

Members:

Robert Harris, Chair
Susan Mandiberg, Vice Chair
Stephanie Engelsman
Alton Harvey, Jr.
Leslie Kay
Philippe Knab
Tom Liningner



Nonvoting Members:

Rep. Paul Evans
Haley Olson
Caitlin Plummer
Sen. Floyd Prozanski

Executive Director:

Kenneth Sanchagrin

Oregon Public Defense Commission

*Meeting will occur virtually via Zoom.**

Wednesday, May 20, 2026

9:00 AM – approx. 12:30 PM PST

Administrative Announcement

This is a public meeting, subject to the public meeting law and it will be recorded. Deliberation of issues will only be conducted by Commission members unless permitted by the Chair. Individuals who engage in disruptive behavior that impedes official business will be asked to stop being disruptive or leave the meeting. Additional measures may be taken to have disruptive individuals removed if their continued presence poses a safety risk to the other persons in the room or makes it impossible to continue the meeting.

AGENDA

Approx. Time	Item	Lead(s)
9:00-9:05	Welcome – Call to Order	Chair Harris
9:05-9:20	Public Comment	
9:20-9:35	Update: Unrepresented Persons in Oregon Courts: Attorney Shortage	Ken Sanchagrin
9:35-9:50	Update: Director's Update	Ken Sanchagrin
9:50-10:30	Update: Financial Case Management System	David Martin & OPDC FCMS Team
10:30-10:45	**Break**	
10:45-11:30	Briefing/Action Items: <ul style="list-style-type: none"> • OPDC Audit Committee Updated Charter • OPDC Bylaw Amendments in Relation to the Audit Committee Charter 	Vice Chair Mandiberg

11:30-12:00	Briefing: April 2026 Public Defense Forecast	Ken Sanchagrin
12:00-12:30	Discussion: OPDC Trial Division Budget	Ken Sanchagrin Ralph Amador
12:30 (Approximately)	Adjourn	

**To join the Zoom meeting, click this link: <https://zoom.us/j/97612852322>. This meeting is accessible to persons with disabilities or with additional language service needs. Our Zoom virtual meeting platform is also equipped with Closed Captioning capabilities in various languages, which agency staff can assist you with setting up ahead of meetings.*

Requests for interpreters for the hearing impaired, for other accommodations for persons with disabilities, or for additional interpreter services should be made to info@opdc.state.or.us. Please make requests as far in advance as possible, and at least 48 hours in advance of the meeting, to allow us to best meet your needs.

Listed times are an estimate, and the Chair may take agenda items out of order and/or adjust times for agenda items as needed.

The Commission welcomes public comment. Please [click here](#) to review the guidelines for providing public comment on our website, and [click here](#) to sign up to provide public comment.

*Next meeting: **June 11th, 2026, 9am – 2pm in-person in Deschutes County.** Meeting dates, times, locations, and agenda items are subject to change by the Commission; future meetings dates are posted at: <https://www.oregon.gov/opdc/commission/Pages/meetings.aspx>.*

Unrepresented Numbers

Statewide, there were 1,205 unrepresented individuals as of April 30, 2026, including adults and juveniles in and out of custody, post-disposition, and non-criminal cases. This is a decrease of 26, or 2.1%, since March 31, 2026. In-custody individuals increased by 12 in April compared to March.

Category	4/30/25	3/31/26	4/30/26
Out-of-Custody	3,534	1,024	995
In-Custody	142	85	97
Probation Viol.	223	68	53
Non-Criminal	103	54	60
Total	4,002	1,231	1,205

Caseload Capacity

2025-27 provider contracts started on October 1, 2025. Case counts and MAC utilization for contractors reset as of that date. As the Oregon Trial Division is not on a contract cycle, its data is reported for the full 25-27 biennium. OPDC's real-time OTD data is current as of April 30, while contractors' data is current as of March 31.

Provider Type	Total Cases	Monthly Cases	MAC Utilization
Contractors¹	44,330	7,335	94.0%
Consortia	19,746	3,347	95.7%
Non-Profits	17,085	2,649	90.6%
Individuals/Firms	7,499	1,339	97.8%
OPDC Trial Div²	1,875	154	90.6%
Northwest	429	34	85.2%
Central Valley	649	69	86.5%
Southern	797	51	101.7%

¹ OPDC Criminal Contract Data, March 2026

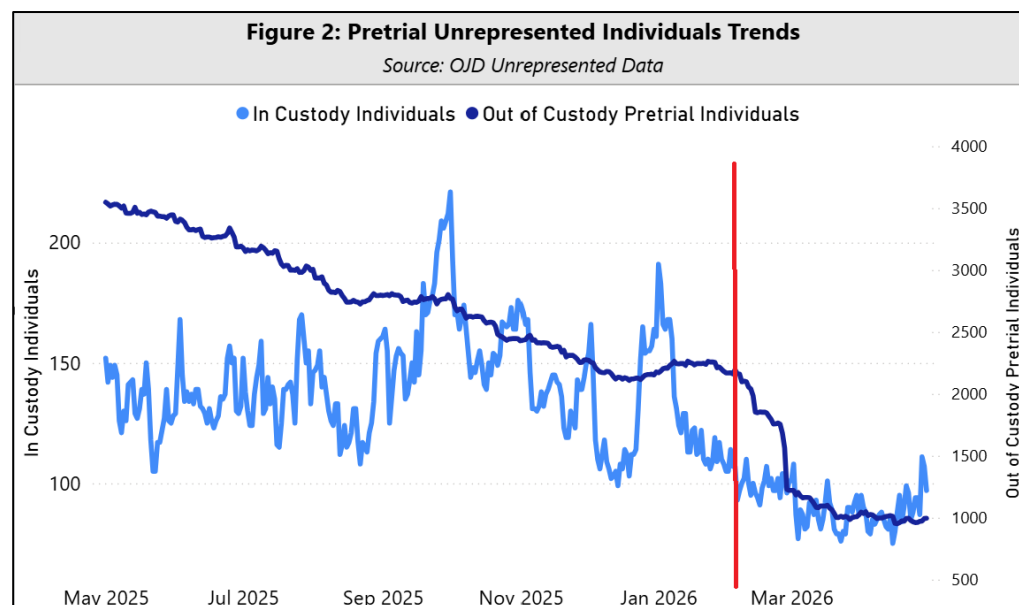
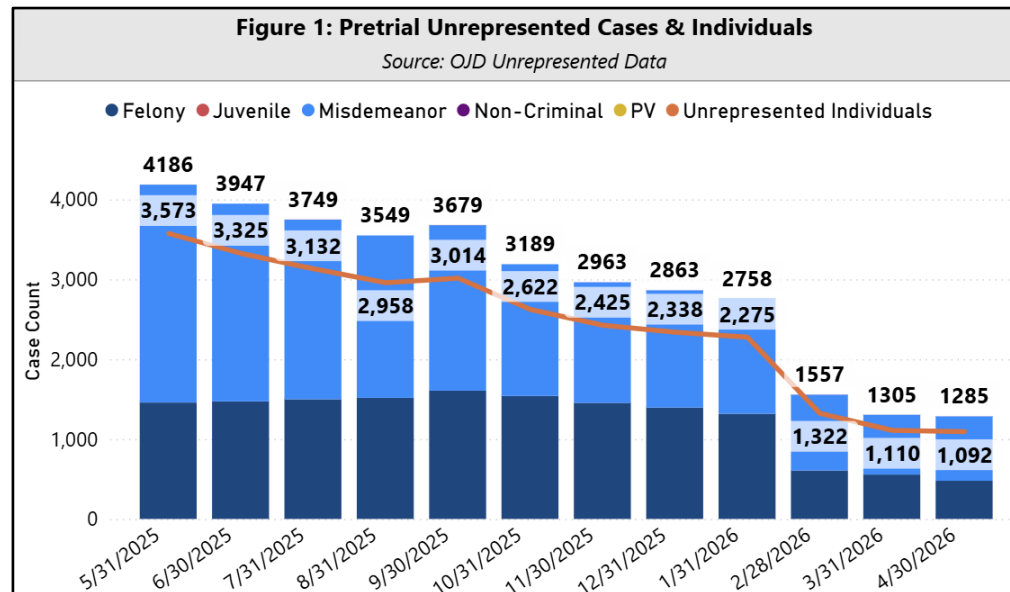
² Oregon Trial Division, MAC excludes Chiefs, July 2025-April 2026

Case Assignments

OPDC assignment coordinators identified counsel for 573 unrepresented cases statewide, including 120 cases subject to *Betschart*, in April. Below are case assignments made by OPDC staff for unrepresented cases in April 2026.

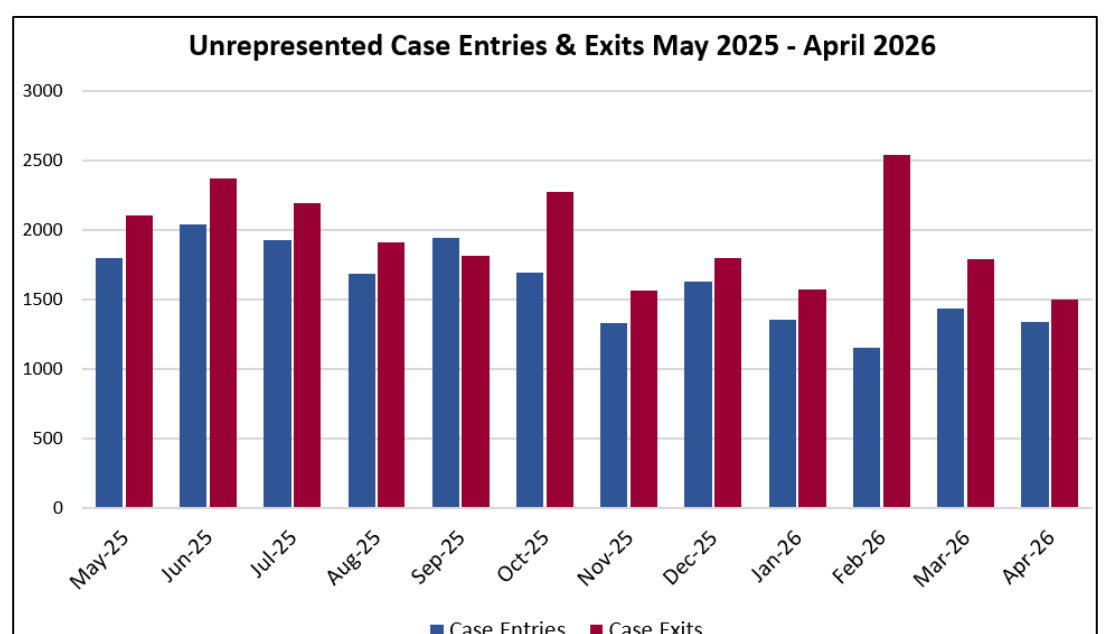
Provider	March	April	Total Since 7/1/25
Contractor	78	89	1,093
Hourly	583	410	5,258
OTD	55	77	653
Total	712	573	6,938

Figure 1 shows the number of unrepresented individuals in custody and out of custody over the past 12 months, broken into case categories. Figure 2 shows the trend line for both in-custody and out-of-custody pretrial individuals over the past 12 months. The red line indicates when the *Roberts* decision was released.



