

Members:

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

**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, October 21, 2026

9:00 AM – approx. 10:45 AM 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	
9:20-9:45	Update: Director's Update Unrepresented Persons in Oregon Courts - Upcoming Meeting Dates - Financial Case Management System - OPDC Meeting Platform Transition	Ken Sanchagrin
9:45-10:00	Discussion: 2027 Commission Meeting Calendar	Chair Harris
10:00-10:30	Update: Commission Subcommittee Updates - Governance, Policy, and Standards Subcommittee - Legislative and Policy Impact Subcommittee - Pre-Authorized Expenses (PAE) Subcommittee	Vice Chair Mandiberg Commissioner Lininger Commissioner Knab

10:30-10:45	Update: OPDC Workload Subcommittee	Chair Harris
10:45 (Approximately)	Adjourn	

**To join the Zoom meeting, click this link: <https://zoom.us/j/94284833929>. 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: **November 18, 2026, 9am – 2pm via Zoom**. 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 1,153 unrepresented individuals as of September 30, 2026, including adults and juveniles in and out of custody, post-disposition, and non-criminal cases. This is an increase of 49 or 4.4%, since August 31, 2026. In-custody individuals increased by 7 in September compared to August.

Category	9/30/25	8/31/26	9/30/26
Out-of-Custody	2,801	908	915
In-Custody	214	91	97
Probation Viol.	257	44	43
Non-Criminal	111	61	97
Total	3,383	1,104	1,153

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 September 30, while contractors' data is current as of August 31.

Provider Type	Total Cases	Monthly Cases	MAC Utilization
Contractors ¹	82,403	7,512	93.6%
Consortia	36,224	3,269	93.7%
Individuals/Firms	14,920	1,483	101.5%
Non-Profits	31,259	2,760	90.4%
OPDC Trial Div ²	3,005	247	93.8%
Central Valley	1,118	111	92.3%
Northwest	663	64	82.0%
Southern	1,225	72	108.9%

