

Oregon's Public Defense Forecast



October 2024 Forecast

Meeting Date: September 26th, 2024

Agenda



- Introductions
- Update and Prior Forecast Tracking
- Forecast Descriptors/Context
- Methodology
- Preliminary Forecast
- Next Steps
- Adjourn

Update and Tracking



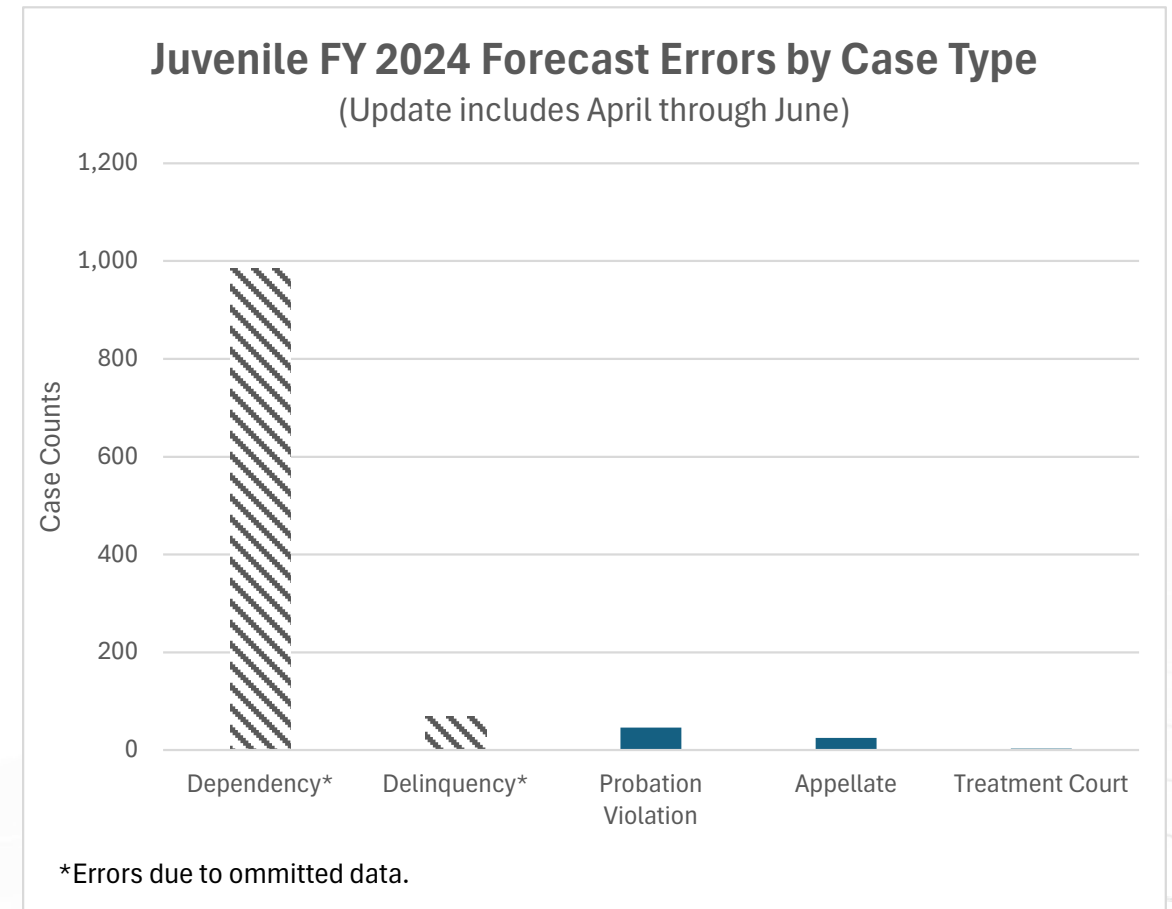
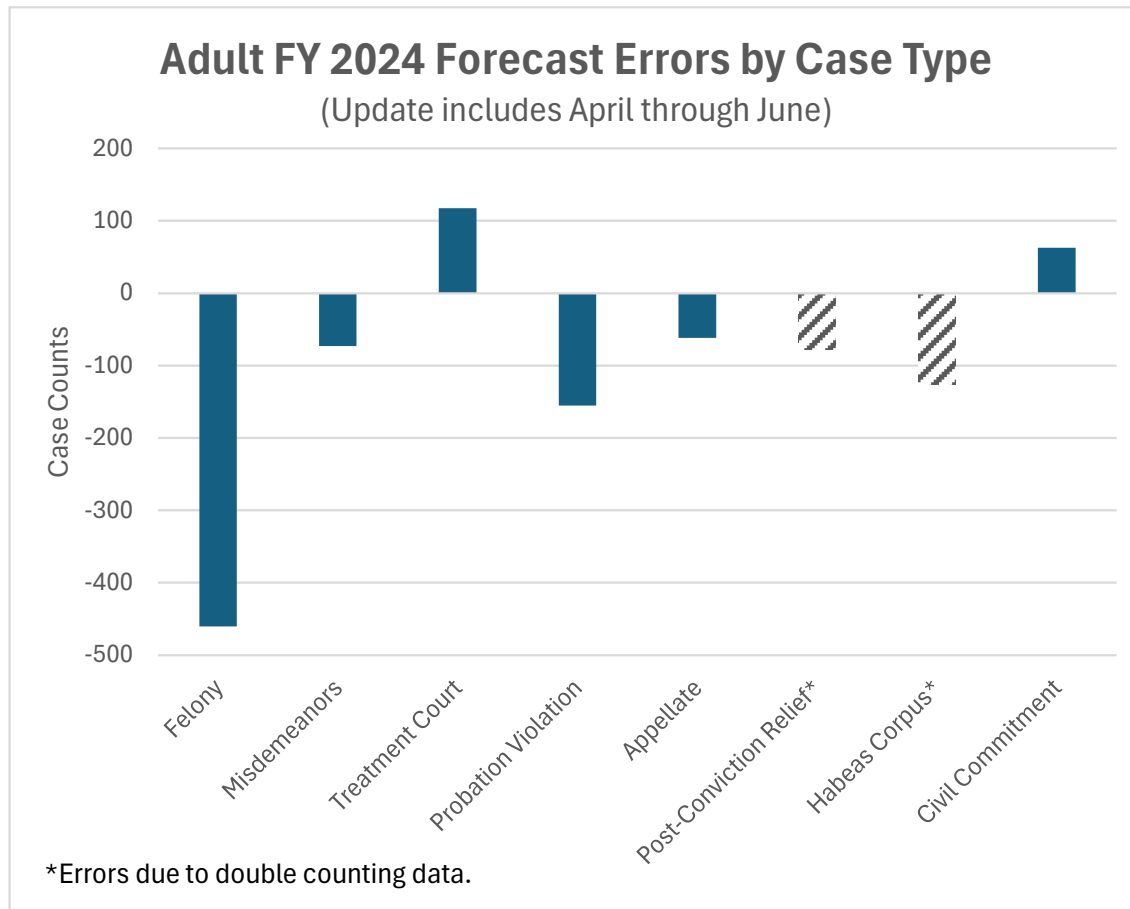
State Budget Process



- Last Forecast: April 2024 Forecast
 - Agency Request Budget (ARB)
- This Forecast: October 2024 Forecast
 - Governor's Recommended Budget (GRB)
- Next Forecast: April 2025 Forecast
 - Legislatively Adopted Budget (LAB)

Forecast Tracking

(April 2024 Forecast)