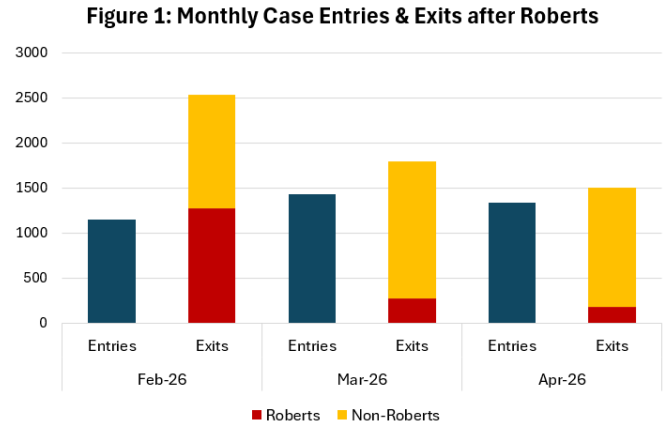
Entries and Exits

In the past 12 months 19,348 cases entered unrepresented status and 23,454 cases exited unrepresented status. Cases can enter and exit unrepresented status multiple times. There have been more exits than entries in 11 of the past 12 months.



ROBERTS IMPACT

On February 5, 2026, the Oregon Supreme Court ruled in *State v. Roberts* that trial courts must dismiss – without prejudice – criminal cases against defendants who have been unrepresented for more than 60 consecutive days in a misdemeanor and 90 consecutive days in a felony. Since the ruling, through the end of April, 1,727 unrepresented cases were dismissed due to *Roberts* statewide. There were a large number of *Roberts* dismissals in February, culminating during the week of February 23. Since the initial wave of *Roberts* dismissals, numbers leveled out in March, and April has seen even lower numbers.



Impact on Unrepresented Cases

From February through April of 2026, 5,836 unrepresented cases exited the unrepresented list; 1,727 of which were due to *Roberts* dismissals. Figure 1 illustrates cases entering and exiting the unrepresented list during that time and the proportions of those exits attributed to *Roberts*. As shown in Table 1, statewide, 30% of unrepresented exits are attributable to *Roberts* dismissals, while 4,109 cases exited for other reasons, such as identifying counsel or other dismissals not related to *Roberts*. Crisis counties saw higher proportions of *Roberts* exits when compared to non-crisis counties. The highest concentration of *Roberts* dismissals is in Multnomah County.

Table 1. Cases Exiting the Unrepresented List between 2/1/26 - 4/30/26

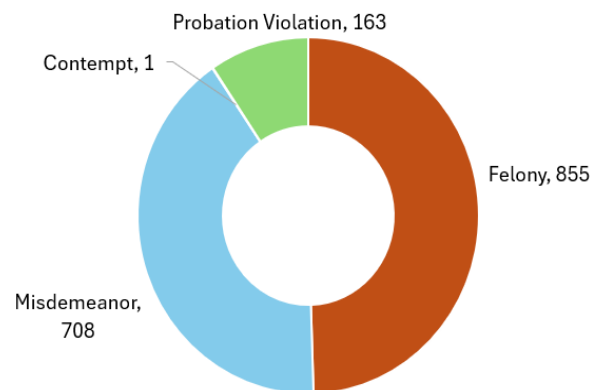
County	Total Exits since 2/01/26	Monthly <i>Roberts</i> Dismissals			Total <i>Roberts</i> Dismissals	% of Exits Due to <i>Roberts</i>
		Feb	March	April		
Multnomah	1,822	736	136	82	954	52%
Washington	1,067	232	81	68	381	36%
Jackson	1,094	215	38	19	272	25%
Douglas	770	78	17	9	104	14%
All others	1,083	15	-	1	16	1%
Total	5,836	1,276	272	179	1,727	30%

Roberts Data

At this time, *Roberts* dismissal data is only at the case level, not the individual level. There is no 1:1 relationship between *Roberts* case dismissals and unrepresented individuals.

It is OPDC’s goal to provide a clear picture of which cases and individuals are exiting unrepresented status due to *Roberts*, and which are due to other factors, such as being appointed an attorney, dismissals for non-*Roberts* reasons, or other resolutions. As more data becomes available, we anticipate being able to link *Roberts* dismissals to individual outcomes.

Figure 2: Roberts dismissals by case type since 02/05/2026



Unrepresented Numbers

Between March and April, the number of in-custody individuals increased by 6, and out-of-custody pretrial individuals decreased by 11.

Category	4/30/25	3/31/26	4/30/26
Out-of-Custody	231	90	79
In-Custody	10	4	10
Probation Viol.	9	1	2
Non-Criminal	2	1	2
Total	252	96	93

Providers

Providers took 227 cases in March and are currently at 102.4% MAC utilization.

Provider Type	MAC Utilization
Consortia	88.7%
Non-Profits	113.7%
Other	77.8%
All	102.4%

Oregon Trial Division

Since July 1, 2025, OTD has taken 45 cases in Douglas County.

Region	March	April	Total Since 7/1/25
Central	2	2	37
Southern	0	1	8
Total	2	3	45

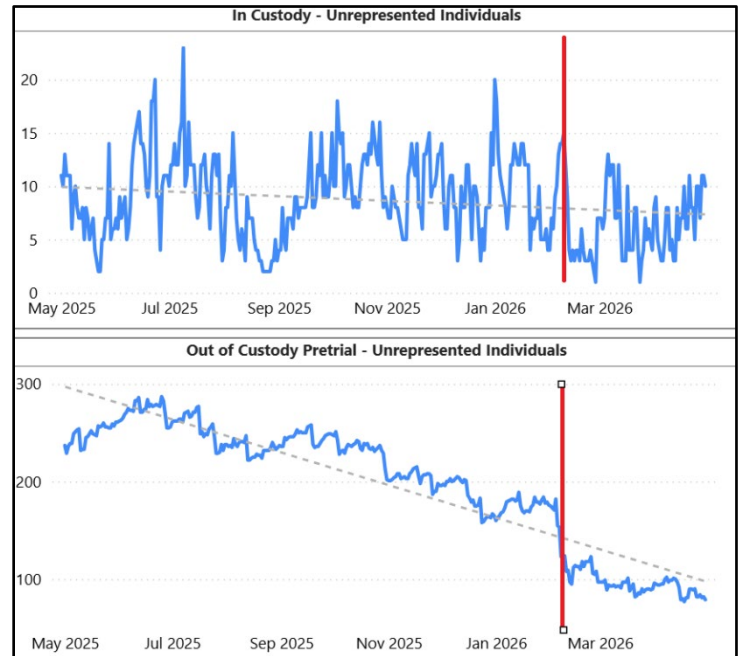
Case Assignments

In April, OPDC assignment coordinators identified counsel for 81 unrepresented cases, including 23 cases subject to *Betschart*. Below are unrepresented case assignments made by OPDC assignment coordinators in April.

Provider Type	March	April	Total Since 7/1/25
Contractor	14	15	300
Hourly	77	63	463
OTD	1	3	31
Total	92	81	777

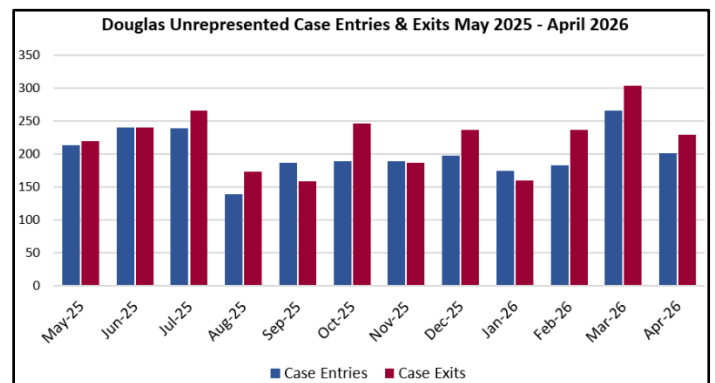
Unrepresented Trend Lines

The total number of unrepresented individuals is down 63.1% compared to April 30, 2025. The red line indicates the date the *Roberts* decision was released.



Entries and Exits

In the past 12 months in Douglas County, 2,417 cases entered unrepresented status, and 2,657 cases exited unrepresented status. The county has seen more exits than entries in 8 of the past 12 months.



Unrepresented Numbers

Between March and April, the number of in-custody individuals increased by 5, and out-of-custody pretrial individuals decreased by 32, or 25%.

Category	4/30/25	3/31/26	4/30/26
Out-of-Custody	585	126	94
In-Custody	15	7	12
Probation Viol.	50	28	21
Non-Criminal	19	5	15
Total	669	166	142

Providers

Jackson County has five attorneys participating in the Exceed MAC Program. Contractors took 264 cases in March and are at 92.7% MAC utilization.

Provider Type	MAC Utilization
Consortia	101.4%
Non-Profits	76.9%
Other	122.1%
All	92.7%

Oregon Trial Division

Since July 1, 2025, OTD has taken 710 cases in Jackson County.

Region	March	April	Total Since 7/1/25
Southern	67	51	710
Total	67	51	710

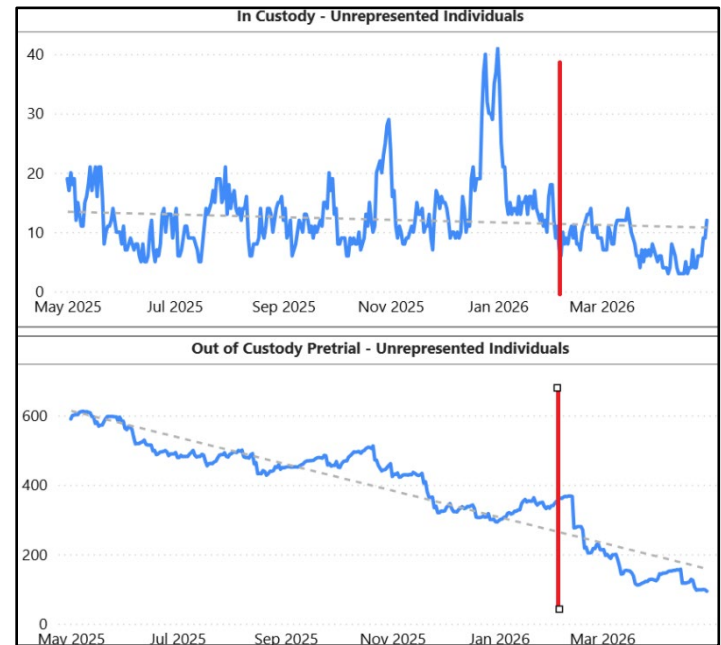
Case Assignments

In April, OPDC assignment coordinators identified counsel for 19 unrepresented cases, including 5 cases subject to *Betschart*. Below are unrepresented case assignments made by OPDC.

Provider Type	March	April	Total Since 7/1/25
Contractor	1	2	118
Hourly	53	15	248
OTD	0	2	75
Total	54	19	433

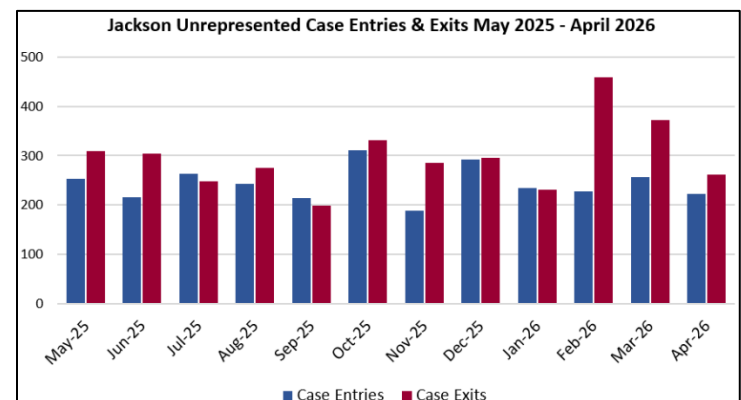
Unrepresented Trend Lines

The total number of unrepresented individuals is down 78.8% compared to April 30, 2025. The red line indicates the date the *Roberts* decision was released.