¹OPDC Criminal Contract Data, Oct. 2025-August 2026

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

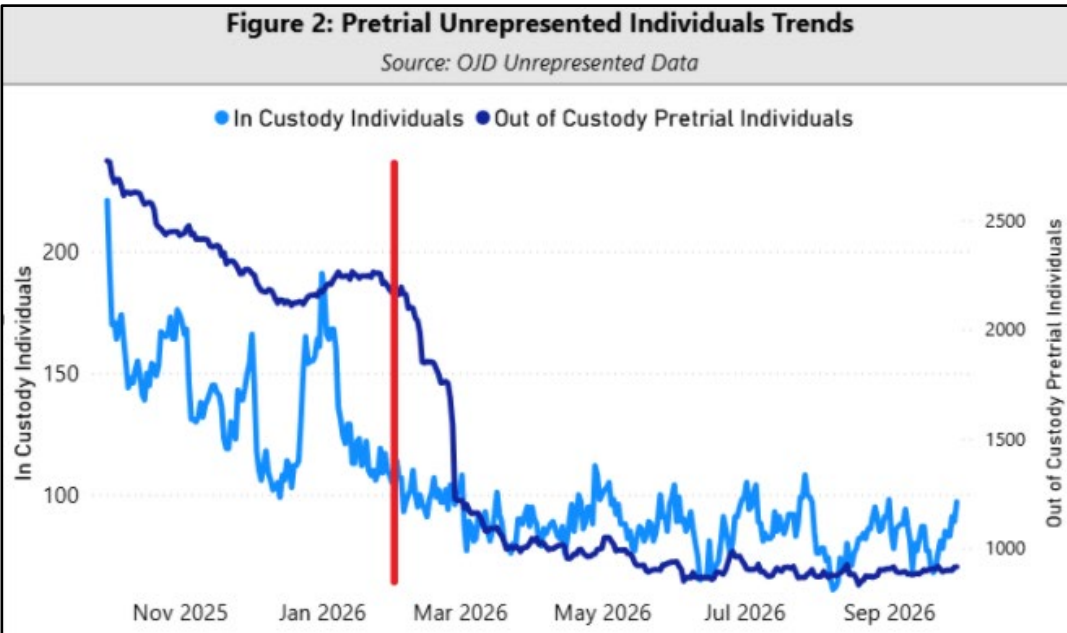
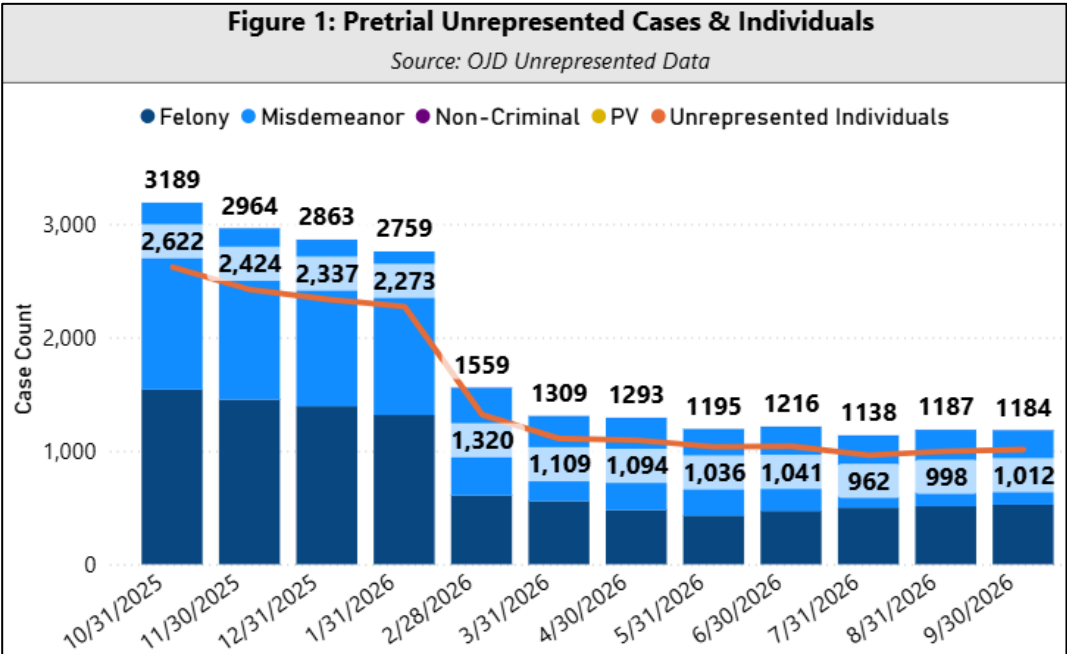
Case Assignments

OPDC assignment coordinators identified counsel for 583 unrepresented cases statewide, including 117 cases subject to *Betschart*, in September. Below are case assignments made by OPDC staff for unrepresented cases in September 2026.

Provider	August	September	Total Since 7/1/25
Contractor	158	133	1,687
Hourly	430	423	7,261
OTD	24	28	839
Total	611	583	9,659