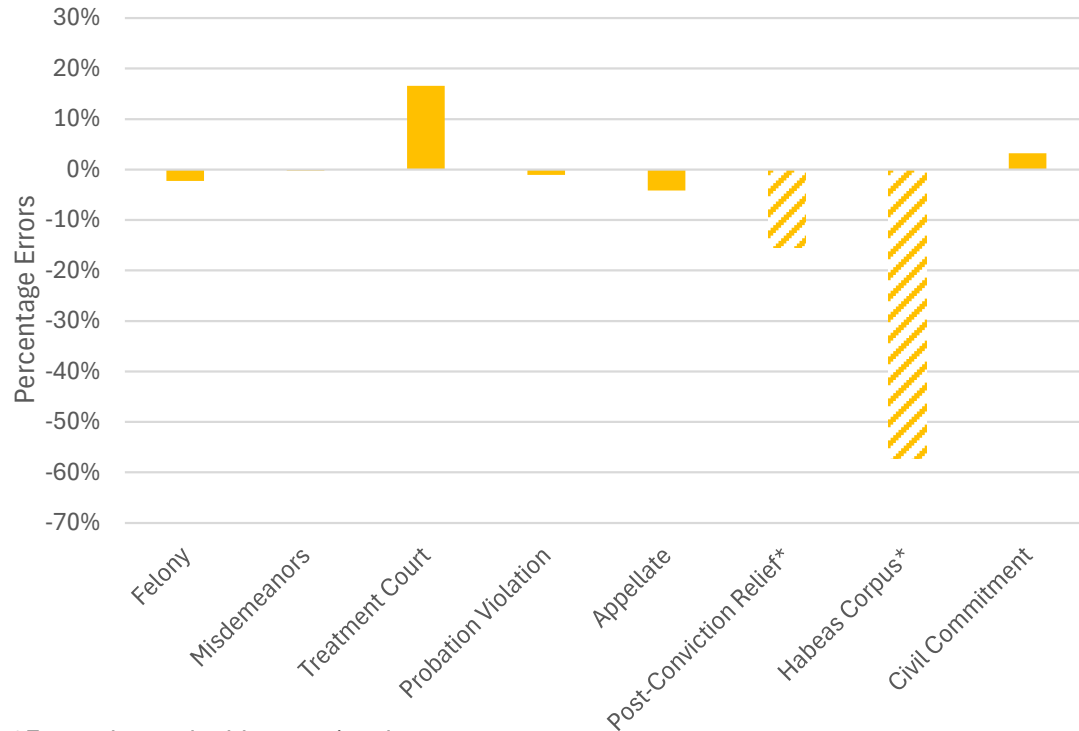
Forecast Tracking

(April 2024 Forecast)



Adult FY 2024 Forecast Errors by Case Type

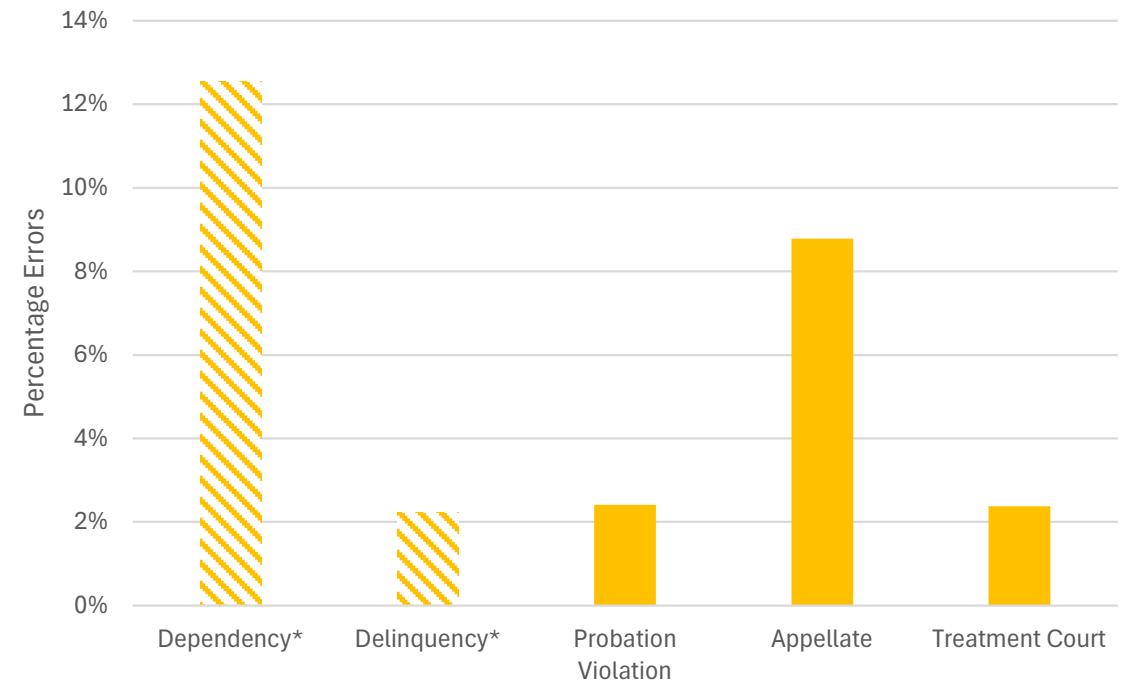
(Update includes April through June)



*Errors due to double counting data.

Juvenile FY 2024 Forecast Errors by Case Type

(Update includes April through June)



*Errors due to omitted data.