Entries and Exits

In the past 12 months in Jackson County, 2,923 cases entered unrepresented status, and 3,575 cases exited unrepresented status. The county has seen more exits than entries in 9 of the past 12 months.



MULTNOMAH

Unrepresented Report

April 2026

Unrepresented Numbers

Between March and April, the number of in-custody individuals decreased by 1, and out-of-custody pretrial individuals increased by 35, or 6.6%.

Category	4/30/25	3/31/26	4/30/26
Out-of-Custody	1,260	529	564
In-Custody	56	48	47
Probation Viol.	9	8	8
Non-Criminal	6	1	1
Total	1,331	586	620

Providers

Multnomah County has three attorneys participating in the Exceed MAC Program with the 2025-2027

Provider Type	MAC Utilization
Consortia	89.3%
Non-Profits	97.9%
All	96.3%

contracts. Contractors took 1,127 cases in March and are at 96.3% MAC utilization.

Oregon Trial Division

Since July 1, 2025, OTD has taken 408 cases in Multnomah County.

Region	March	April	Total Since 7/1/25
Central	5	57	93
Northwest	19	28	315
Total	24	85	408

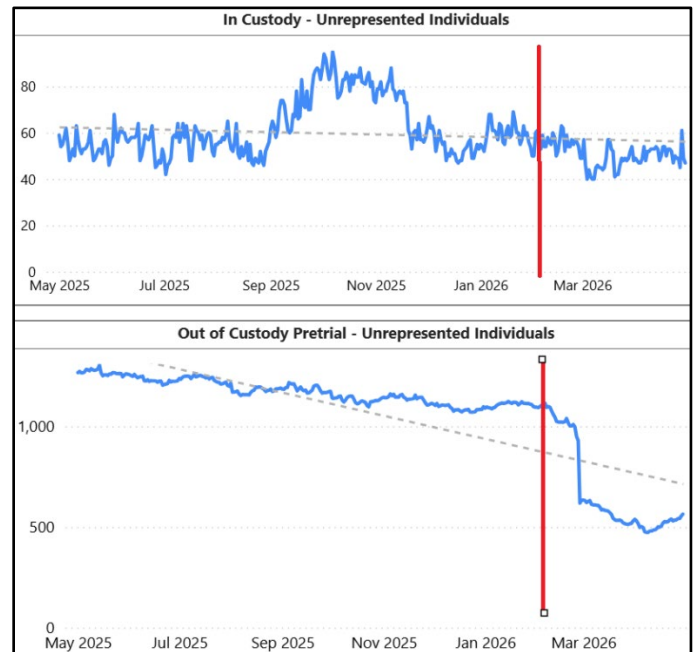
Case Assignments

In April, OPDC assignment coordinators identified counsel for 171 unrepresented cases, including 62 cases subject to *Betschart*. Below are unrepresented case assignments made by OPDC assignment coordinators in April.

Provider Type	March	April	Total Since 7/1/25
Contractor	7	20	92
Hourly	152	104	940
OTD	18	49	205
Total	177	171	1,230

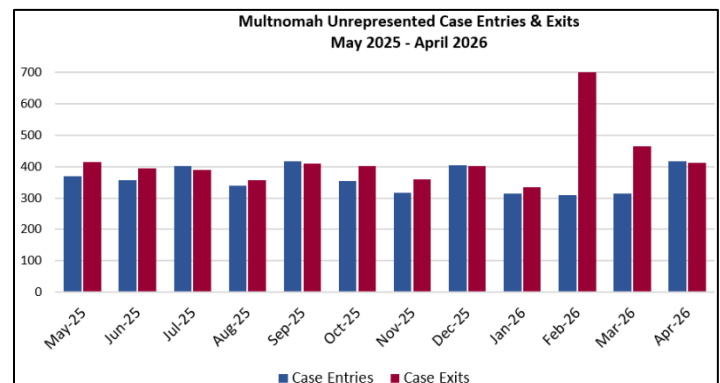
Unrepresented Trend Lines

The total number of unrepresented individuals is down 53.4% compared to April 30, 2025. The red line indicates the date the *Roberts* decision was released.



Entries and Exits

In the past 12 months in Multnomah County, 4,312 cases entered unrepresented status, and 5,283 cases exited unrepresented status. The county has seen more exits than entries in 8 of the past 12 months.



Unrepresented Numbers

Between March and April, the number of in-custody individuals decreased by 3, and out-of-custody pretrial individuals decreased by 24, or 10.0%.

Category	4/30/25	3/31/26	4/30/26
Out-of-Custody	675	239	215
In-Custody	31	19	16
Probation Viol.	18	25	18
Non-Criminal	8	3	3
Total	732	286	252

Providers

Washington County has four attorneys participating in the Exceed MAC Program with the 2025-2027

Provider Type	MAC Utilization
Consortia	111.0%
Non-Profits	103.1%
Other	126.2%
All	105.3%

contracts. Contractors took 1,051 cases in March and are at 105.3% MAC utilization.

Oregon Trial Division

Since July 1, 2025, OTD has taken 117 cases in Washington County.

Region	March	April	Total Since 7/1/25
Central	3	10	33
Northwest	3	10	0
Southern	1	0	84
Total	7	20	117

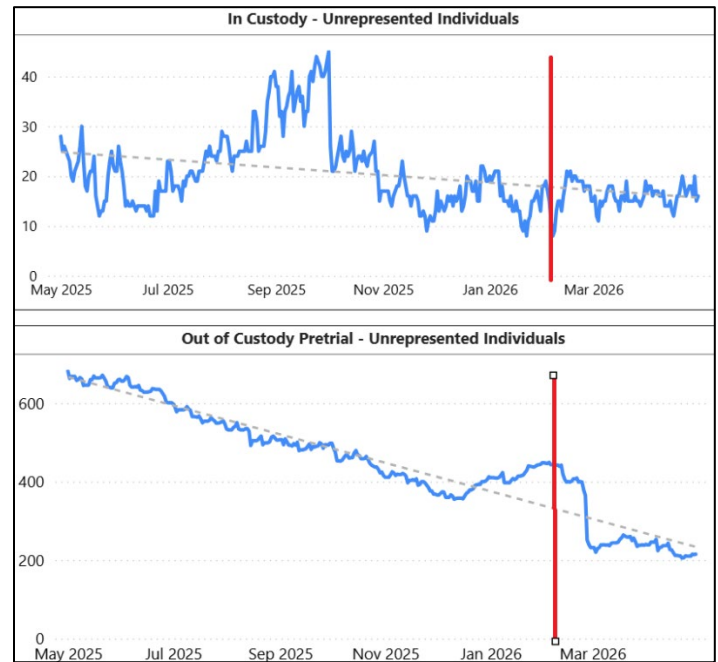
Case Assignments

In April, OPDC assignment coordinators identified counsel for 115 unrepresented cases, including 17 cases subject to *Betschart*. Below are unrepresented case assignments made by OPDC assignment coordinators in April.

Provider Type	March	April	Total Since 7/1/25
Contractor	14	20	137
Hourly	110	79	921
OTD	13	16	98
Total	137	115	1,150

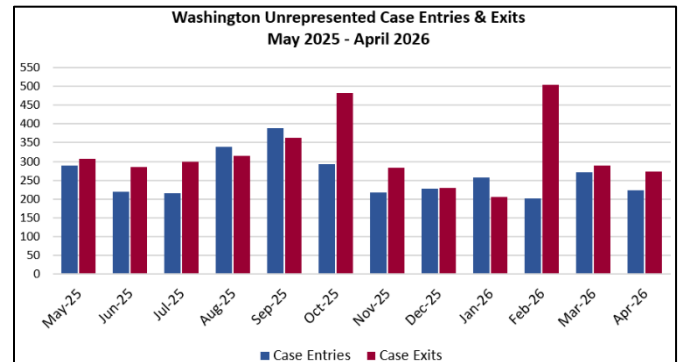
Unrepresented Trend Lines

The total number of unrepresented individuals is down 65.6% compared to April 30, 2025. The red line indicates the date the *Roberts* decision was released.



Entries and Exits

In the past 12 months in Washington County, 3,144 cases entered unrepresented status, and 3,838 cases exited unrepresented status. The county has seen more exits than entries in 9 of the past 12 months.



Oregon Public Defense Commission

May 20, 2026

Financial & Case Management System
COMMISSION UPDATE



FCMS Fireside Chat: External Provider Focus

1. FCMS Overview
2. Where We are Now
3. Key Dates
4. Training Vision
5. Q&A with the FCMS Panel



FCMS May 2026

Panel Members

Emese Perfecto: Executive Sponsor

David Martin: Chief Information Officer

Greg Sevdy: Chief Data Officer

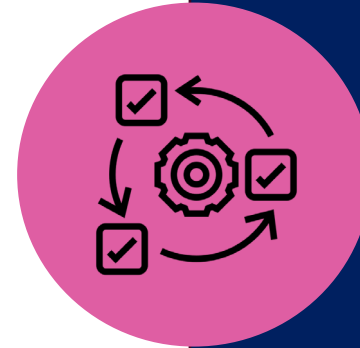
Mary Knoblock: Sr. IT Project Manager

Tracey Culbert: Data Analyst

Ron Hittner: Quality Assurance

Jana Hart: Chief Procurement Officer

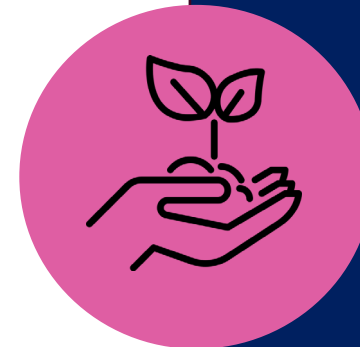
Goals of the new FCMS



**Streamline
financial and case
management**



**Improve
reporting and
compliance**



**Support
long-term
growth**

Welcome Message

**Emese Perfecto,
Deputy Director**

**Ron Hittner,
State Partner
Quality Assurance**





Where We Are Now

Contract negotiations resume with the DOJ review and legal sufficiency review of the statement of work, contract, and final exhibits.

After reviews complete, we will then move into approval rounds with anticipated contract execution by May 29, 2026.