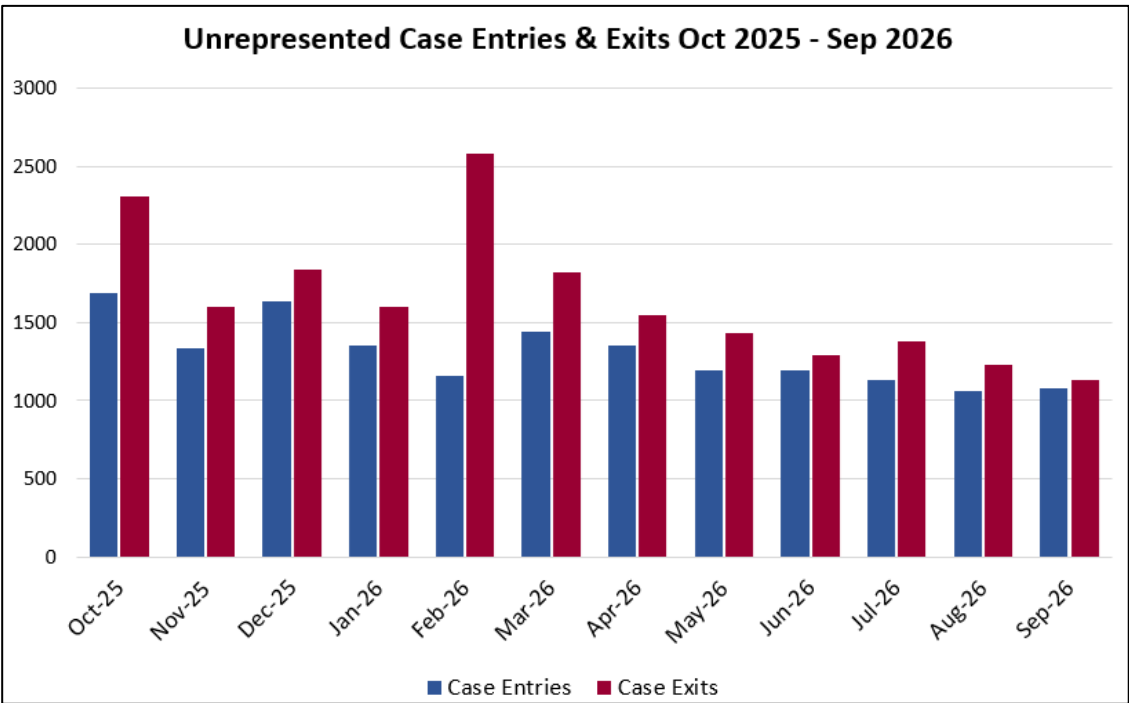
Unrepresented Trends

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 15,616 cases entered unrepresented status and 19,760 cases exited unrepresented status. Cases can enter and exit unrepresented status multiple times. There have been more exits than entries in 12 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 case and 90 consecutive days in a felony case. Through the end of September, 2,394 unrepresented cases were dismissed statewide due to *Roberts*. Initially, there was a large number of *Roberts* dismissals in February, culminating during the week of February 23. Since the initial wave of *Roberts* dismissals, the number of dismissals has declined and appears to be stabilizing (see Table 1 below).

Impact on Unrepresented Cases

Roberts dismissal data is reported at the case level, not the individual level. As there is no 1:1 relationship between *Roberts* case dismissals and unrepresented individuals, we measure *Roberts* dismissals against case exits for other reasons, such as identifying counsel or other dismissals not related to *Roberts*.

Figure 1 reports cases entering and exiting the unrepresented list between February and September 2026, along with the proportions of those exits attributable to *Roberts*. As shown in Table 1, during that timeframe, 12,421 unrepresented cases exited the unrepresented list, 2,394 of which were due to *Roberts* dismissals, or approximately 19%. Since February, the share of *Roberts* dismissals has fallen substantially. Crisis counties saw higher proportions of *Roberts* exits than non-crisis counties, with the highest concentration of *Roberts* dismissals being found in Multnomah County.

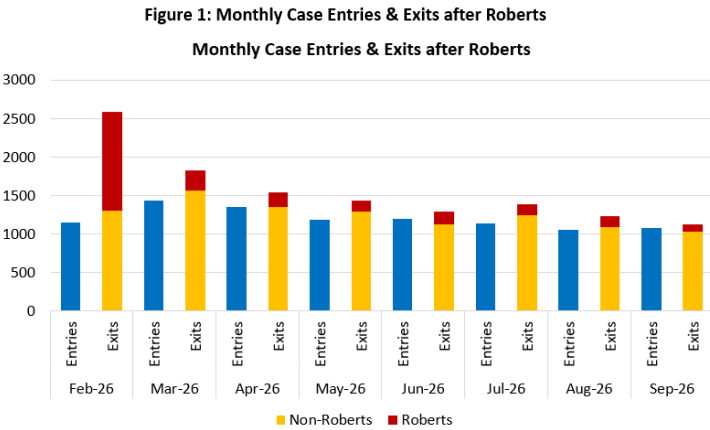


Table 1. Cases Exiting the Unrepresented List Between 2/1/26 - 9/30/26

County	Total Exits Since 2/01/26	Monthly Roberts Dismissals								Total Roberts Dismissals	% of Exits Due to Roberts
		Feb	March	April	May	June	July	Aug	Sept		
Multnomah	3,677	736	128	91	64	116	75	85	52	1,327	36%
Washington	2,624	232	81	68	33	10	7	0	0	431	16%
Jackson	2,146	215	36	21	19	16	16	22	22	365	17%
Douglas	1,937	78	17	9	23	26	43	36	21	253	13%
All others	2,037	15	0	1	1	0	1	0	0	18	1%
Total	12,421	1,276	262	190	140	168	142	143	95	2,394	19%

Of the dismissed cases, 47% were Misdemeanors, 35% were C Felonies, 10% were probation violations, and 7% were B Felonies. Less than 1% were A Felonies, Unclassified Felonies, or Contempt charges.