Forecast Descriptors/Context



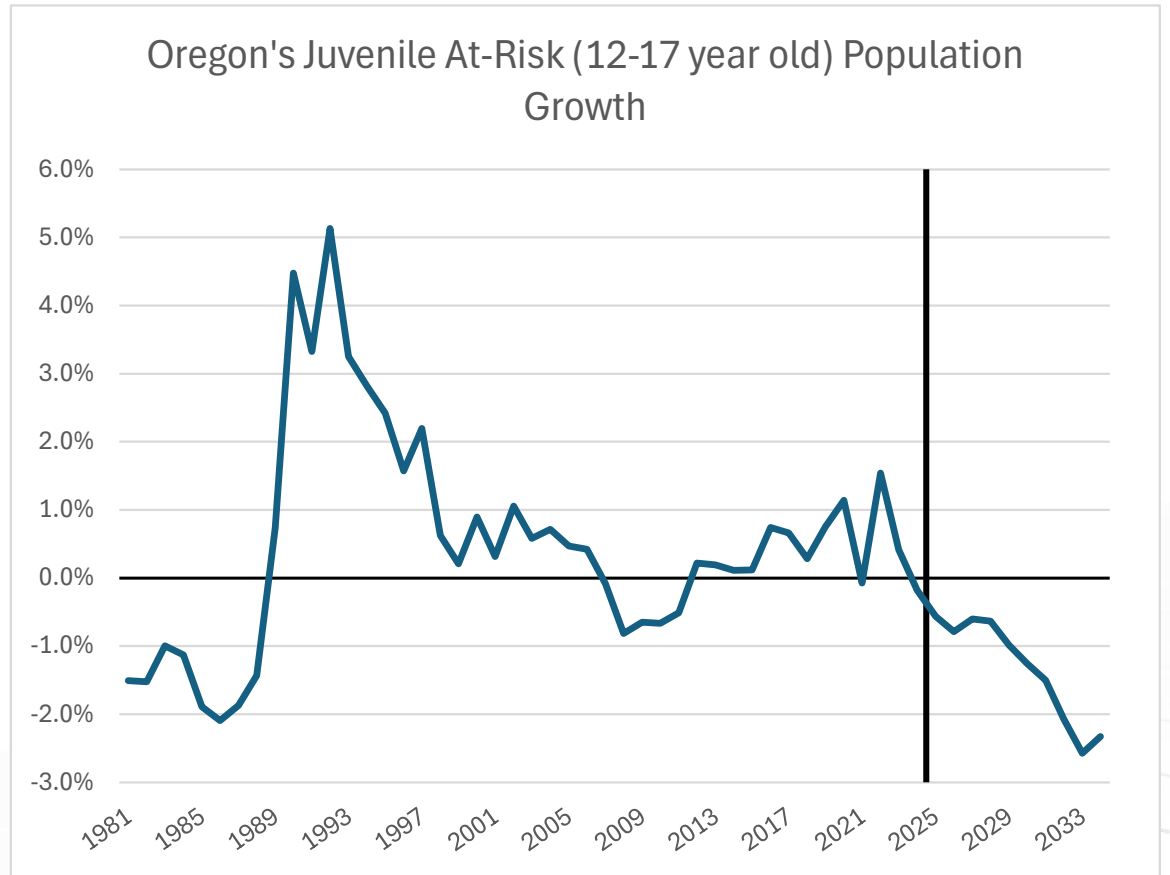
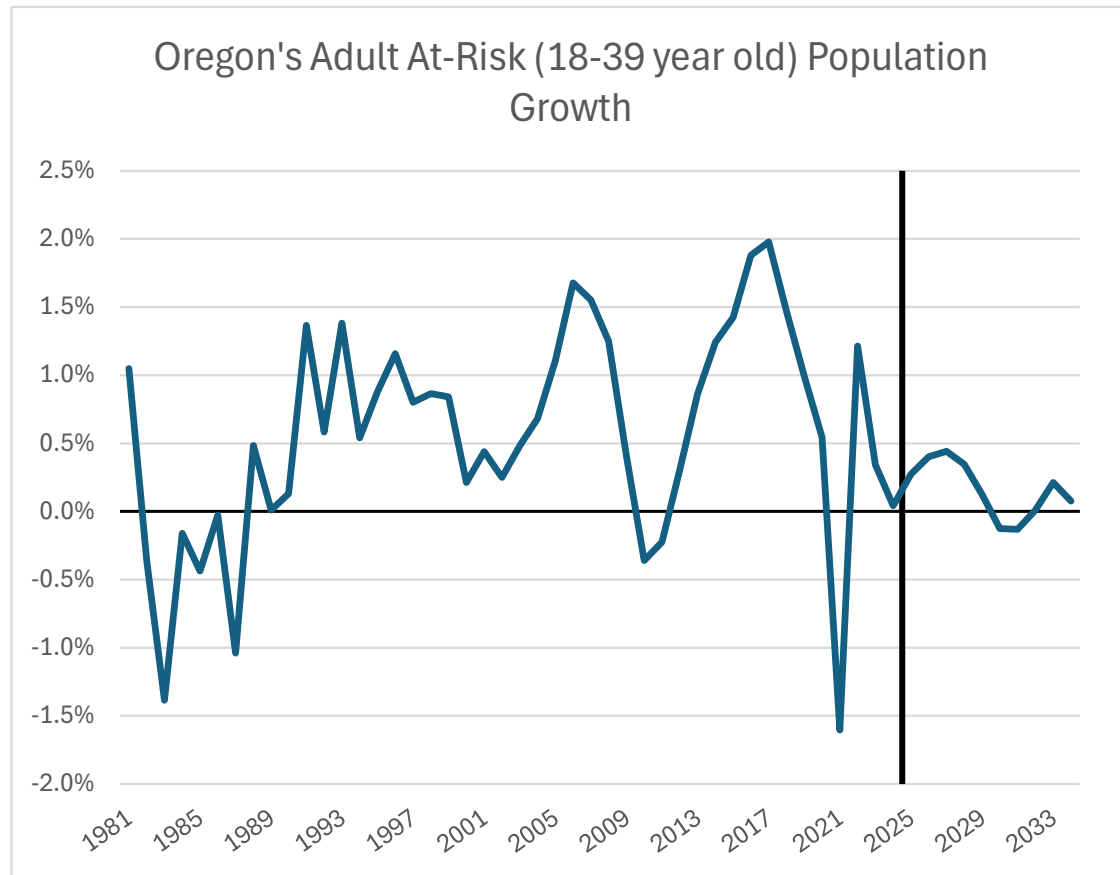
Population projections



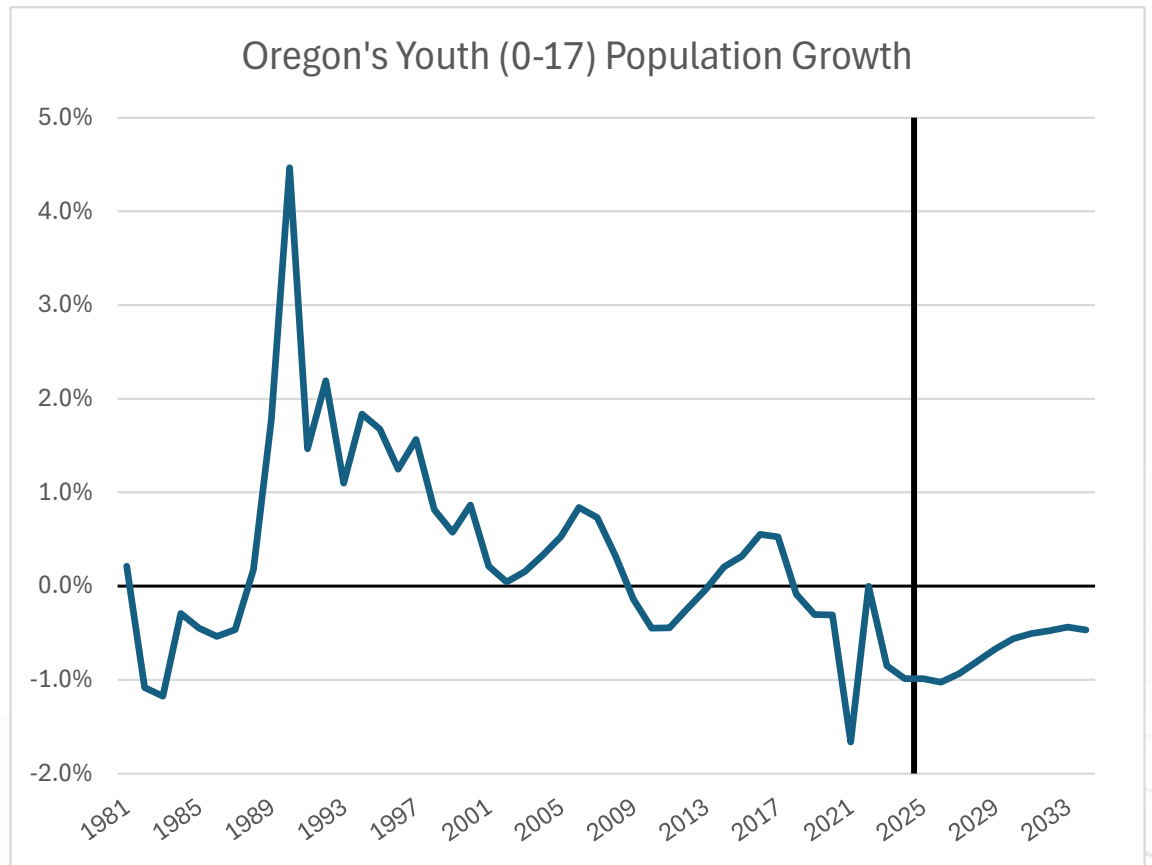
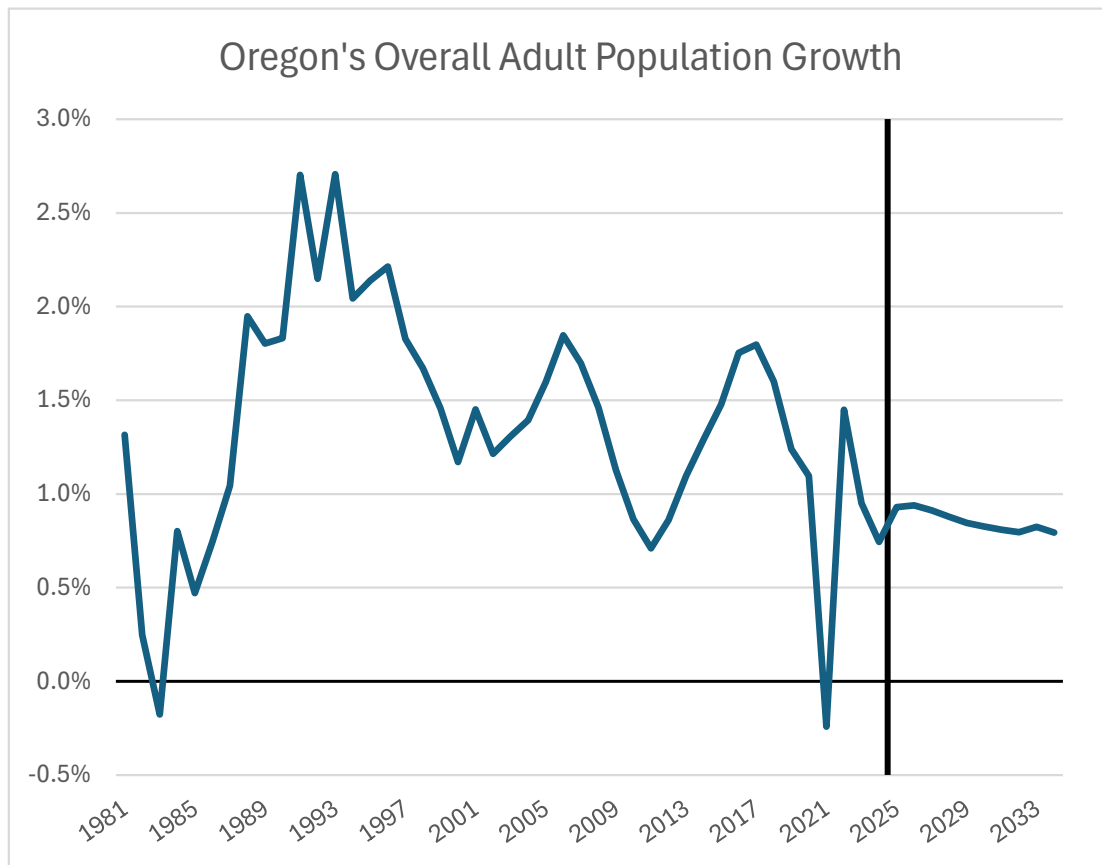
Various Oregon subpopulations are used for modeling the different case-types:

Felony/Misdemeanor	Adult At-risk (18-39 year old)
Probation Violation	Adult At-risk (18-39 year old)
Treatment Court	Adult At-risk (18-39 year old)
Post-Conviction Relief	Adult At-risk (18-39 year old)
Habeas Corpus	Adult At-risk (18-39 year old)
Appeals	Adult At-risk (18-39 year old)
Civil Commitment	Overall Adult (18 years+)
Juvenile Dependency	Total Youth (0-17 year old)
Juvenile Delinquency	Juvenile At-risk (12-17 years old)
Juvenile Treatment Court	Juvenile At-risk (12-17 years old)
Juvenile Probation Violation	Juvenile At-risk (12-17 years old)
Juvenile Appeals	Juvenile At-risk (12-17 years old)

Population projections



Population projections

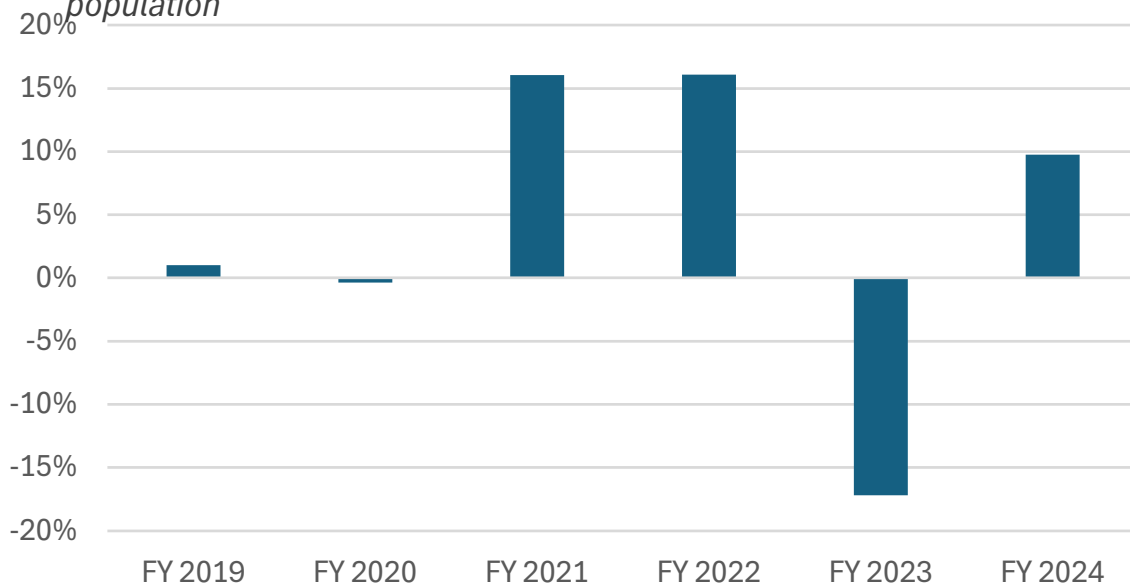


Recent trends in crime



Oregon Violent Crime

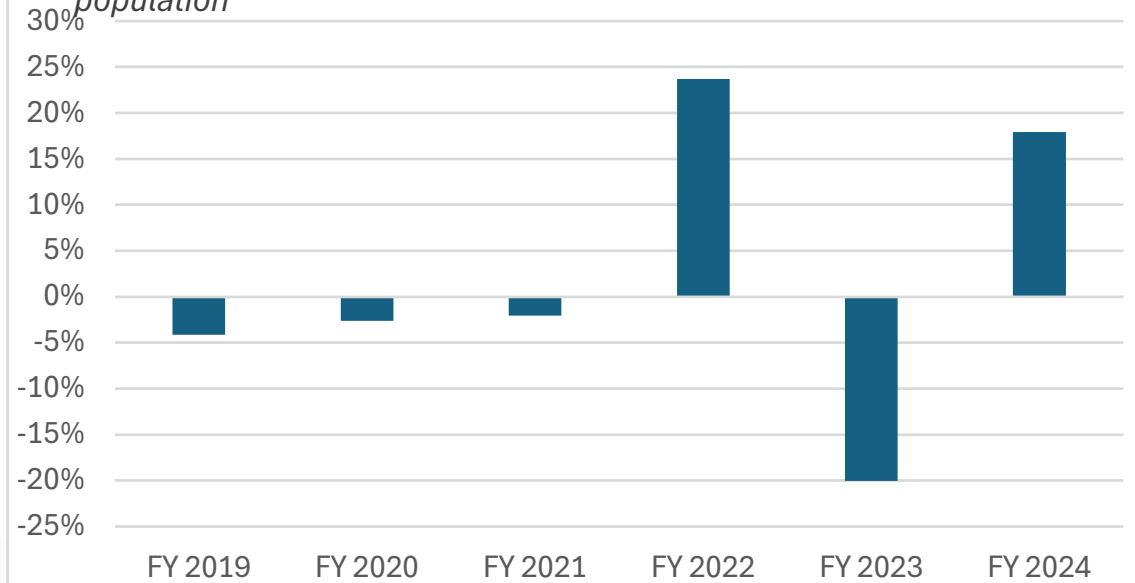
FBI Uniform Crime Reporting (UCR) for cities over 100,000 population