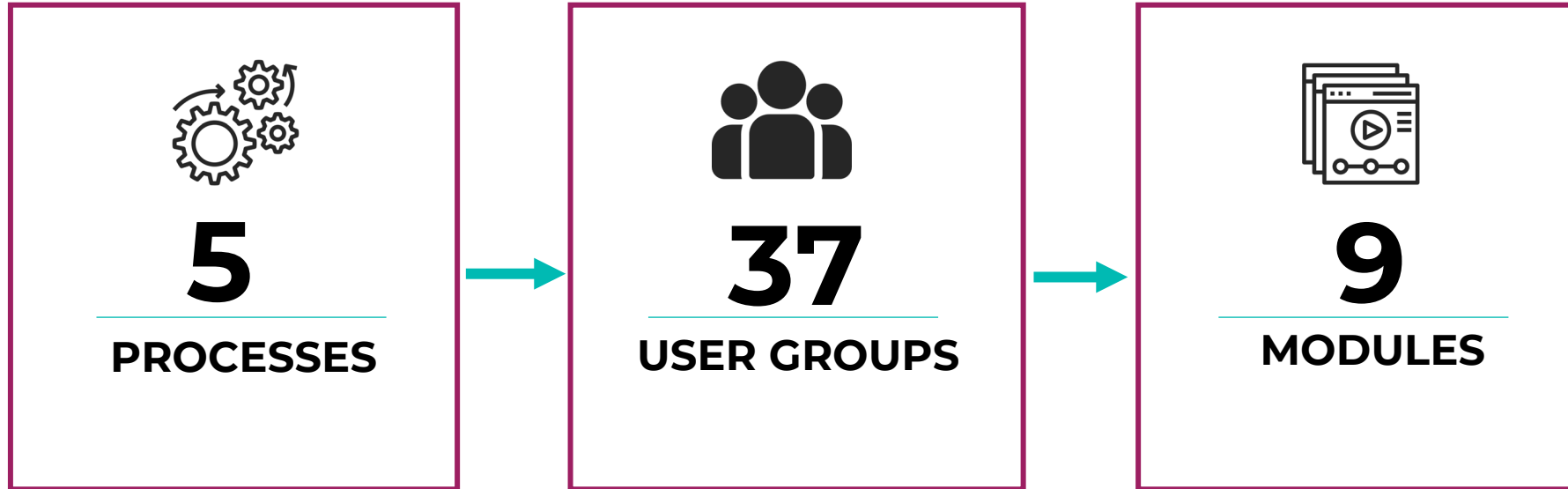


Implementation Key Dates: External Provider Focus

Key Activities	Estimated Dates
Contract Execution & State Approval	June 11, 2026
Kickoff - Internal Open House	June 2026
Kickoff - External Open House	October 2026
Development of FCMS System	-----
<u>Go Live - Internal</u> FCMS Deployment	End of September 2027
External User Training	December 2027– Early January 2028
<u>Go Live - External</u> FCMS Deployment	Jan 2028-March 2028

Initial Training Vision: External Providers

Training will be provided by the Vendor and the FCMS training specialist alongside our change management team, Baker Tilly.



- 5 key processes specific to external providers will be reviewed in depth with the external provider community.

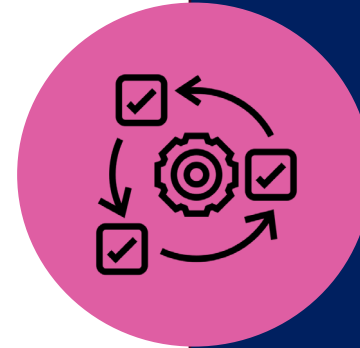
- Detailed training will be provided for each end user group and function in FCMS.

- 9 modules were developed to organize training specific to OPDC stakeholder needs.

Panel Q&A

Our panel is ready to provide robust detail on any topic you'd like to explore further in the FCMS project.

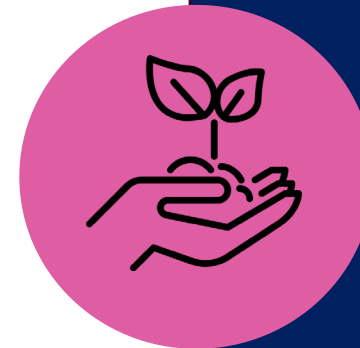
FCMS Wins



Completed governance for implementation in two years.



Built partnerships with external providers over 2 years in FCMS.



Received bond funding for FCMS.



Date: May 20, 2026

To: Robert Harris, Chair of OPDC
OPDC Commissioners

Cc: Kenneth Sanchagrin, Executive Director

From: Susan Mandiberg, Chair of Governance, Policy, and Standards
Subcommittee

Re: Audit Committee Charter Revision and Associated Bylaw
Amendments

Nature of Presentation: Briefing/Action Item

AUDIT COMMITTEE CHARTER

A. INTRODUCTION

The Oregon Public Defense Commission needs to revise the charter governing the committee that advises our Chief Audit Executive in carrying out the agency's internal audit function. The existence and function of an internal audit and audit committee may be new concepts for many. These definitions may be helpful:

Internal auditing is “[a]n independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.”¹

- Internal auditing is different from an “external assessment,” which brings a team from outside the organization to perform a critical audit.²

¹ OAR 125-700-0015(8). “Risk management” is “[a] process of identifying, analyzing, and prioritizing risks to the achievement of an agency’s mission, goals, or objectives.” *Id.*, subsection (12). “Risk” is “[t]he possibility of an event occurring that will have an impact on the achievement of objectives. Risk is measured in terms of impact (the effect) and likelihood (the probability the event will occur.” *Id.*, subsection (10). “Risk assessment” is “[a] process of identifying, analyzing, and prioritizing risks to the achievement of an agency’s mission, goals, or objectives.” *Id.*

² OAR 125-700-0015(16).

The internal audit function is a “program within an agency that provides independent, objective assurance and consulting services, designed to add value and improve an organization’s operations and facilitate oversight, accountability, and transparency.”³

- The Oregon Legislature requires OPDC to have an internal audit function with a Chief Audit Executive.⁴ The Chief Audit Executive holds a “top position” in the agency and is “responsible for internal audit activities.”⁵
- Oregon Regulations require that the internal audit function be governed according to professional auditing standards.⁶

The internal audit function is quite different from a potentially stressful external audit.

- An external audit identifies situations that have already caused problems that cannot be corrected proactively. It is analogous to a fire examiner’s assessment of how a fire started, or a mine safety investigator’s assessment of why a coal mine exploded.
- An internal audit is a constructive effort to identify risks that can be addressed before major problems occur. The analogy is to a smoke alarm that can prevent a fire from becoming serious or to a canary in the coal mine.

Audit committee. Oregon Regulations require us to have an internal audit committee to “enhance the quality and independence of the internal audit function.”⁷

- **The audit committee does not conduct an audit.**
- Instead, the audit committee’s function is to “provide oversight of internal auditing for the agency. The purpose of the audit committee is to enhance the quality and independence of the internal audit function, thereby helping to ensure the integrity of the internal audit process.”⁸

Regulations set out some of the audit committee’s tasks. It must:

³ OAR 125-700-0015(6).

⁴ Budget Note 801 of SB 5532 A Budget Report and Measure Summary created the Internal Audit position for the Public Defense Services Commission (PDSC) budget for the 2023-25 biennium, which OPDC inherited.

⁵ OAR 125-700-0015(5).

⁶ OAR 125-700-0135(1) (specifically suggesting the Institute of Internal Auditors (IIA) International Professional Practices Framework (IPPF). governance according to professional auditing standards.

⁷ OAR 125-700-0135(5).

⁸ OAR 125-700-0015(4).

- “approve the risk-based internal audit plan” and “review internal audit reports on the progress of internal and external audit report findings and recommendations to determine whether proper corrective action has been completed or that senior management has assumed the risk of not taking the recommended corrective action.”⁹
- receive reports from OPDC’s Chief Audit Executive, who also reports to OPDC’s Executive Director.¹⁰
- be governed by appropriate professional audit standards such as The Internal Auditors (IIA) International Professional Framework (IPPF).¹¹

The internal audit charter. The audit committee must have a “formal, written charter” that has, at a minimum, certain characteristics.

- It must “establish the audit committee's mandate, authority, and functional reporting relationship including the roles and responsibilities of the audit committee and its members”¹²
- It must “formally define the internal audit function’s purpose, authority, responsibility, and the professional auditing standards the function will follow.”
- It must be approved and reviewed periodically by the audit committee and the agency head and senior management¹³

B. WHY THE CURRENT AUDIT COMMITTEE CHARTER NEEDS REVISING

OPDC has been operating with an Audit Committee and an Audit Committee Charter inherited from the Public Defense Services Commission (PDSC), the former commission that operated under the Judicial Branch to administer Oregon’s public defense system.

The current Audit Committee Charter is inadequate for OPDC’s needs and may, in fact, be counterproductive. Problems with the current Charter include:

- Focus of the charter. The PDSC-derived charter includes at least some “external audit” functions,¹⁴ and the existing audit committee has operated in some ways more like an external audit group.

⁹ OAR 125-700-0135 (5)(d).

¹⁰ OAR 125-700-0150(1) (“the agency Chief Audit Executive must report functionally to the agency audit committee, and administratively to the agency Director, Deputy Director, or equivalent”).

¹¹ OAR 125-7000135(1).

¹² OAR 125-700-0135(5)(a).

¹³ OAR 125-700-0135(3) and (5)(a).

¹⁴ The “purposes” include “promoting the integrity of the ... external audit processes” and evaluating risks or weaknesses identified in audits conducted by external parties. The audit committee’s duties include receiving external audit reports and “obtain[ing] periodic external peer reviews of the Internal Audit function (external Quality Assurance Reviews).”

Allowing an external audit culture into an internal audit committee is harmful to the internal audit function. Employees should want to partner with the internal audit function because it makes the agency better; they should not feel that the audit committee is engaging in “gotcha” activities.

- Standards. The current Charter does not adequately identify the standards the Committee will use to govern the internal audit function.
- Reporting responsibilities. The current charter requires the audit committee to advise and report to the OPDC Board. There are at least two problems with this requirement.

First, the audit committee’s proper role is to advise the internal Chief Audit Executive (CAE). The CAE advises the agency’s Executive Director. The CAE and the Executive Director advise the Board. It is improper for the audit committee to advise the Executive Director because an audit committee has no role in governance.

Second, if an audit committee advises and reports to the Board, the committee’s meetings must be public meetings. When meetings are public, the candid reporting and problem-solving function of the committee is compromised, and therefore less effective.

- Committee membership. The PDSC charter outlines committee membership and structure that are counter to what is needed for an internal audit committee.

What OPDC’s Committee Needs	Current Charter
○ Executive team and other top OPDC staff familiar with the agency operations	○ Prohibits the committee from having a majority of members who are agency employees.
○ Presence of OPDC’s Chief Audit Executive as a voting member on the committee.	○ Prohibits OPDC’s Chief Audit Executive from being a voting member of the committee.
○ Absence of external members whose economic interests present a potential conflict that can hamper the internal audit.	○ Allows external members who get a direct benefit from OPDC’s operations.

C. THE PROPOSED NEW AUDIT COMMITTEE CHARTER

Process

The proposed new charter was drafted by a team composed of Executive Director Ken Sanchagrin, OPDC Chief Audit Executive Scott Martin, OPDC Vice Chair Susan Mandiberg, and Audit Committee Chair Jaclynn Moore (Chief Audit Executive of the Oregon Military Department).

The Governance Subcommittee considered a draft of a new charter at its meeting on April 30, provided extensive feedback, and authorized the team to develop a new draft based that input.

The Audit Committee's next meeting occurs prior to the June Commission meeting. To avoid operating under the unsatisfactory existing charter, it is important to have a new charter in place before the Audit Committee meets. For that reason, the Subcommittee also authorized the Subcommittee Chair to bring the new draft directly to the Board, as an action item, with an explanatory memo.

Things to note about the proposed new charter

- The name is changed to OPDC Internal Audit *Advisory* Committee to clarify the committee's role as one of advising, not auditing.
- There is a mission statement to further clarify the purpose and goals of the committee.
- Section headings are not technical or bureaucratic and thus are more easily understood by OPDC staff, Board members, and stakeholders.
- A section contains a detailed clarification of the committee's role, standards, and permitted functions.
- There is a detailed, non-technical, list of committee responsibilities.
- The charter affirms the committee's and Chief Audit Executive's access to the information necessary to carry out their responsibilities and functions.¹⁵
- The approach to membership maximizes the Chief Audit Executive's ability to get information and advice from the agency staff most able to provide that input. It is important to note that the Membership section of the charter allows the CAE and Executive Director to bring in additional people as non-voting participants should extra input be advisable.
- The proposed charter continues to require the inclusion of an OPDC Board member as required by the Regulations.¹⁶ The charter fulfills the regulatory requirement to include a qualified, independent external member—and enhances the committee's ability to understand Executive Branch practices—by requiring that one member be an Internal Auditor from outside the agency.¹⁷

¹⁵ OAR 125-700-0150(2) requires that the CAE "have unrestricted access to decision-makers and decision-making bodies and to the information and employees needed to perform internal audit duties and responsibilities." It also requires that the CAE "be free to obtain advice and information from sources inside and outside the agency."