Case Refiles

Roberts cases are dismissed without prejudice. Monitoring the number and rate of *Roberts* refiles is important for understanding both the impact of *Roberts* on case outcomes, as well as the impact on public defense workloads going forward. Table 2 reports *Roberts* refiles by case type and the percentage of those refiles that return to the unrepresented list for each crisis county as well as statewide. Of the 2,394 *Roberts* dismissals, 582 have since been refiled as of the end of August. Of the 582 cases refiled statewide, 13% are on the unrepresented list as of September 30, 2026.

Table 2. Roberts Dismissals and Refiles by Case Type

County	Total Roberts Dismissals	Total Roberts Refiles	Roberts Refiles by Case Type				% of Roberts Dismissals Refiled	Refiles Unrep. on 9/30/26	% of Refiles Unrep. on 9/30/26
			Misdo	C Fel	A/B Fel	Other			
Multnomah	1,327	184	14	125	45	-	14%	34	18%
Washington	431	199	69	109	20	1	46%	-	-
Jackson	365	70	49	13	5	3	19%	12	17%
Douglas	253	129	98	21	4	6	51%	30	23%
All Others	18	-	-	-	-	-	-	-	-
Total	2,394	582	230	268	74	10	24%	76	13%

SPECIAL RESOLUTION DOCKETS

Across Oregon, local courts use special resolution dockets (SRD), to quickly and efficiently resolve appropriate cases. These dockets differ in name, focus, and process. Some, like Jackson County's Early Disposition Docket or Multnomah County's Rapid Resolution Docket, intervene early to prevent cases from reaching the unrepresented list, reducing the number of unrepresented individuals by decreasing new case inflow. Others, like Marion County's Early Resolution Docket, aim to remove individuals already on unrepresented lists.

This report focuses on special dockets created in crisis jurisdictions since the release of the 12-month plan. The OPDC Trial Division staffs these dockets and recently enhanced this work by creating a dedicated special resolution docket team of three attorneys and three support staff. OPDC SRD attorneys are committed to getting the best outcome for their clients and resolve cases only after careful consultation with their clients. Other special dockets not staffed by OPDC exist elsewhere in the state and lead to beneficial outcomes in crisis and non-crisis jurisdictions. Washington County, for example, has operated a special docket since 2007.

Impact of Special Resolution Dockets

1,176 cases have gone through the Coos, Jackson, Marion, and Multnomah resolution dockets; of those, 557 have been resolved, 230 are pending, and 389 were not resolved.

SRDs typically target low-level, non-person charges. Of the 1,176 cases, approximately 3.2% were probation violations, 62.4% were misdemeanors, 32.4% were minor felonies, and 2.0% were major felonies. Some case categories are not available for Coos and Marion counties.

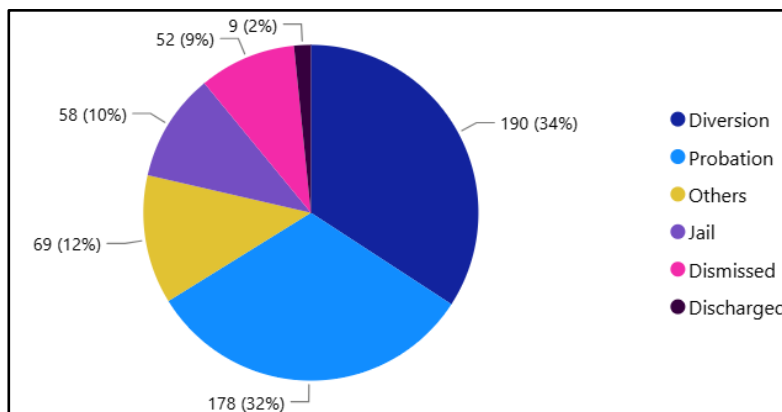
Of the 557 resolved cases, approximately 34% entered diversion programs, either DUII diversion or DA conditional diversion, 32% of defendants received probation, 10% of defendants received jail time, 9% were dismissed, and 2% were discharged. 12% resolved in another manner, including reduction to violation, continued or revoked, transfer to specialty court, or sentencing to the Department of Corrections.