Latest Data: 2023 H2 (July - Dec) | Source: FBI, Oregon Office of Economic Analysis

Oregon Property Crime

FBI Uniform Crime Reporting (UCR) for cities over 100,000 population



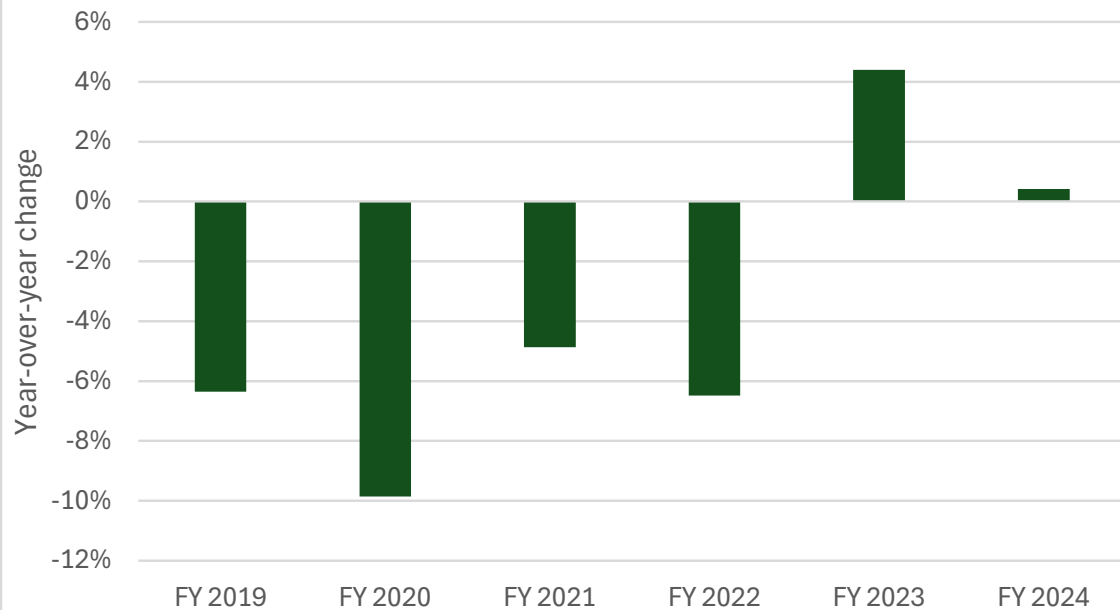
Latest Data: 2023 H2 (July - Dec) | Source: FBI, Oregon Office of Economic Analysis