¹⁶ OAR 125-700-0135(5)(c).

¹⁷ See OAR 125-700-0135(5)(b) (requiring that the committee include "at least one qualified external member that is independent of agency management...to enhance public accountability and transparency and increase independence of the internal audit activity."

- There is an unusually high quorum requirement to guarantee that the committee is fully able to provide a full range of input at each meeting. The fact that the committee meets only three times a year—and consists mainly of agency staff—means that this requirement should not be difficult to meet.
- The conflict-of-interest policy, which differs from that in the OPDC Bylaws,¹⁸ recognizes that, while committee members are extremely unlikely to have a financial conflict of interest, some agency staff may have biases in favor of the department they represent. The policy allows such members to participate in the discussions to allow full input to the CAE, but the policy does not allow such members to vote.
- The charter clarifies why the Committee is not subject to public meeting laws.
- Because the Audit Committee's function is to advise the Chief Audit Executive, the charter calls for the cancellation of a meeting if the CAE cannot attend. The charter allows a committee member to send a delegate if that member cannot attend.

BYLAW AMENDMENTS

The OPDC Bylaws mention the internal audit function and committee in the following places:

Section II.B. The Executive Director shall ensure that OPDC staff present an internal audit report to the Board at least yearly.

- This provision is consistent with the draft Audit Committee Charter and needs no amendment.

Section V.B. This section addresses the audit committee, and parts of the section need to be amended. I suggest the following for discussion:

Sec. V.B.1.

- *Current language:* OPDC may approve an audit committee charter and audit committee to advise the Board and to assist OPDC auditors in their audit function.
- *Recommended:* OPDC may approve an audit committee charter whose purposes are consistent with OAR 125-700-0135(5).
- *Explanation:* As explained in the draft Charter, the Audit Committee is appointed by the agency's Chief Audit Executive (CAE), and the Audit Committee advises the CAE, not the Board. In addition, the Audit Committee assists the CAE, not "auditors."

¹⁸ The Audit Committee is not a subcommittee of the Board, but rather an internal Agency liaison. For this reason, as well as the different needs, it is not necessary that the conflict policies be identical.

Sec. V.B.2.

- *Current language:* An audit committee is not a subcommittee of the Board, but one voting commissioner shall serve on the audit committee.
- *Recommended:* This sub-section continues to be accurate and does not need to be amended.

Sec. V.B.3.

- *Current language:* The Audit Committee meetings are subject to public meeting laws.
- *Recommended:* The Audit Committee meetings are not subject to public meeting laws.
- *Explanation:* Please see footnote 2 in the draft Charter.

Possible new language

- The Agency's Chief Audit Executive shall appoint the Audit Committee members, other than the member appointed by the Board.

Fiscal Impact:

None.

Recommendation:

Approve the attached new Audit Committee Charter and the above listed amendments to the OPDC Bylaws.

Proposed Motion:

- The Governance, Policy, and Standards Subcommittee, in partnership with the agency, requests the Board to approve the updated Audit Committee Charter.
- The Governance, Policy, and Standards Subcommittee, in partnership with the agency, requests the Board to approve the updated language to the OPDC Bylaws.

Oregon Public Defense Commission Internal Audit Advisory Committee Charter

MISSION STATEMENT

The purpose of the internal audit function is to independently evaluate the agency’s risk management, control, and governance processes and provide assurance and recommendations for improvement. To support the effectiveness and independence of internal audit, best practice and Oregon Administrative Rules require the establishment of an Internal Audit Advisory Committee. The Committee does not participate in individual audits or the audit process. Instead, it provides oversight, insight, and advice to the Chief Audit Executive regarding the internal audit function. This includes assisting in prioritizing audit areas, reviewing completed audit results, and monitoring agency progress on audit findings and recommendations.

The purpose of this Charter is to establish the framework for the Oregon Public Defense Commission’s Internal Audit Advisory Committee (Committee). It defines how department leadership and relevant stakeholders support the internal audit function in assessing the internal operations of the Commission and advising the Commission’s Chief Audit Executive.

MANDATE

The establishment of the OPDC Audit Committee is derived from Oregon Administrative Rule OAR 125-700-0135(5), which requires state agencies with an internal audit function to maintain an audit committee or equivalent advisory body to support the independence and effectiveness of internal audit activities.

This Charter fulfills the requirement that the audit committee have a formal written charter that “establishes the audit committee’s mandate, authority and functional reporting relationship including the roles and responsibilities of the audit committee and its members.”¹

INTERNAL AUDIT ADVISORY COMMITTEE ROLE

The OPDC Audit Committee advises the Chief Audit Executive (CAE) and holds the CAE accountable to the Institute of Internal Audit (“Redbook”) standards. The CAE’s role in the Committee is separate from the administrative reporting relationship the CAE has with the Director or Deputy Director.

The members of the Audit Advisory Committee work collaboratively to support transparency, accountability, and confidence in the quality, independence, and integrity of the audit function, and the Agency’s governance, risk management, and internal control practices.

¹ OAR 125-700-0135(5)(a).

The Committee advises the CAE and holds the CAE accountable to the Institute of Internal Audit (“Redbook”) standards in support of the CAE’s function to advise the Agency’s Executive Director. The Committee provides the CAE with independent insight, perspective, and advice on the adequacy and effectiveness of management’s processes, and on opportunities for improvement, related to:

- The independence and effectiveness of the Internal Audit Function
- The risk based internal audit plan and the results of internal audit activities
- Significant governance, risk management, and internal control matters identified through internal audit or other assurance activities
- Coordination between internal audit, external auditors, and other assurance providers
- Management’s progress in addressing internal audit recommendations
- Matters affecting financial accountability or compliance that are identified through internal audit or assurance activities.

The Committee does not establish policy, direct agency operations, take actions that bind the Agency, or exercise any other administrative, policy making, or decision-making authority over the OPDC. All authority to establish policy, direct operations, and make final management decisions remains with the Board, Executive Director, and Agency leadership. Consistent with its advisory role, the Committee does not function as a governing body of the OPDC.

In carrying out its advisory responsibilities, the Audit Committee is permitted to perform the following functions:

- Review communications, reports, and other relevant matters, including those issued by external auditors that may have a significant impact on the OPDC.
- Facilitate discussion between management and internal or external auditors when significant audit matters arise
- Request information from employees or external parties relevant to matters under review
- Meet with department managers, external auditors, or legal counsel as necessary to obtain information relevant to audit or assurance matters
- Provide advice as needed to fulfill its purpose

INTERNAL AUDIT ADVISORY COMMITTEE RESPONSIBILITIES

The Audit Committee performs the following advisory duties in support of the Internal Audit Function:

Financial Information

- Review significant accounting and financial reporting matters that may affect the OPDC.
- Consider information regarding complex or unusual transactions, significant accounting judgments, and relevant professional or regulatory developments that may impact financial reporting.

Internal Control and Risk Management

- Review information regarding the effectiveness of the Agency’s internal control framework, including controls related to information technology.

PROPOSAL for May 20, 2026 Commission Meeting

- Consider information from internal or external auditors regarding internal control over financial reporting and other significant operational areas.
- Review significant findings reported by auditors and management's responses to those findings.
- Consider information regarding the Agency's risk management practices as identified through audit or assurance activities.

Internal Audit

- Review and assess the adequacy of the Internal Audit Charter at least biennially.
- Periodically review the strategic objectives, staffing, budget, resources, and organizational structure of the Internal Audit Function.
- Review information regarding the activities and performance of the Internal Audit Function.
- Review the results of the internal audit risk assessment and provide input regarding the risk based internal audit plan and any significant changes to the plan.
- Review the effectiveness of the Internal Audit Function, including its conformance with The Institute of Internal Auditors' Global Internal Audit ethics.
- Provide input to the Executive Director regarding the performance, qualifications, appointment, or removal of the CAE.
- Review internal audit reports and related communications following their release to management.
- Review information regarding management's progress in addressing internal audit recommendations.
- Review results of the Internal Audit Function's Quality Assurance and Improvement Program, including the results of external quality assessments conducted at least once every five years.

External Audit

- Review communications and reports issued by external auditors that may have a significant impact on the OPDC.
- Consider coordination efforts between internal audit and external auditors when applicable.
- When appropriate, meet with external auditors to discuss matters related to audit work.

Compliance and Ethics

- Review information regarding the Agency's processes for monitoring compliance with applicable laws, rules, regulations, and policies.
- Review information regarding management's response to significant instances of noncompliance, including legal or ethical violations.
- Consider processes used to communicate the Agency's code of conduct and ethical expectations to personnel.

Reporting

- Assist the CAE in providing advisory updates to the Executive Director regarding Committee activities and matters discussed.
- Support communication between the CAE and members of the Executive Management Team regarding audit related matters.
- Review and provide input on audit related reports distributed to oversight entities including the Oregon Department of Administrative Services and the Audits Division of the Secretary of State.

Other Responsibilities

- Review information regarding significant allegations or investigations related to fraud, waste, or abuse that may affect the Agency.
- Review and assess the adequacy of the Audit Committee Charter at least biennially.
- Periodically evaluate the effectiveness of the Committee.

SOURCES OF COMMITTEE INFORMATION

In discharging its responsibilities, the Audit Committee is permitted to request access to members of management, employees, and relevant information necessary to carry out its advisory responsibilities. The Committee may also request access to records, data, and reports relevant to matters under discussion. If access to requested information is restricted due to legal or confidentiality considerations, the Committee and the CAE will follow applicable State procedures for resolving the matter.

The Committee may request any explanatory information it considers necessary to support its advisory responsibilities. To enhance the Committee's ability to work in the interest of OPDC, Agency management and staff are expected to cooperate with reasonable requests for information made by the Committee.

The Committee may recommend that independent counsel or other advisors be engaged, when appropriate, to assist the Committee in understanding matters related to internal audit or assurance activities.

MEMBERSHIP

The CAE appoints Committee members who are key to furthering the Committee's function to review Agency operations in a comprehensive, constructive, collaborative manner and to advise and provide independent perspective to the CAE's internal auditing function.

The CAE will appoint Committee members who further the inclusion of multiple perspectives, strategic awareness, collaboration and buy-in, and to ensure members with the broadest knowledge of Agency activities. To this end, the voting members of the Committee will consist of at least the key divisional directors (or their designated substitutes); when the agency adds, removes, or reorganizes divisions, membership will reflect those changes. To maximize Board awareness of the internal audit function, voting members will also include at least one Board member for a renewable two-year term. To ensure adherence to State agency internal auditing practices voting members will also include one external member who is an Internal Auditor from outside the agency who will serve a renewable two-year term.

PROPOSAL for May 20, 2026 Commission Meeting

To this end, the following ten OPDC Executive Management Team members, or their designated substitutes, will serve as voting members on the Committee:

- The Executive Director
- The Deputy Director
- The Chief Information Officer
- The Chief Financial Officer
- The Chief Procurement Officer
- The Chief Audit Executive
- The Human Resources Director
- The Director of the Trial Division
- The Director of the Appellate Division
- The Director of the Compliance Audit and Performance Division

The Chairperson of the OPDC Audit Committee will be selected by the Committee and will rotate every two years unless otherwise determined by the Committee.