Of the 389 cases not resolved through the SRD, 100 were assigned to an OTD attorney to move forward outside the SRD after the client elected to opt out of the docket. In 289 cases, the client opted out of the docket and chose to wait for a court-appointed attorney.

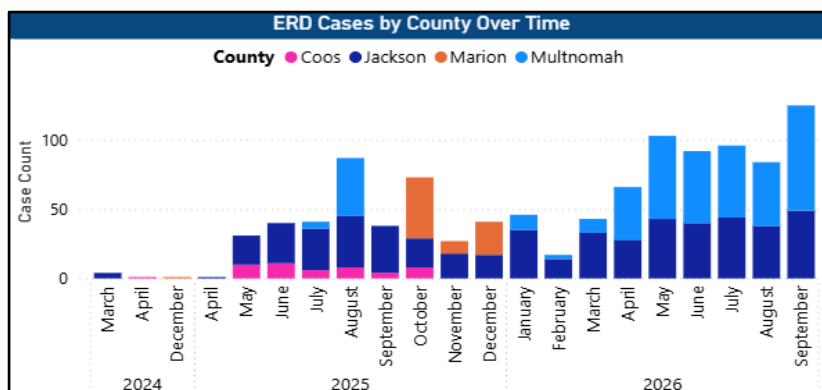
County	Case Count	Resolved
Coos	127	49
Jackson*	536	315
Marion	122	65
Multnomah*	391	128
Total	1,176	557

*Currently operating SRDs

SRD Case Sentencing



SRD Cases by County Over Time



Unrepresented Numbers

Between August and September, the number of in-custody individuals decreased by 3, and out-of-custody pretrial individuals decreased by 27, or 19.1%.

Category	9/30/25	8/31/26	9/30/26
Out-of-Custody	248	141	114
In-Custody	11	6	3
Probation Viol.	6	9	3
Non-Criminal	3	4	3
Total	268	160	123

Providers

Douglas county has four attorneys participating in the Exceed MAC Program. Contractors took 159 cases in August and are currently at 91.9% MAC utilization.

Provider Type	MAC Utilization
Consortia	91.7%
Firms/Individuals	84.3%
PD	94.4%
All	91.9%

OPDC Actions

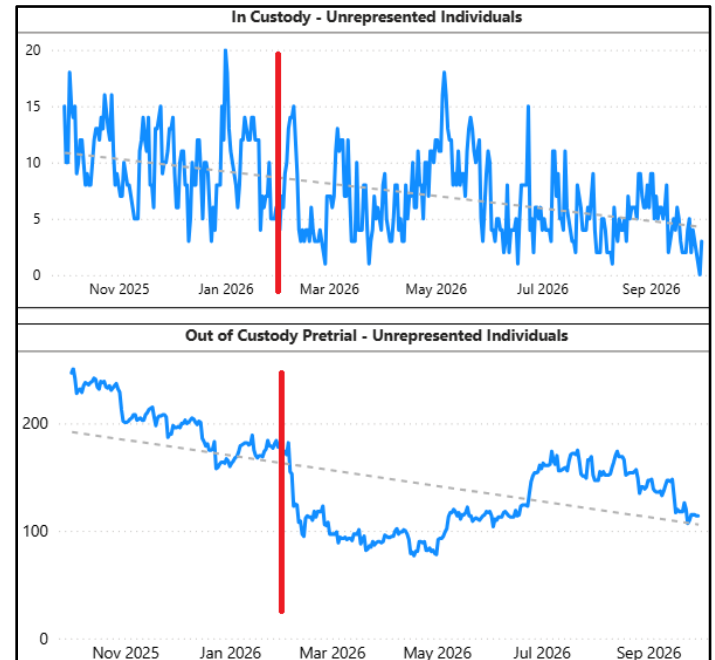
Since July 1, 2025, OTD has taken 55 cases in Douglas County. In September, OPDC assignment coordinators identified counsel for 63 unrepresented cases, including 8 cases subject to *Betschart*.