Recent trends in circuit court cases filed



Circuit Court Cases Filed

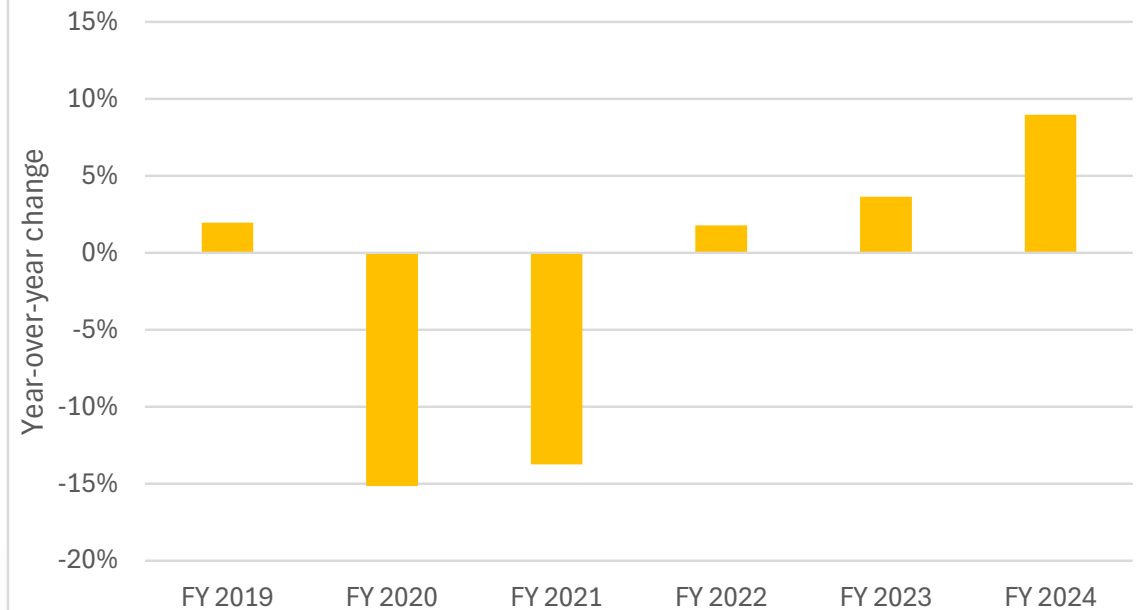
Adult Felony



Source: Oregon Judicial Department; Office of Economic Analysis

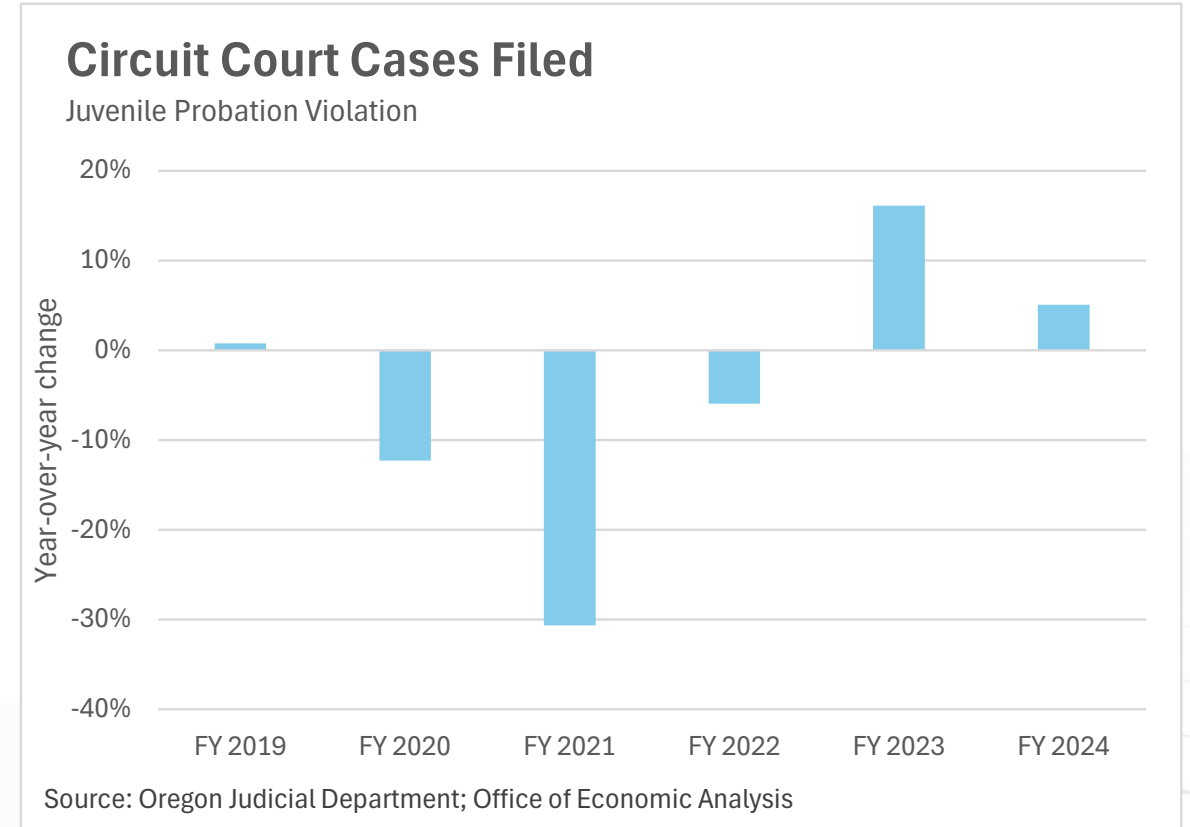
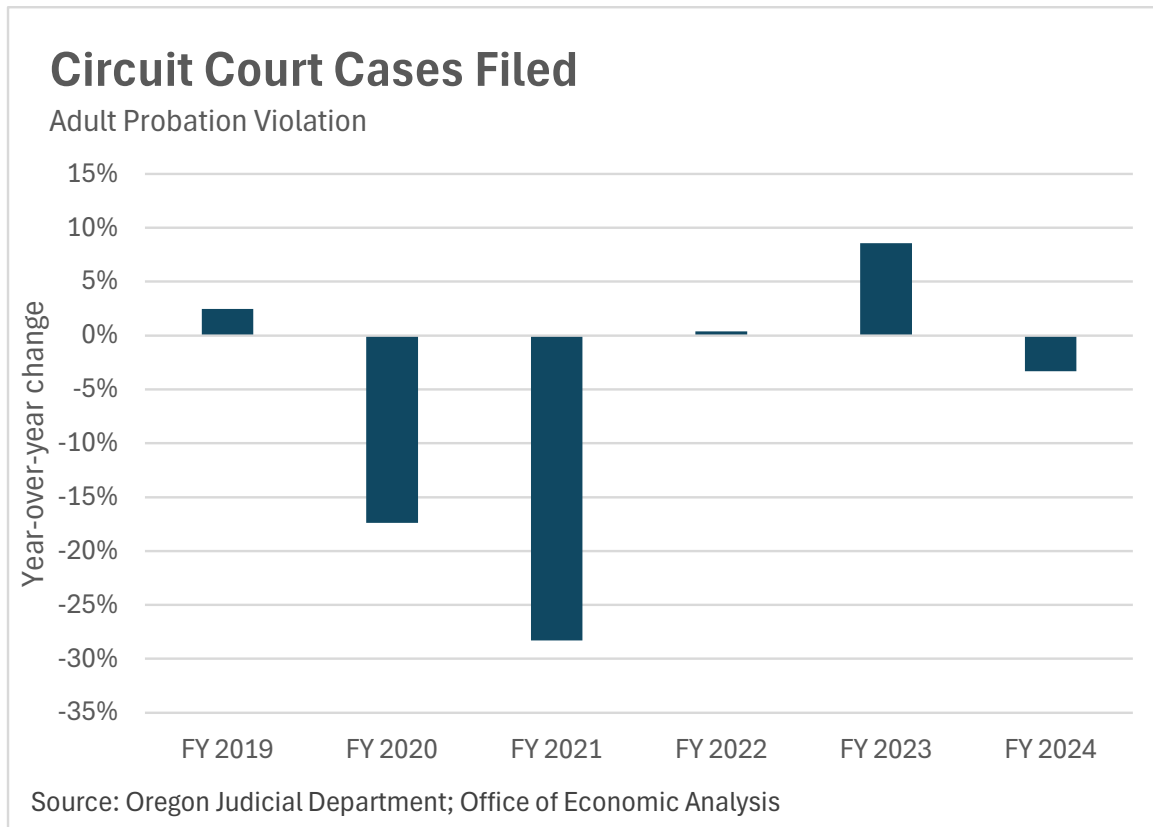
Circuit Court Cases Filed

Adult Misdemeanor

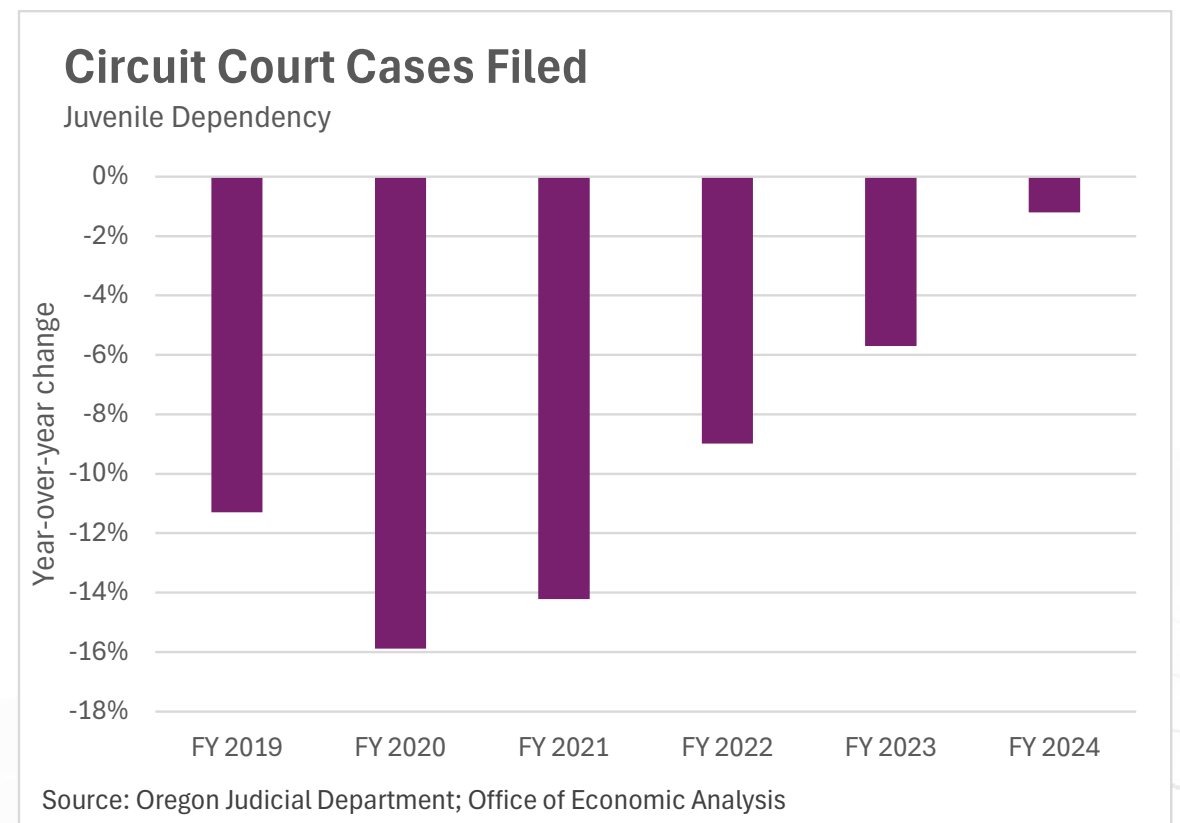
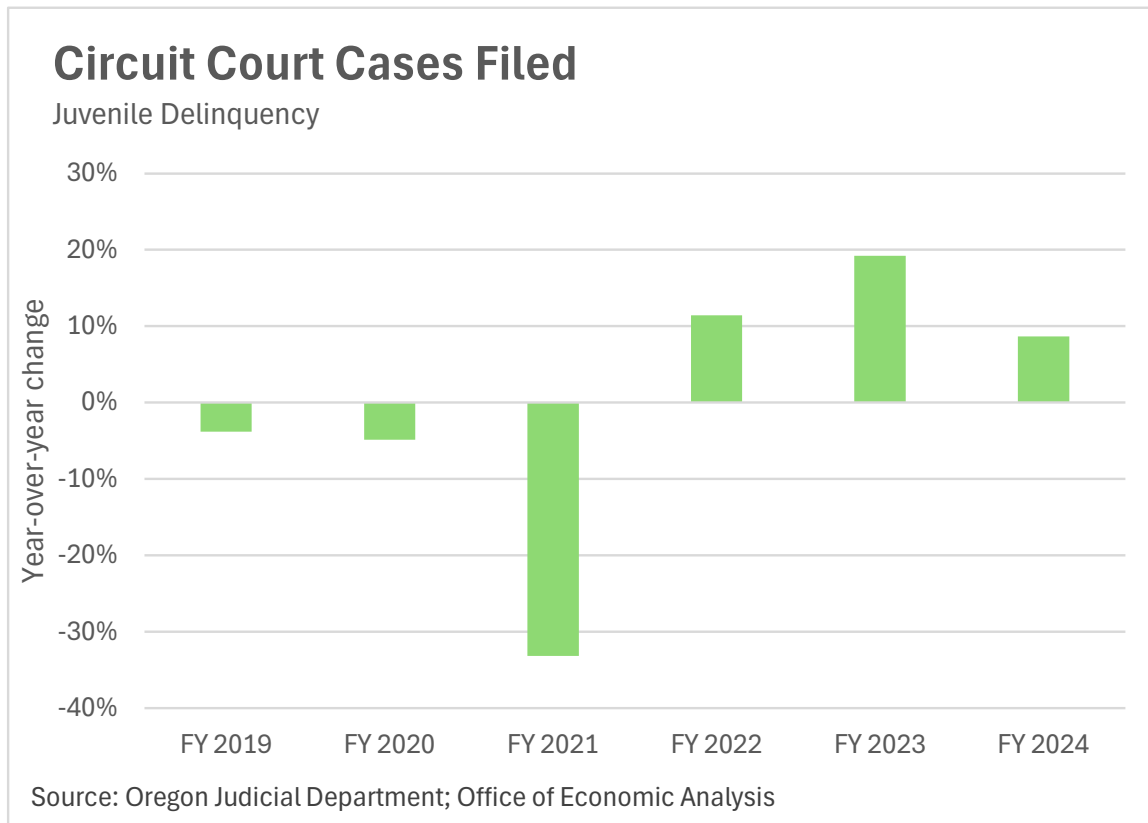


