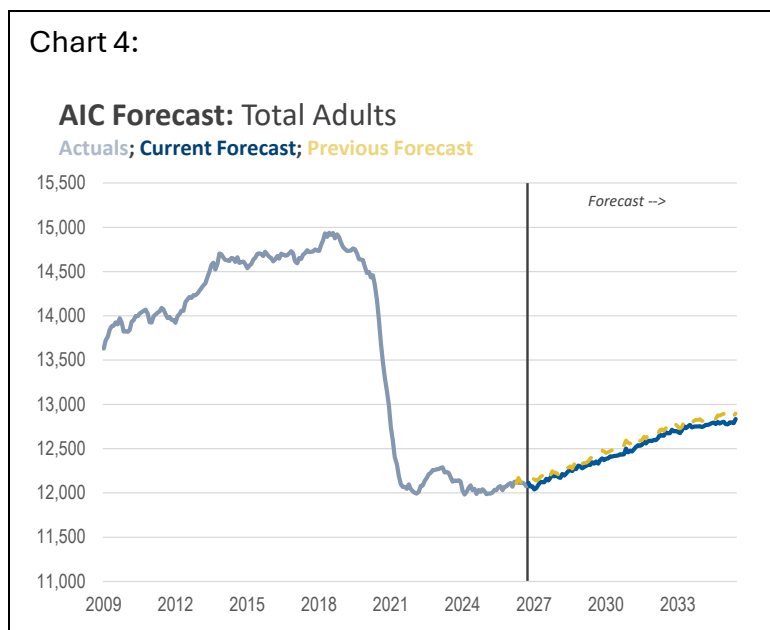
Forecast Tracking

Actual number of Adults in Custody minus the previous forecast

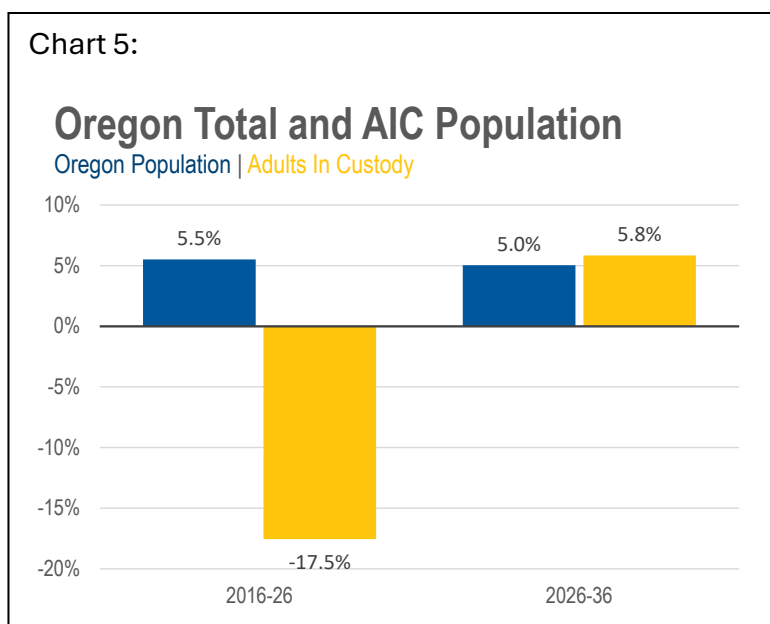


Forecast Detail

The latest forecast for the adults-in-custody population is modestly lower than the previous projection, owing to a more gradual phase-in of the impact of investments in the public defense system and, consequentially, prison intakes. The population is expected to reach 12,300 by the end of 2027-29 and just over 12,800 at the end of ten years. For the 2027-29 biennium, the AIC forecast is 45 beds per month lower on average than the previous forecast.



The 10-year change in the prison population is 5.8 percent. To put that in context, Oregon's population is expected to grow 5.0 percent over the same timeframe. As a result, the incarceration



rate (prison beds per 1,000 population) is expected to increase by 0.8 percent over the next ten years. This is a result of an expected normalization in the public defense system and associated increase in prison usage relative to current levels.

Male and Female Adults in Custody

The current forecast projects that the male AIC population will grow 6.0 percent over the next ten years, reaching 11,800 by September 2036. The growth is driven by the intake assumptions described earlier in the report.