Roberts Impact

Douglas County has refiled 59% of the cases dismissed under *Roberts*, which is above the 12-21% refile rate in the other crisis counties. Of the 253 *Roberts* dismissals, 134 have been refiled. 28% of *Roberts* refilings have gone on the unrepresented list as of the end of September, compared to 0-16% in other counties.

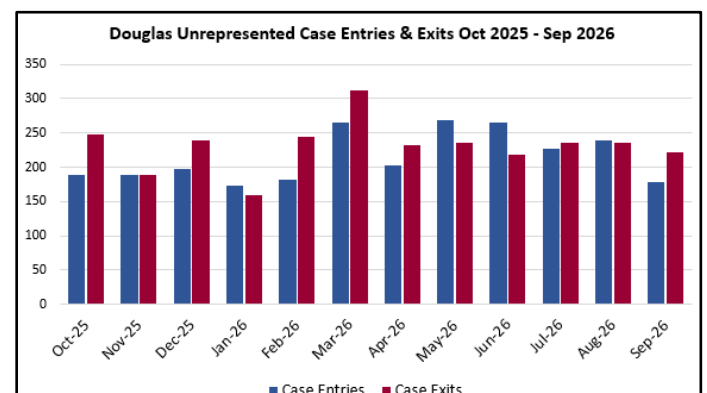
Unrepresented Trend Lines

The total number of unrepresented individuals is down by 54.1% compared to September 30, 2025. The red line indicates the date the *Roberts* decision was released.



Entries and Exits

In the past 12 months in Douglas County, 2,576 cases entered unrepresented status, and 2,773 cases exited unrepresented status. The county has seen more exits than entries in 7 of the past 12 months.



Unrepresented Numbers

Between August and September, the number of in-custody individuals increased by 11, and out-of-custody pretrial individuals increased by 44, or 23.8%.

Category	9/30/25	8/31/26	9/30/26
Out-of-Custody	467	185	229
In-Custody	13	14	25
Probation Viol.	67	20	20
Non-Criminal	33	3	10
Total	580	222	284

Providers

Jackson County has nine attorneys participating in the Exceed MAC Program. Contractors took 247 cases in August and are at 96.5% MAC utilization.

Provider Type	MAC Utilization
Consortia	96.8%
Firms/Individuals	108.0%
PD	95.4%
All	96.5%

Oregon Trial Division

Since July 1, 2025, OTD has taken 1,093 cases in Jackson County. For the month of September 2026, the OTD Southern regional office took 68 cases in the county.

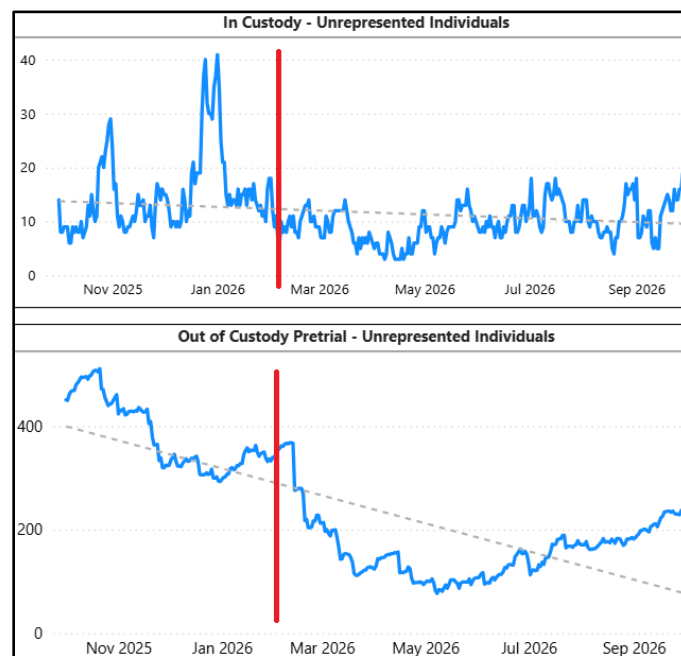
Case Assignments

In September, OPDC assignment coordinators identified counsel for 66 unrepresented cases, including 9 cases subject to *Betschart*. Below are unrepresented case assignments made by OPDC.