Source: Oregon Judicial Department; Office of Economic Analysis

Recent trends in circuit court cases filed



Recent trends in circuit court cases filed



Methodology



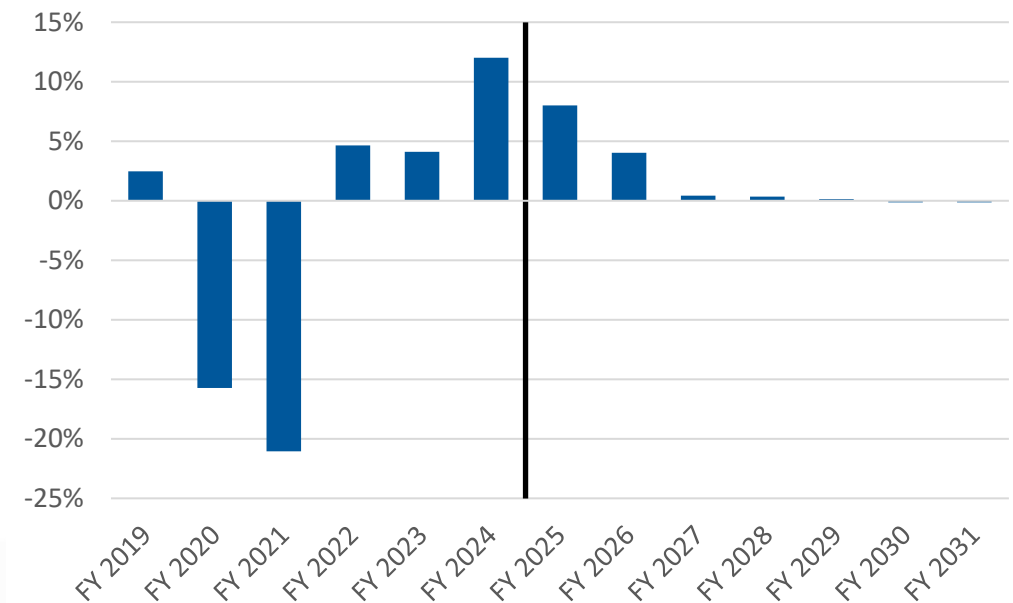
Methodological Overview



- New Cases: Long-term overall case growth is determined by the respective population growth for that case type.
- Near-term growth is based on a transition from the most recent actual fiscal year growth to the outer-year growth pattern.
- Fiscal year in progress is also informed by YTD growth.
- Example: Adult Misdemeanor

Misdemeanor Cases

Year-over-year growth in adult misdemeanor cases



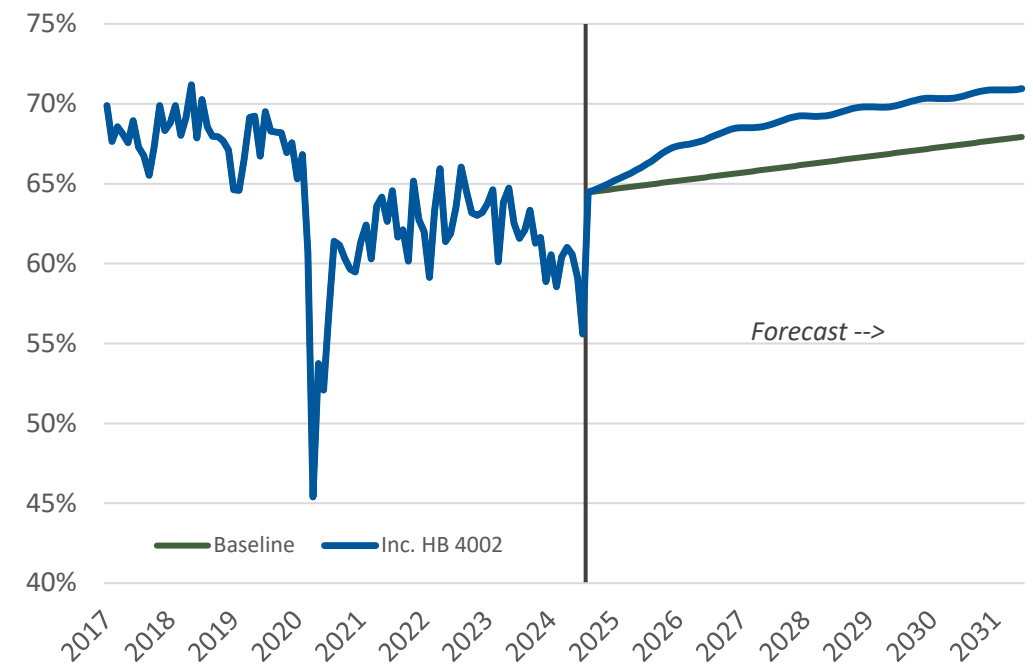
Methodological Overview



- Eligible population is determined by the historical patterns in eligibility percentage, both levels and trends.
- Example: Adult Misdemeanor.