Audit Committee members will receive orientation or training regarding the purpose of the Committee, its mandate, and the organizational objectives of the OPDC.

MEETINGS

The Committee will meet at least three times per year. Additional meetings may be convened when circumstances require; however, the time between meetings should not exceed five months.

A quorum consists of 80% of regular Committee members or designated substitutes to ensure the inclusion of broad perspectives, expression of work section interests, and representative buy-in of proposed next steps. When circumstances require, advisory votes may be conducted electronically.

Attendance at Audit Committee meetings is strongly encouraged. When necessary, a Division Director may designate a Deputy or appropriate representative to attend on their behalf. If the CAE cannot attend a meeting, the meeting must be cancelled.

If the Chairperson is unable to attend a meeting, a temporary chair may be designated from among the Committee members for that meeting.

Members are expected to disclose any actual or perceived conflicts of interest related to matters under review by the Committee. When a conflict of interest exists, the member may participate in the discussion but may not participate in the advisory vote related to that matter.

The CAE will communicate periodically with the Audit Committee regarding internal audit activities, including updates to the internal audit plan or advisory work when appropriate.

The Committee may invite members of management, auditors, or other individuals to attend meetings and provide information relevant to matters under review. The Executive Director and CAE reserve the right to invite anyone they feel necessary to the meetings without prior approval or notification given.

PROPOSAL for May 20, 2026 Commission Meeting

Meeting agendas will be prepared by the CAE and distributed to Committee members at least two weeks in advance of each meeting, along with relevant briefing materials. Committee members are expected to review materials and participate in meetings.

Following each meeting, the CAE will prepare and distribute meeting minutes for review and acknowledgment by the Committee. Approved minutes will be maintained by the Internal Audit Function in accordance with applicable records retention schedules.

Audit Committee meetings are not subject to Oregon Public Meeting laws.²

BACKGROUND

The Audit Committee was established with the implementation of its Audit Committee Charter document on December 5th 2022. The agency was then named the “Office of Public Defense Services” (OPDS) and was overseen by the “Public Defense Services Commission” (PDSC), which ratified Audit Committee membership. With the passage of SB 337 in June of 2023, the agency’s name was changed to the “Oregon Public Defense Commission” (OPDC), which it shares with its gubernatorially appointed and Senate-confirmed oversight body (the “Board”).

Unique among state agencies, the 2022 charter formed the Audit Committee as a “Special Committee” of the agency’s oversight Board. This structure, as OPDC learned in June of 2025, subjected it to the Oregon Public Meetings Laws and required public Audit Committee meetings. With the restructuring of Audit Advisory Committee appointments and advisory relationships, this Audit Advisory Committee charter negates the need for public Audit Committee meetings and returns the function of Internal Audit to an internal role.

This charter was reviewed and ratified during the May 20, 2026 Commission meeting which abolished the Audit Committee’s prior standing as a Special Committee of the Commission.

Subsequent to the termination of the prior Audit Committee with the ratification of the new Audit Committee Charter, members of the new Audit Committee have ascribed their signatures below affirming their participation and agreement.

² OAR 199.050.0010(2)(b) (providing that public meetings law does not apply to bodies appointed by an individual public official with authority to make recommendations only to that individual public official who has the authority to act on the body's recommendations and is not required to pass the recommendations on unchanged to a public body”).

PROPOSAL for May 20, 2026 Commission Meeting

_____	The Executive Director
Ken Sanchagrin	
_____	Deputy Director
Emese Perfecto	
_____	Chief Information Officer
David Martin	
_____	Director Financial Officer
Ralph Amador	
_____	Chief Procurement Officer
Jana Hart	
_____	Human Resources Director
Laura Sanchez	
_____	Director of Compliance, Audit and Performance
Vacant	
_____	Director of the Trial Division
Aaron Jeffers	
_____	Director of the Appellate Division
Ernest Lannett	
_____	External Member, Chief Audit Executive at the Oregon Military Department
Jaclynn Moore	
_____	Commission Board Member
Vacant	
_____	Chief Audit Executive – OPDC
Scott D. Martin	

OREGON PUBLIC DEFENSE FORECAST

April 15, 2026

Betsy Imholt, DAS Director



Department of Administrative Services

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Accessibility Statement

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Executive Summary

This is the fifth forecast produced by the Office of Economic Analysis (OEA) since the legislature redirected the oversight of the forecast from the Oregon Public Defense Commission (OPDC) to OEA. While data compilation algorithms and forecast details are still being modified slightly, the forecast is becoming more routinized and stable. Nonetheless, in the wake of the Covid-19 pandemic the criminal and juvenile justice systems are still migrating to a new long-term equilibrium. House Bill 2005 (2025) is also affecting civil commitments. Substantive changes can be seen in a few of the cohorts, namely adult felony, civil commitment, and juvenile delinquency. Overall, however, the forecast for individuals eligible for public defense is only modestly changed from either the prior forecast or the April 2025 (budgetary baseline) forecast.

In addition to tracking the current biennium's progress, this April 2026 forecast will also factor into OPDC's 2027-29 Agency Request Budget development. As such, OEA met with staff from OPDC, the Oregon Judicial Department (OJD), and executive and legislative budget offices to discuss recent trends in the data and a preliminary forecast. The figures presented herein reflect the outcome of this conversation.

Oregon Revised Statute 151.235 authorizes the Department of Administrative Services to produce the public defense forecast. The Office of Economic Analysis (OEA) produces the semi-annual Oregon Public Defense Caseload Forecast which provides projections of populations eligible for public counsel. The forecast will be published April 15th and October 15th of each year. State agencies, in particular the Office of Public Defense Commission (OPDC) and the Oregon Criminal Justice Commission (CJC), are mandated to use the forecast for budgeting and policy development where public defense is concerned.

For questions regarding this report, please contact Michael Kennedy at michael.kennedy@das.oregon.gov.

Forecast Overview

Summary

This April 2026 forecast updates the prior forecast using new data from July 2025 through January 2026. Most of the cohorts tracked very well with the prior edition, except for adult felony, adult misdemeanor, civil commitment, and juvenile delinquency. Factors affecting these subpopulations are itemized below:

- Circuit court cases filed for felonies declined 3.7 percent in calendar year 2025. This mirrors a trend discussed by the Corrections Population Forecast Advisory Committee as it reviewed the latest prison forecast (due to be published on April 1). Adults eligible for public defense tracked below the October 2025 forecast for the first seven months of the new fiscal year, consistent with declining overall cases filed.
- House Bill 4002, which rolled back Ballot Measure 110's decriminalization of possession of controlled substance penalties, was expected to increase misdemeanor cases significantly following its implementation. While adult eligible counts have exceeded the prior forecast somewhat, this is likely more due to downward departures for cases that would have gotten felony convictions prior to the public defense shortage.
- House Bill 2005 (2025) modified the definitions and circumstances surrounding involuntary commitment. The previous forecast did not include the impact of this measure. An effort has been made to incorporate the effects of the measure going forward. Recent actuals have exceeded the prior forecast significantly, however, this is a reflection of data compilation changes to fix undercounts in a couple of counties.
- Felony referrals to juvenile departments, like adult felony cases, fell in calendar year 2025. Part of the reason could be the decline in the 12-17 juvenile "at-risk" population. In addition, disposition towards youth offending appears to have changed materially since the pandemic. This trend is reflected in juveniles eligible for counsel, which fell below the prior forecast in recent months.

As discussed in the "Components of Change" section later, all cohort forecasts have been updated for recent actuals and changes to demographic descriptors. Table 1 presents the actual and projected counts of individuals eligible for public defense, by fiscal year and by case type. While the total number of eligible adults is expected to increase by 11 percent from fiscal year 2025 through fiscal year 2031, juvenile eligibility is only projected to grow 4.3 percent over the same timeframe. This is due to demographic differences, particularly Oregon's low and declining birthrate.

The following sections characterize the eligibility, caseload, and episode length aspects of the forecast.

Table 1:

New Cases Eligible for Court-Appointed Counsel

April 2026 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	28,404	26,445	23,542	21,708	20,909	22,266	21,978	21,681	21,776	22,676	22,885	23,067	23,240	23,408
Misdemeanors	45,877	46,847	38,551	33,438	34,453	36,626	38,188	44,423	47,120	48,969	49,910	50,398	50,523	50,636
Probation Violation	20,976	20,897	17,570	12,728	12,606	13,506	12,601	13,338	13,655	13,747	13,805	13,846	13,881	13,911
Treatment Court			433	692	727	867	829	783	826	917	927	933	938	940
Appellate	1,497	1,859	1,521	1,018	1,408	1,539	1,495	1,690	1,711	1,818	1,870	1,893	1,897	1,902
Post-Conviction Relief	231	236	226	544	247	346	297	269	291	303	304	305	305	306
Habeas Corpus	40	50	122	455	93	114	97	174	188	196	197	197	198	198
Civil Commitment	1,473	1,498	1,827	1,803	1,894	2,122	2,426	3,515	3,490	3,896	3,987	4,017	4,027	4,036
Total Adults	98,498	97,832	83,792	72,386	72,337	77,386	77,911	85,873	89,057	92,522	93,885	94,655	95,008	95,336
Juvenile														
Dependency*	16,347	14,510	12,180	10,426	9,559	8,997	8,780	8,681	9,617	9,905	9,795	9,693	9,597	9,505
Delinquency**	3,570	3,434	3,264	2,194	2,440	2,905	3,145	2,709	2,724	2,829	2,803	2,777	2,750	2,724
Probation Violation	2,803	2,832	2,485	1,734	1,638	1,892	1,993	2,147	1,944	1,969	1,951	1,931	1,912	1,894
Treatment Court			26	71	87	107	137	168	188	201	200	198	196	194
Appellate	377	364	320	368	342	295	313	296	286	299	295	292	289	287
Total Juveniles	23,097	21,140	18,275	14,793	14,066	14,196	14,368	14,001	14,759	15,202	15,044	14,892	14,745	14,604
Total New Eligibles	121,595	118,972	102,067	87,179	86,403	91,582	92,279	99,874	103,816	107,724	108,930	109,547	109,754	109,941

* Includes Parents and Guardians.

** includes Measure 11, Murder, and All Other

Source: Oregon Judicial Department, Oregon Office of Economic Analysis

Eligibility Forecast

As noted above, the forecast characterizes individuals eligible for court-appointed counsel. It does not delve into whether the individual is appointed an attorney or not. As such, the complexity and nature of the public defense contracting and management system¹ should not affect the forecast. However, the availability of attorneys can impact case filings (i.e., a district attorney’s office may choose not to file a case if the likelihood of dismissal is high), which would alter the number individuals eligible for public defense. This produces a delicate hydraulic that must be weighed as OPDC works to resolve the unrepresented caseload.

Table 2 presents a comparison of the latest eligibility forecast to the April 2025 forecast, which was the basis for the 2025-27 Legislatively Adopted Budget. The changes reflect the

¹ OPDC delivers attorney services through various models, including contracted and state-employed (hourly) attorneys.

points noted in the summary, including the shift from felonies to misdemeanors and the impact of House Bill 2005 on civil commitments. Juvenile dependency is also exceeding original expectations, while delinquency is down.