Provider Type	August	September	Total Since 7/1/25
Contractor	51	16	205
Hourly	61	46	394
OTD	14	4	108
Total	125	66	696

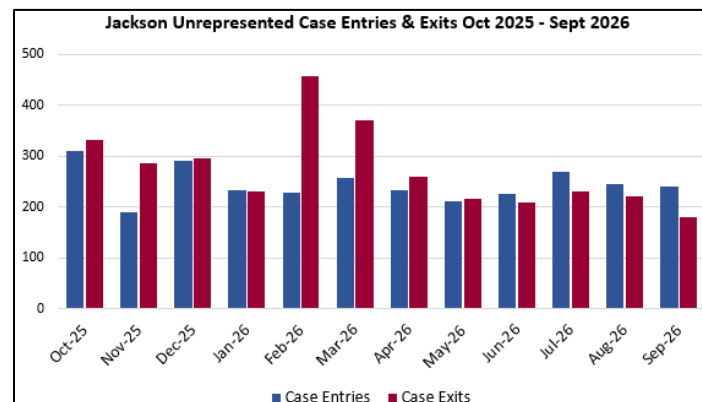
Unrepresented Trend Lines

The total number of unrepresented individuals is down by 51.0% compared to September 30, 2025. The red line indicates the date the *Roberts* decision was released.



Entries and Exits

In the past 12 months in Jackson County, 2,934 cases entered unrepresented status, and 3,290 cases exited unrepresented status. The county has seen more exits than entries in 7 of the past 12 months.



Unrepresented Numbers

Between June and August, the number of in-custody individuals decreased by 5, and out-of-custody pretrial individuals increased by 5, or 1.0%.

Category	9/30/25	8/31/26	9/30/26
Out-of-Custody	1,174	477	482
In-Custody	83	59	54
Probation Viol.	25	9	9
Non-Criminal	3	-	1
Total	1,285	545	546

Providers

Multnomah County has two attorneys participating in the Exceed MAC Program. Contractors took 1,181 cases in August and are at 91.3% MAC utilization.

Provider Type	MAC Utilization
Consortia	84.1%
Firm	108.6%
DRO	74.3%
MPD	95.3%
MDI	91.9%
All	91.3%

Oregon Trial Division

Since July 1, 2025, OTD has taken 956 cases in Multnomah County.

Region	Aug	Sept	Total Since 7/1/25
Central	60	95	444
Northwest	20	54	516
Southern	1		1
Total	81	149	961

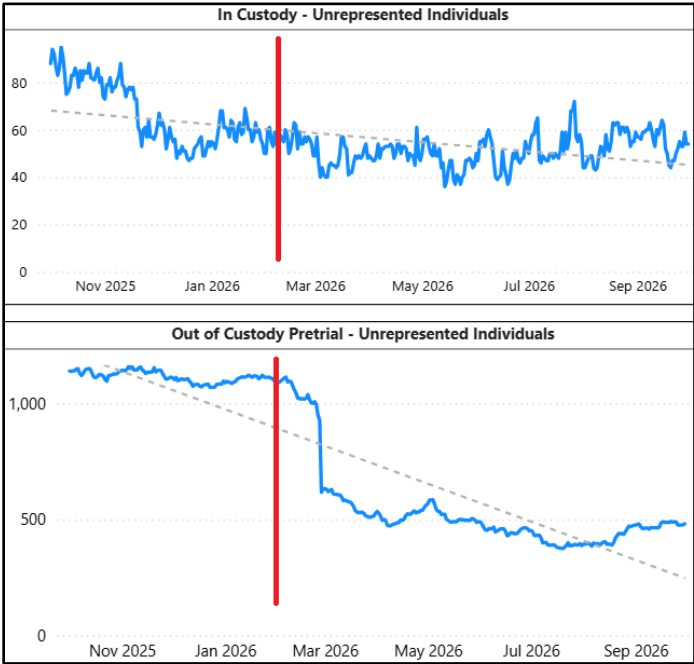
Case Assignments

In September, OPDC assignment coordinators identified counsel for 183 unrepresented cases, including 60 cases subject to *Betschart*. Below are unrepresented case assignments made by OPDC assignment coordinators in September.