Misdemeanor Eligibility

Percent of all new adult misdemeanor cases eligible for public defense

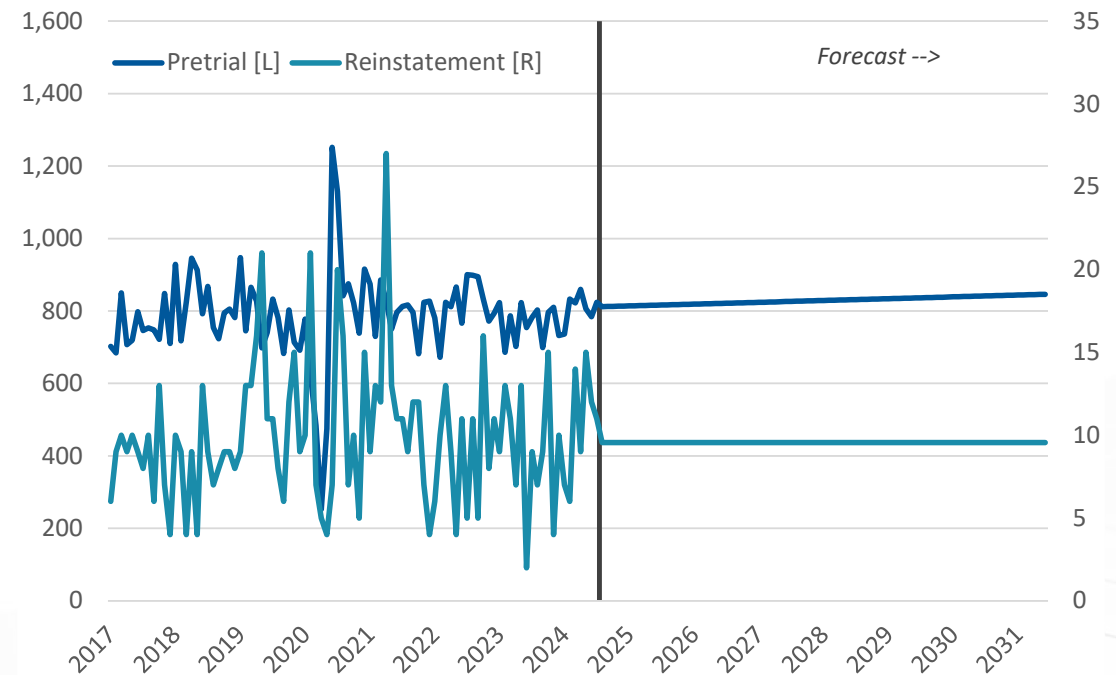


Methodological Overview



- Ongoing Cases: Depending on the historical patterns, recent levels and trends inform the forecast of each type of case (e.g., Pretrial, Reinstatement, etc.).
- Example: Adult Misdemeanor.

Misdemeanor Cases: Ongoing



Source: Oregon Judicial Department; Office of Economic Analysis

Methodological Overview



Circuit Court **Misdemeanor** Cases: With Eligibility for Court-Appointed Counsel

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
New Cases Filed	47,894	49,086	41,365	32,660	34,177	35,583	39,862	45,964	55,483	60,369	62,339	62,828	62,779	62,724
New Cases Eligible	32,736	33,160	26,623	19,958	21,365	22,626	24,218	29,596	37,269	41,278	43,100	43,807	44,110	44,407
Eligibility percent	68.4%	67.6%	64.4%	61.1%	62.5%	63.6%	60.8%	64.4%	67.2%	68.4%	69.1%	69.7%	70.3%	70.8%
Ongoing Cases														
Pretrial	9,650	9,549	8,376	10,187	9,480	9,668	9,464	9,777	9,825	9,885	9,945	10,006	10,066	10,126
Reinstatement	97	133	115	158	108	111	117	116	115	115	115	115	115	115
Total Eligibles	42,483	42,842	35,114	30,303	30,953	32,405	33,799	39,489	47,208	51,278	53,160	53,927	54,290	54,648
Y/Y percent change		0.8%	-18.0%	-13.7%	2.1%	4.7%	4.3%	16.8%	19.5%	8.6%	3.7%	1.4%	0.7%	0.7%

Risks to the Forecast



Potential Risks



- Ancillary detection, arrest and charging activity owing to HB 4002
- Continuing disconnect between measures of criminality and circuit court processing.
- Eventuality of HB 4002 relative to impact estimates.
- General deviations in the demographic forecast in the long run.

Preliminary Forecast



Adult Forecast Update:



Public Defense Forecasts - October 2024 *Changes from prior forecast*

Adult PD Eligible Counts	Biennium			
	2023-25	2025-27	2027-29	2029-31
Felony	-1,328	-1,973	-2,258	-2,595
Misdemeanors	896	4,563	4,493	4,144
Treatment Court	242	263	257	236
Probation Violation	-470	-736	-867	-1,274
Appellate	-144	-215	-236	-281
Post-Conviction Relief	-262	-382	-384	-384
Habeas Corpus	-284	-313	-314	-314
Civil Commitment	253	307	318	325
Total Eligibility	-1,097	1,515	1,009	-142

Source: Oregon Judicial Department, Oregon Office of Economic Analysis



Major Changes (Adult):

Misdemeanors:

- FY 2024 finished much stronger than was previously tracking.
- FY 2025 and FY 2026 have been revised upward according to the methodology previously described.

Felony & Probation Violations:

- FY 2024 finished significantly more negative than was tracking in March.
- The “glide path” to long-term growth has been revised down.

All other case types reflect minor adjustments owing to addition of four months of actual data.

Juvenile Forecast Update:



Public Defense Forecasts - October 2024 *Changes from prior forecast*

Juvenile PD Eligible Counts	Biennium			
	2023-25	2025-27	2027-29	2029-31
Dependency	1,693	1,195	1,267	1,482
Delinquency*	68	16	15	17
Probation Violation	138	256	252	244
Appellate	53	44	42	41
Treatment Court	7	21	21	20
Total Eligibility	1,958	1,532	1,597	1,804

* includes Measure 11, Murder, and All Other

Source: Oregon Judicial Department, Oregon Office of Economic Analysis



Major Changes (Juvenile):

Juvenile Dependency:

- With the addition of missing cases, the forecast is revised upward significantly.

All other case types reflect minor adjustments owing to addition of four months of actual data.

October 2024 Forecast



Cases Eligible for Court-Appointed Counsel

October 2024 Forecast

	Actuals							Forecast						
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Adult														
Felony	26,550	24,648	21,922	20,286	19,033	19,933	19,665	21,089	21,791	22,390	22,773	22,933	22,955	22,943
Misdemeanors	42,483	42,842	35,114	30,303	30,953	32,405	33,799	39,489	47,208	51,278	53,160	53,927	54,290	54,648
Treatment Court			433	691	727	867	828	830	837	840	844	845	844	843
Probation Violation	22,116	22,659	18,718	13,419	13,471	14,623	14,140	14,001	14,713	18,545	21,344	22,413	22,692	22,688
Appellate	1,458	1,801	1,463	974	1,341	1,448	1,425	1,439	1,430	1,437	1,442	1,444	1,442	1,440
Post-Conviction Relief	270	384	317	566	390	408	427	426	433	433	434	434	434	433
Habeas Corpus	40	53	129	436	100	86	95	139	141	142	142	142	142	142
Civil Commitment	1,408	1,461	1,746	1,688	1,650	1,791	1,997	2,151	2,145	2,193	2,237	2,283	2,328	2,374
Juvenile														
Dependency	16,384	14,564	12,200	10,447	9,612	9,042	8,850	8,629	8,491	8,445	8,387	8,342	8,303	8,268
Delinquency*	3,574	3,413	3,279	2,154	2,424	2,849	3,175	3,289	3,367	3,346	3,330	3,298	3,259	3,213
Probation Violation	2,799	2,821	2,475	1,717	1,615	1,875	1,970	2,057	2,107	2,094	2,083	2,063	2,037	2,007
Appellate	378	362	320	368	342	295	313	327	320	318	316	313	309	304
Treatment Court			26	71	89	113	141	154	166	165	164	162	160	158

*includes Measure 11, Murder, and All Other

Source: Oregon Judicial Department, Oregon Office of Economic Analysis

Next Steps





Next Steps:

- Distribute Data File by Friday, September 27th.
- Distribute Forecast Document by Tuesday, October 1st.
- Get feedback returned by Wednesday, October 9th.
- Post Document and Excel File on Tuesday, October 15th.

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