Table 2:

Public Defense Forecast - 2025-27 Eligibility Comparison

Difference from budgetary baseline

	April 2025 Fcst	April 2026 Fcst	Change	Percent
Adult				
Felony	46,340	44,453	-1,888	-4.1%
Jessica's Law	222	251	29	13.1%
Murder	285	231	-54	-18.9%
Measure 11	3,948	3,813	-135	-3.4%
Major Felony	7,967	8,033	66	0.8%
Minor Felony	33,919	32,124	-1,795	-5.3%
Misdemeanors	93,243	96,089	2,846	3.1%
Probation Violation	27,343	27,402	60	0.2%
Treatment Court	1,866	1,744	-122	-6.5%
Appellate	3,565	3,529	-36	-1.0%
Post-Conviction Relief	672	593	-78	-11.7%
Habeas Corpus	210	384	174	82.6%
Civil Commitment	5,496	7,386	1,890	34.4%
TOTAL	178,735	181,579	2,845	1.6%
Juvenile				
Dependency*	17,726	19,522	1,796	10.1%
Delinquency**	6,718	5,554	-1,165	-17.3%
Probation Violation	4,253	3,913	-340	-8.0%
Treatment Court	338	388	50	14.9%
Appellate	683	584	-98	-14.4%
TOTAL	29,718	29,961	243	0.8%
Total New Eligible Cases	208,453	211,541	3,087	1.5%

* Includes Parents and Guardians. ** includes Measure 11, Murder, and All Other

While tracking the performance of the forecast for the current biennium is a key issue, budget development for the 2027-29 biennium is also just getting underway. Table 3 presents current and next biennium totals for eligibility, as well as the biennium-to-biennium growth in actual and percentage terms. Differences in growth rates are generally attributable to both variation in recent trends for each cohort and demographic underpinnings. Legislative changes can also affect projections, as in the case of House Bill 2005 on civil commitments.

Table 3:

Public Defense Forecast - New Eligibles Summary

(April 2026 forecast)

		2025-27	2027-29	Change	Percent
Adult	Felony	44,453	45,952	1,499	3.4%
	Misdemeanors	96,089	100,308	4,219	4.4%
	Probation Violation	27,402	27,651	249	0.9%
	Treatment Court	1,744	1,861	117	6.7%
	Appellate	3,529	3,763	234	6.6%
	Post-Conviction Relief	593	609	15	2.6%
	Habeas Corpus	384	394	10	2.6%
	Civil Commitment	7,386	8,004	618	8.4%
	TOTAL	181,579	188,541	6,961	3.8%
	<hr/>				
		2025-27	2027-29	Change	Percent
Juvenile	Dependency*	19,522	19,488	-35	-0.2%
	Delinquency**	5,554	5,580	27	0.5%
	Probation Violation	3,913	3,883	-30	-0.8%
	Treatment Court	388	398	9	2.4%
	Appellate	584	588	3	0.6%
	TOTAL	29,961	29,936	-25	-0.1%
<hr/>					
Total New Eligible Cases		211,541	218,477	6,936	3.3%

* Includes Parents and Guardians. ** includes Measure 11, Murder, and All Other

Caseload Forecast

In addition to counts of individuals newly becoming eligible for counsel, the forecast model (outlined in detail under Forecast Methodology) also produces a caseload metric that tabulates the number of individuals with open eligibility on the first of every month. Separate algorithms are run to count caseloads by fiscal year and biennium, as well. An additional algorithm is used to convert forecasts of monthly caseloads into yearly and biennial counts for forecast periods. This algorithm is based on the historical relationship between average monthly counts and yearly/biennial counts, which makes it sensitive to changes in that relationship over time. Finally, circuit court data are very dynamic. Data elements are subject to modification with significant lag time, changing caseload figures up to six months after the fact.

Table 4:

Public Defense Forecast - 2025-27 Caseload Comparison

Difference from budgetary baseline

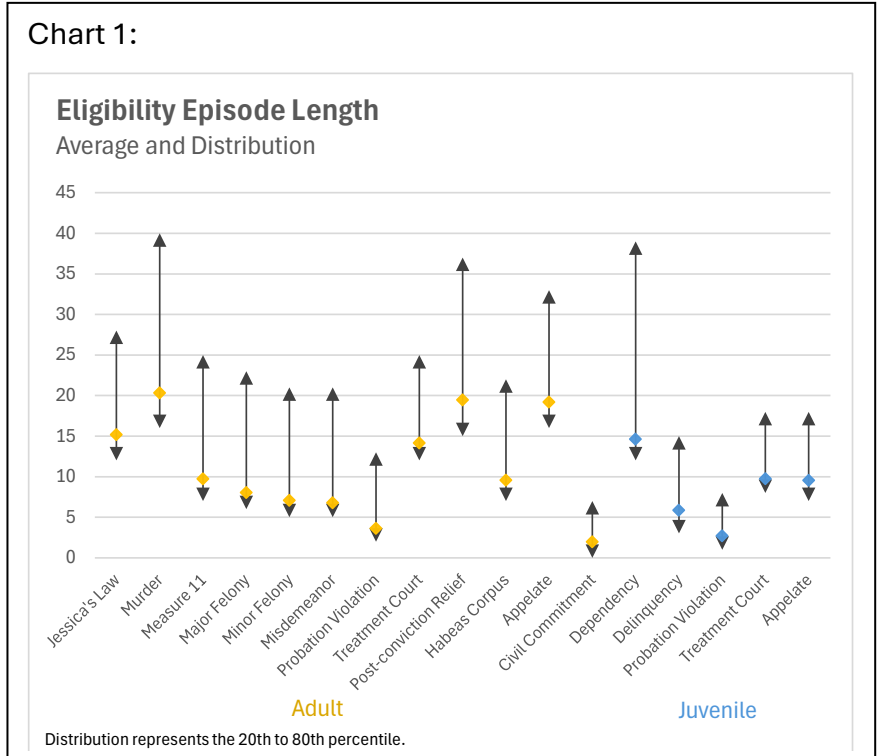
	April 2025 Fcst	April 2026 Fcst	Change	Percent
Adult				
Felony	60,810	61,476	666	1.1%
Jessica's Law	122	388	266	217.6%
Murder	627	556	-71	-11.3%
Measure 11	7,380	5,711	-1,669	-22.6%
Major Felony	11,524	11,127	-397	-3.4%
Minor Felony	41,157	43,695	2,538	6.2%
Misdemeanors	116,686	127,316	10,630	9.1%
Probation Violation	34,182	31,990	-2,192	-6.4%
Treatment Court	3,105	2,801	-304	-9.8%
Appellate	6,912	6,235	-677	-9.8%
Post-Conviction Relief	1,138	1,383	245	21.5%
Habeas Corpus	202	415	213	105.4%
Civil Commitment	5,284	7,892	2,608	49.4%
TOTAL	228,319	239,508	11,189	4.9%
Juvenile				
Dependency*	28,399	32,134	3,735	13.2%
Delinquency**	9,114	6,779	-2,335	-25.6%
Probation Violation	5,123	4,275	-848	-16.6%
Treatment Court	506	592	86	17.0%
Appellate	1,147	851	-296	-25.8%
TOTAL	44,289	44,631	342	0.8%
Total Open Caseloads	272,608	284,139	11,531	4.2%

* Includes Parents and Guardians. ** includes Measure 11, Murder, and All Other

The first thing to note is that an issue regarding coding for Jessica’s Law cases is being resolved. This is causing an increase in those cases relative to prior forecasts. Significantly more misdemeanors and juvenile dependency cases appeared in the data, as well. Offsetting these increases is the noted drop in juvenile delinquency.

Episode Lengths

The chart to the right presents the average duration and distributional characteristics of eligibility episodes by case type. The most important caveat for criminal cases is that these episodes include both pled cases and those that go to trial. Thus, the variance can be quite large. Note that the distribution of episode lengths is skewed, with long tails to the right. A few very long episodes raise the average relative to the median (the middle case). This can be seen in chart 1, where the average point is quite close to the 20th percentile and far from the 80th.



The longest eligibility episodes are associated with Jessica’s Law/Murder, Post-conviction Relief, and Appeals. Treatment Court and Dependency are also lengthy at just under 15 months on average. The shortest durations are observed for Probation Violations and Civil Commitment. Episode duration is an important input in the budget process and an essential output from the caseload model.

Forecast Detail

Attachments are available breaking out the public defense forecast in numerous ways:

- Eligibility Detail: This attachment provides a summary of the thirteen cohorts by fiscal year, as well as county-level detail for each cohort.
- Caseload Detail: This attachment provides a summary of the thirteen cohorts by fiscal year, as well as county-level detail for each cohort.
- Monthly Detail: This attachment provides monthly counts, both eligibility and caseloads, for each cohort.
- Episode Lengths: This attachment provides the average episode length for each cohort.

<https://www.oregon.gov/das/oea/Pages/Public-defense-caseload-forecast.aspx>

Forecast Methodology

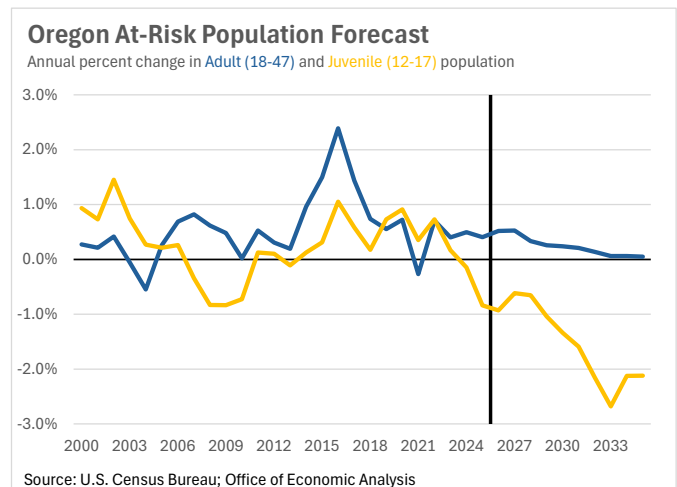
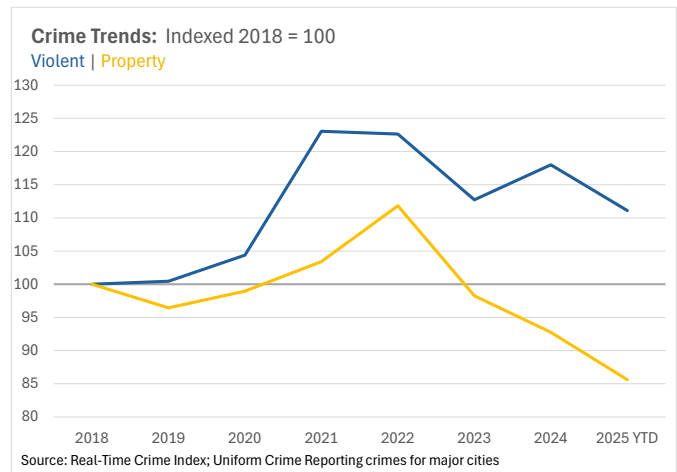
Data Sources

The primary input to the forecast consists of data from the Odyssey data system administered by the Oregon Judicial Department. Data characterize instances of eligibility for public counsel regardless of whether an attorney is appointed or not. Beginning and end dates of the eligibility episode support the caseload model.

Other inputs to the forecast process include crime data compiled by the Real-Time Crime Index but originally collected by police departments. These data reflect crimes reported to police for a subset of crimes including murder, robbery and theft.

Finally, and of utmost importance, is the Office of Economic Analysis' demographic forecast. Different demographic breakdowns are utilized depending on the specific eligibility population being modeled.

Chart 2:



Methodology

The methodology for producing the public defense forecast was significantly changed for this April 2025 edition. In discussions with stakeholders, it was determined that additional metrics were needed to inform the budget process. The Office of Economic Analysis and the Oregon Judicial Department augmented the compilation of the data such that caseload metrics could be produced. The Office of Economic Analysis is well versed in caseload forecasting as the Corrections and Youth Corrections models are caseload models. These models are the basis for the methodology outlined below.