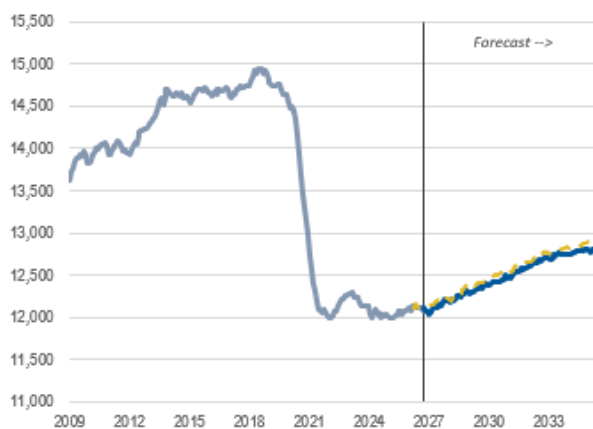
The female AIC population is expected to equal just under 1,000 by September 2036, a 9.1 percent increase from the current level. A similar dynamic exists for this population as the male cohort.

Chart 6:

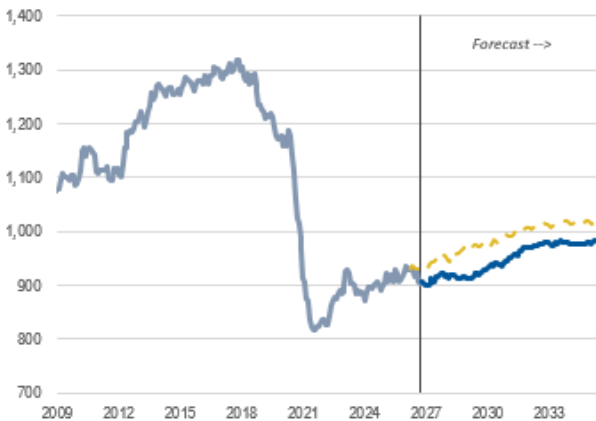
Oregon Adults in Custody Forecast

Actuals | **Latest Forecast** | **Previous Forecast**

Male Adults in Custody



Female Adults in Custody



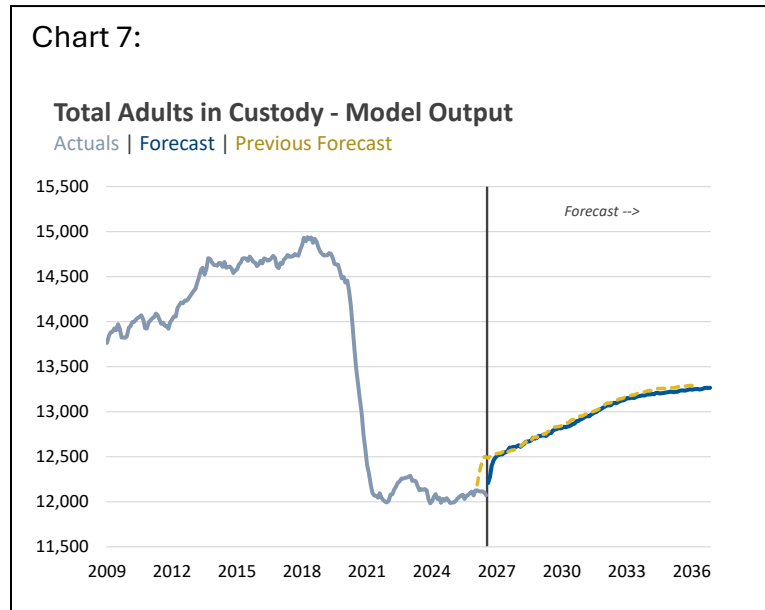
Source: Oregon Dept of Corrections, Oregon Office of Economic Analysis

Components of Change

There are two components of change in each prison forecast: updates to the model due to new empirical data and new law changes.

Model Updates

When new DOC data are input into the forecast model, changes in intakes, sentence lengths, releases, etc. are integrated and create a “new normal” within the model. The graph to the right exhibits the change to the model output prior to any add factors for the prospective impact of recent law changes and the ongoing factoring of short-term transition leave. The model output appears to project a near-term spike in the prison population. This is a product of how transition leave is handled in the model as a structural add-factor. Once transition leave is factored into the forecast, the near-term jump disappears (see final forecast).



New Law Impacts

As discussed above, transition leave is maintained as a permanent add-factor due to the way the program affects the data. The impact of HB 4002 raises the total AIC population by 31 over the years ahead. The only potentially outstanding issue would be any lingering impacts for the Ramos and Watkins decisions discussed earlier.