Provider Type	August	September	Total Since 7/1/25
Contractor	16	7	150
Hourly	140	159	1689
OTD	4	17	263
Total	160	183	2,086

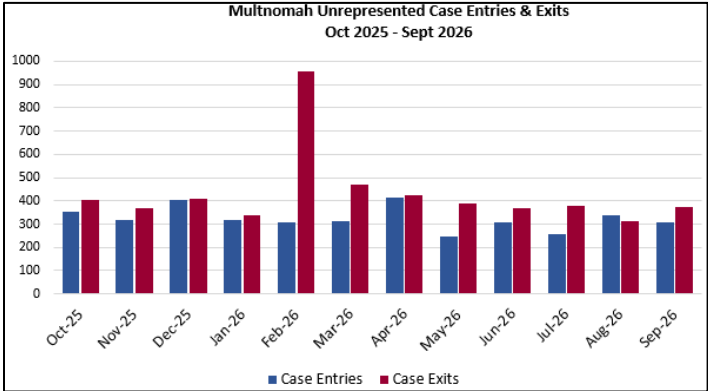
Unrepresented Trend Lines

The total number of unrepresented individuals is down 57.5% compared to September 30, 2025. The red line indicates the date the *Roberts* decision was released.



Entries and Exits

In the past 12 months in Multnomah County, 3,891 cases entered unrepresented status, and 5,194 cases exited unrepresented status. The county has seen more exits than entries in 11 of the past 12 months.



WASHINGTON

Unrepresented Numbers

Between August and September, the number of in-custody individuals increased by 1, and out-of-custody pretrial individuals decreased by 6, or 6.7%.

Category	9/30/25	8/31/26	9/30/26
Out-of-Custody	498	89	83
In-Custody	45	8	9
Probation Viol.	44	4	6
Non-Criminal	2	0	0
Total	589	101	98

Providers

Washington County has seven attorneys participating in the Exceed MAC Program.

Contractors took 1,224 cases in

August and are at 100.4% MAC utilization.

Provider Type	MAC Utilization
Consortia	103.5%
Firms/Individuals	109.2%
PD	93.5%
All	100.4%

Oregon Trial Division

Since July 1, 2025, OTD has taken 162 cases in Washington County.

Region	Aug	Sept	Total Since 7/1/25
Central	0	4	55
Northwest	2	4	107
Total	2	8	162

Case Assignments

In September, OPDC assignment coordinators identified counsel for 110 unrepresented cases, including 19 cases subject to *Betschart*. Below are unrepresented case assignments made by OPDC assignment coordinators in September.

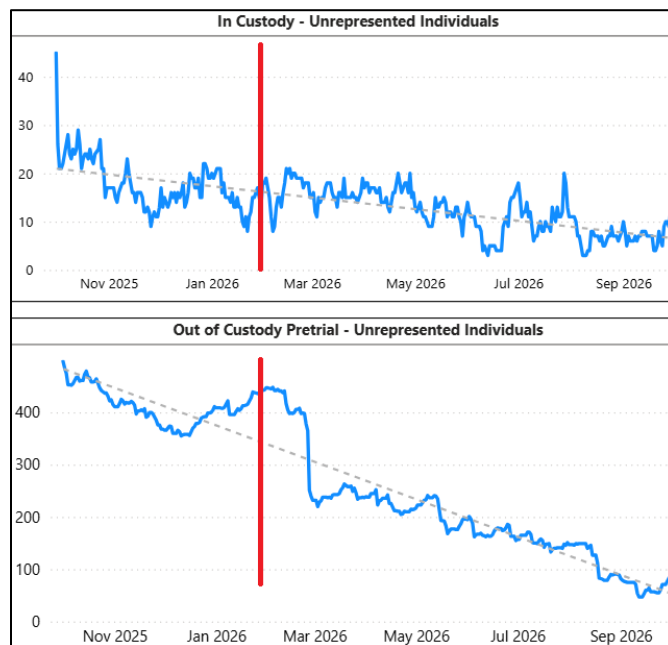
Provider Type	August	September	Total Since 7/1/25
Contractor	27	24	244
Hourly	111	81	1,406
OTD	0	5	129
Total	138	110	1,763

Unrepresented Report

September 2026

Unrepresented Trend Lines

The total number of unrepresented individuals is down 83.4% compared to September 30, 2025. The red line indicates the date the *Roberts* decision was released.



Entries and Exits

In the past 12 months in Washington County, 2,725 cases entered unrepresented status, and 3,851 cases exited unrepresented status. The county has seen more exits than entries in 11 of the past 12 months.