The nature of these caseload models is a demographic-style flow model with the specification:

$$\text{Population}_T = \text{Population}_{T-1} + \text{Admissions}_{T-1} - \text{Releases}_{T-1}$$

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

The model can be viewed in three components: (1) the current population and its release characteristics, (2) a projection of incoming eligibles, and (3) the release characteristics of future incoming cohorts.

The attendant chart presents the release profiles of both the current and future cohorts taken from the adult appellate cohort. Because individuals are at varying intervals within their eligibility, the current cohort's release profile is steeper than that of the incoming cohort.

The chart to the right presents the intake, or "becoming eligible", forecast. Forecasts for each case type are constructed based on historical patterns and trends and incorporate demographic forecasts to model the long-term profiles for all cohorts.

The three components are compiled to produce the caseload forecast. It should be noted that the release characteristics of the existing population drive the profile of the

Chart 3:

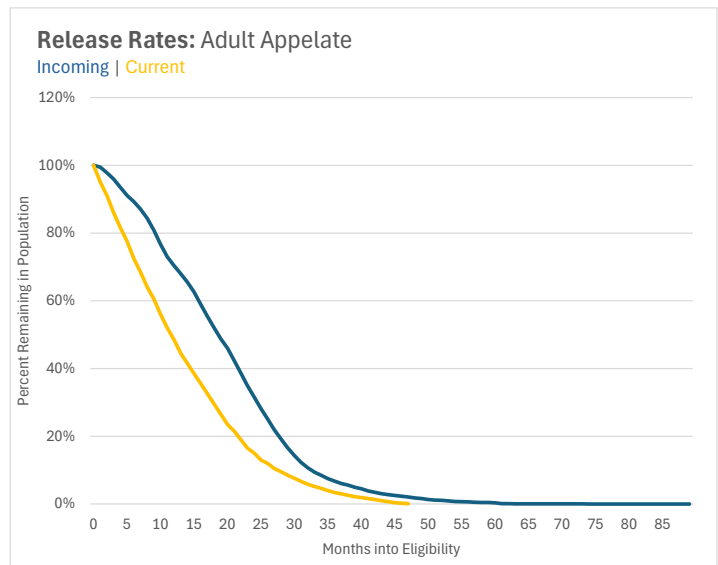
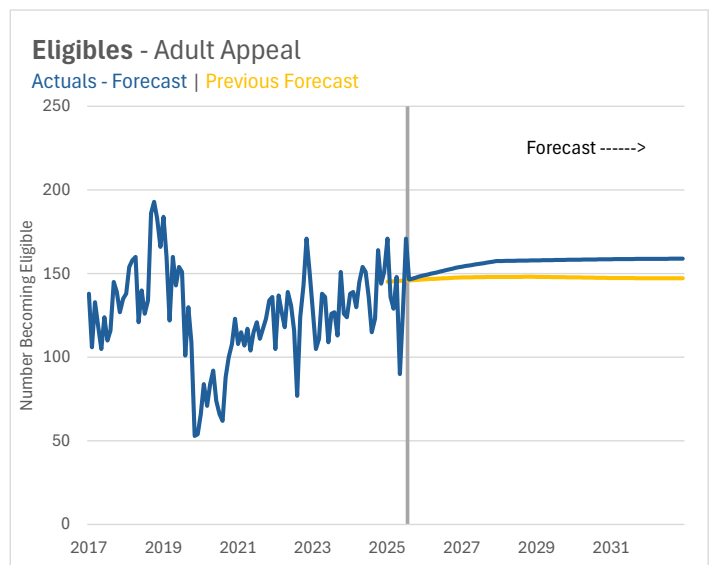


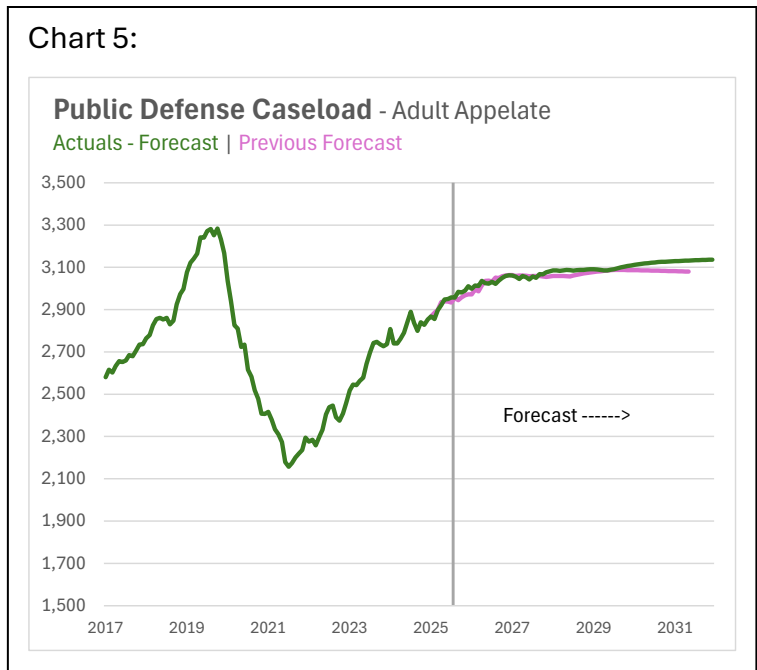
Chart4:



near-term forecast, while the intake forecast and future release characteristics drive the profile of the long run forecast.

Chart 5 presents the caseload history and forecast for the Adult Appellate cohort. Note that the forecast represents individuals eligible on the first of each month. The hydraulics of caseloads models such as this one are that a steady state intake level will result in a steady state caseload level at some point given that lengths of eligibility remain the same.

As noted above, one additional metric emanating from caseload mechanics is the length of eligibility, which is a necessary component to calculate a release profile.

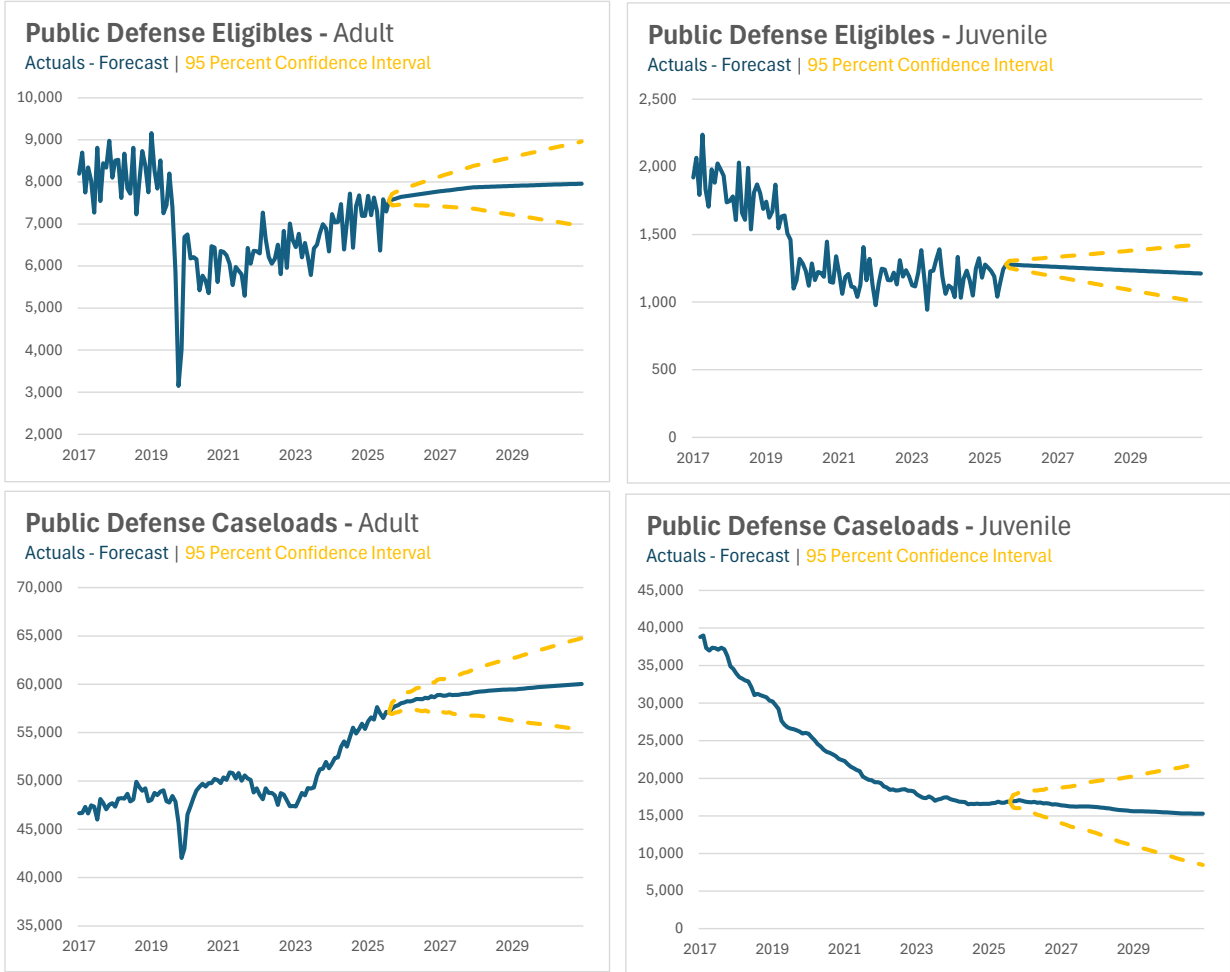


Margin of Error

ORS 151.235 Section 3 (b) directs the Office to identify the forecast’s margin of error for the adult and juvenile populations separately. In due time, a suitable number of prior forecast iterations will allow for a history of errors from which to calculate a predicted confidence interval for future forecasts. With only a handful of prior forecast observations, a margin of error is not available via these methods. Therefore, another method is necessary.

Looking at the historical variation in the eligible population provides an indication for how the actual population might deviate from the forecast. The period from January 2022 through the latest actual in January 2026 is examined and the variance around the trend is calculated. Two standard deviations should approximate a ninety-five percent confidence interval for the forecast. The charts below exhibit the calculated margins for error for the adult and juvenile population forecasts.

Chart 6:



Components of Change

ORS 151.235 Section 3 (c) directs the Office to “attribute growth or decline in the forecast, relative to previously issued forecasts, to specific policies or to specific components of the baseline underlying the forecast.” The changes in the forecast can be delineated into three main categories:

- The inclusion of recent actuals into the model,
- Updates to descriptors such as criminal activity and population growth, and
- Legislative changes

Inclusion of recent actuals:

The October 2025 forecast was based on data through June 2025. For the latest forecast, data from July 2025 through January 2026 were added. In the near-term of every subpopulation forecast, the incorporation of new actuals explains nearly every change relative to the prior forecast.

Updates to descriptors:

Demographic variables drive the long-run growth path of every subpopulation model. Changes to these forecasts explain virtually all the revision in the outer years.

Legislative change:

House Bill 2005 modified the definitions and circumstances surrounding involuntary commitment. This law change was incorporated into the April 2026 forecast, increasing the eligibility forecast for 2025-27 by approximately 2,000 individuals.

Conclusion

While there were some significant changes to certain subcomponents of the eligible population, namely adult felony, civil commitment, and juvenile delinquency, the overall change to the forecast for 2027-29 was 2.5 percent. This is nominal considering the dynamism of the data and the public defense system. As the data compilation and forecast modeling get more refined and the turbulence caused by the Covid-19 pandemic recedes further into the past, forecast changes should normalize going forward.