Margin of Error

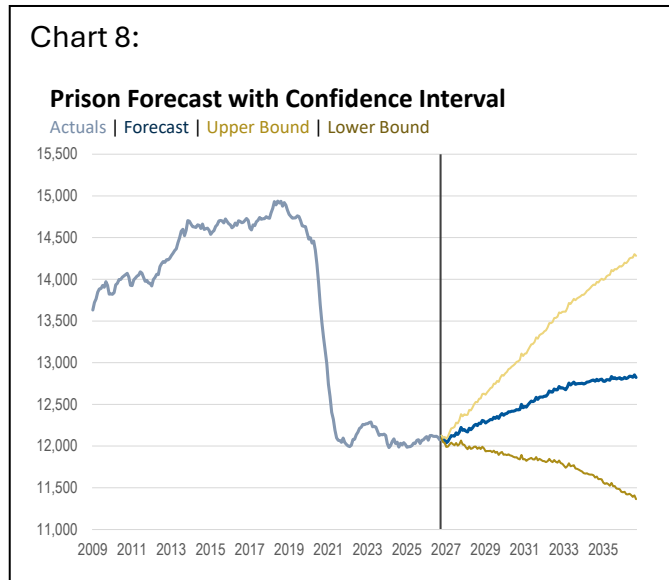
Oregon HB 3194 directs that the Department of Administrative Services “identify the forecast’s margin of error” (Section 46-3(a)). The margin of error depends on the timeframe being examined. Historical error rates serve as a guide for assessing the potential for actual prison population counts to differ from the forecast in the near term.

The historical deviation for the October-of-odd-year forecasts, when gauged at the end of the same biennium, is 2.3 percent. Note that this statistic excludes the large error observed in the 2019-21

biennium due to the Covid-19 pandemic as it is customary in forecasting to exclude significant outliers. There is a 95 percent probability that the actual prison population will fall in the 11,800 and 12,500 range at the end of the current biennium. The primary driver for potential error in the near term is error in the forecast for releases and intakes in the coming months.

In addition to the forecast's role in near- to medium-term budgeting, the forecast is also used to guide long-term planning for prison capacity. Coming up with a predicted margin of error for the 10-year forecast is complicated by the fact that major law changes (Measure 11, Measure 57, HB 3508, House Bill 3194, House Bill 3078, and now House Bill 4002) produce large errors in the forecasts that preceded their passage. The prison forecast presented here, being a "current-law" forecast, does not anticipate potential law changes. The 10-year margin of error for this forecast should coincide with potential model error, thus making historical error rates inappropriate.

A better gauge is derived from analyzing the variance in growth rates for time frames absent of law changes to assess the potential for the projected baseline growth of 6.2 percent to be off. Computed in this way, there is a 95 percent probability for the actual adult in custody count to differ from this forecast by up to 11.4 percent in either direction.



Community Corrections Forecast

The community corrections population involves felony, designated drug-related misdemeanor (HB2355), and designated person related misdemeanor (SB 497) offenders who are not in prison. House Bill 2645 (2023) included fentanyl in the drug-related misdemeanor population. The Department of Corrections receives General Fund that it passes to 34 of the 36 counties to provide direct oversight. In Linn and Douglas counties, the Department staffs the community corrections department directly.

The forecast projects the supervised felony and designated drug and person related misdemeanor populations (Probation), local control population (incarceration in jail), and post-prison supervision and parole (Parole/PPS). Each group is forecasted separately for budgeting purposes. The community corrections forecasts rely primarily on the relatively stable historical trends and relationships in the respective populations. In addition, the Parole/PPS population has exhibited a strong correlation with the AIC population over time.

The forecasts for the Local Control, Parole/Post-Prison Supervision, and Probation populations reflect a recovery from the pandemic, as well as the impact of House Bill 4002 discussed below. All three populations fell sharply following the onset of the pandemic and are expected to rebound in the direction of their pre-pandemic levels. For this October 2026 forecast, the Probation population forecast has been adjusted to reflect recent actuals and continued analysis of the emerging impact of House Bill 4002. The Local Control and Parole/PPS forecasts are little changed as recent actuals are extremely close to projections.

In November 2020, Oregon voters passed Ballot Measure 110, which reduced many possession-of-a-controlled-substance felonies or misdemeanors to violations as of February 1, 2021. As discussed previously, House Bill 4002 (2024) reversed or modified certain aspects of Ballot Measure 110. The Criminal Justice Commission estimated the impacts on the local control, post-prison supervision, and probation community corrections populations, which are incorporated into this forecast. Implementation of HB 4002 started on September 1, 2024, and interim data shows an uptick in arrests for possession-related offenses.

The Local Control forecast numbers do not include jail beds occupied by repeat DUI offenders, which are reimbursable under Measure 73 (2010). The reimbursement provisions of Measure 73 require separate budgeting for those beds, and, while most of the jail usage falls under the umbrella of Local Control, pre-trial jail time does not.

The three graphs below (next page) show the population history (heavy blue line), the current forecast (light blue line), and the previous forecast (dotted gold line) for the local control, the probation, and the parole/PPS population groups.

Chart 9:

Local Control (Jail Beds)

Actual-Forecast | Previous

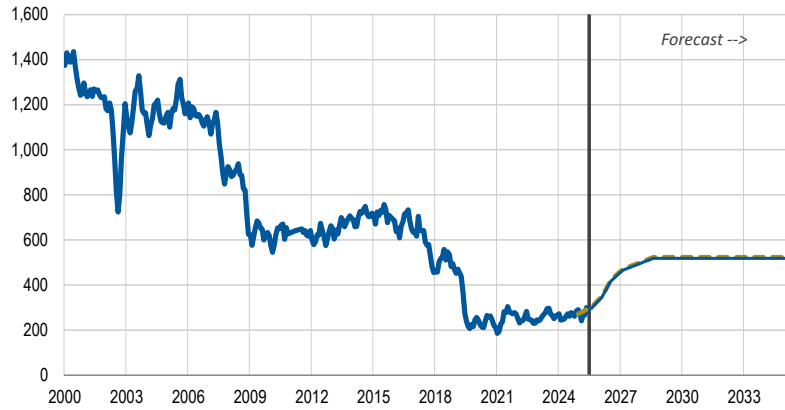


Chart 10:

Probation

Actual-Forecast | Previous

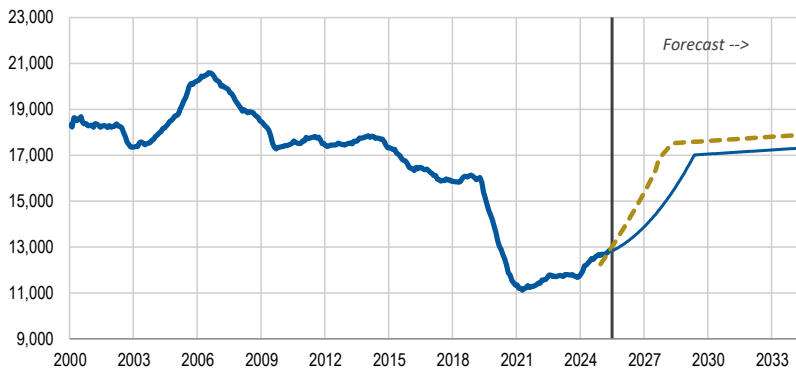
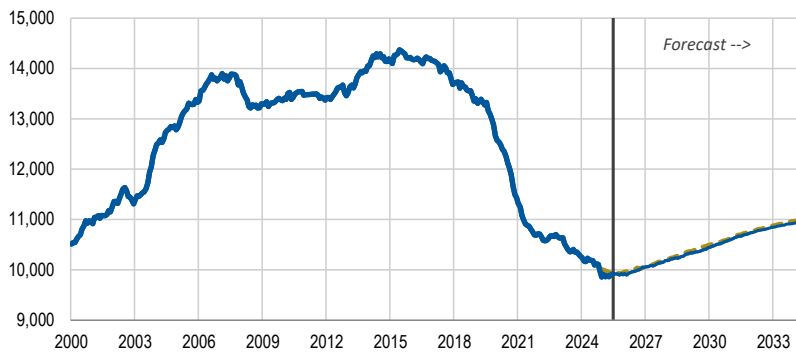


Chart 11:

Parole/Post-Prison Supervision

Actual-Forecast | Previous



Conclusion

The October 2026 forecast for the adults in custody population has been modified to account for recent performance and ongoing discussion with system professional. The projection for intakes to prison exhibits a more gradual rise over the next five years, which translates to a relatively mild increase in the AIC population over the same timeframe. For community corrections, only the forecast for Probation is noticeably changed owing to recent departures from prior expectations.

This is the second of three forecasts that will factor directly into the 2027-29 budget development process. The April 2027 forecast will be the definitive forecast for determining the Legislatively Adopted Budget, specifically for the Department of Corrections.