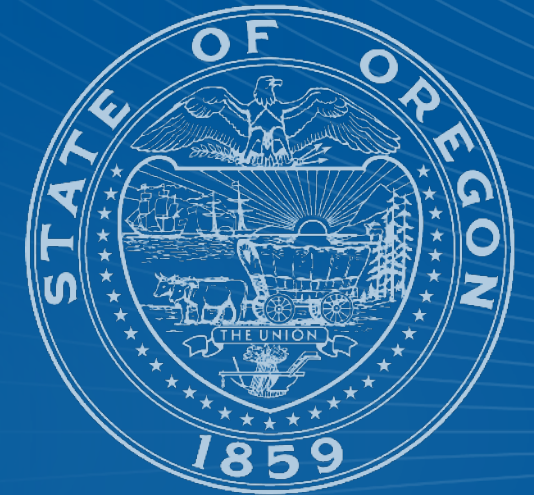


Oregon's Criminal Justice Forecasts



Ways and Means Public Safety Subcommittee

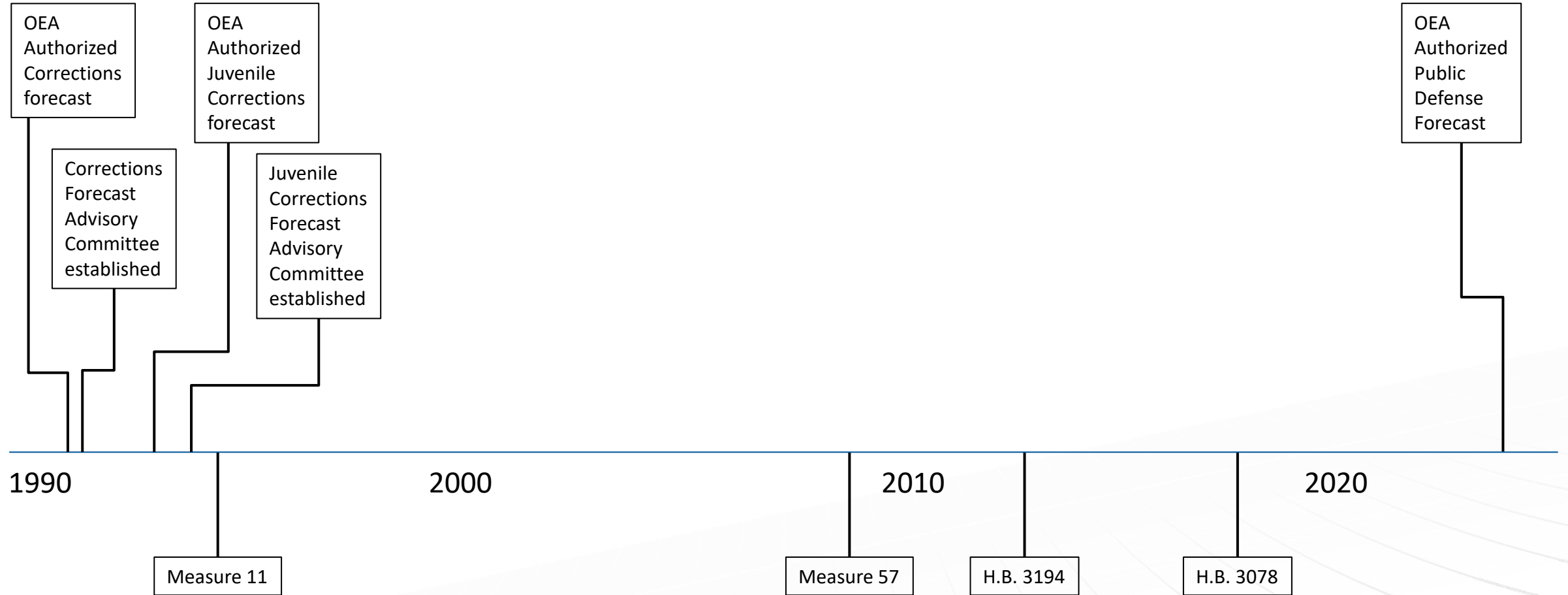
Meeting Date: January 28th, 2025

Outline



- Criminal Justice Area Overview
 - History
 - Logistics
 - Use in Budgeting & Planning
 - Oversight
- Corrections Forecast
- Youth Corrections
- Public Defense

History



Logistics



- Biannual publication (every six months – April and October)
- Monthly basis
- 10-year projections (except Public Defense – three biennia out)
- Population characteristics (**Corrections/Juvenile Corrections**):
 - Gender; Crime Type; Admission Type (New vs. Revocation)
- Population characteristics (**Public Defense**):
 - Adult/Juvenile; Circuit/Appellate; Criminal/Civil; County; Other delineations as necessary.

Use in Budgeting & Planning



- Authorizing statutes require respective agencies to use OEA forecasts for budgeting and planning purposes.
- Release schedule (April & October) aligns with ARB, GRB and LAB development.
- Extended forecast horizon supports system capacity analysis (e.g., prison capacity, need for attorneys, etc.)

Oversight



- Corrections and Youth Corrections have formal, Governor-appointed advisory committees comprised of professionals knowledgeable about the criminal/juvenile justice systems.
- Committees meet each cycle to discuss recent data/trends and review preliminary forecast.
- Public defense currently conducts an informal meeting of pertinent state agency partners to discuss data/trends and the forecast. The hope is to establish an analogous advisory body soon.

Corrections Forecast



Methodology



The model is a demographic flow algorithm:

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

Where T = Month being projected

$T - 1$ = Prior month

Law Impacts are any changes owing to recent legislation



Methodology (cont.)

Three main components:

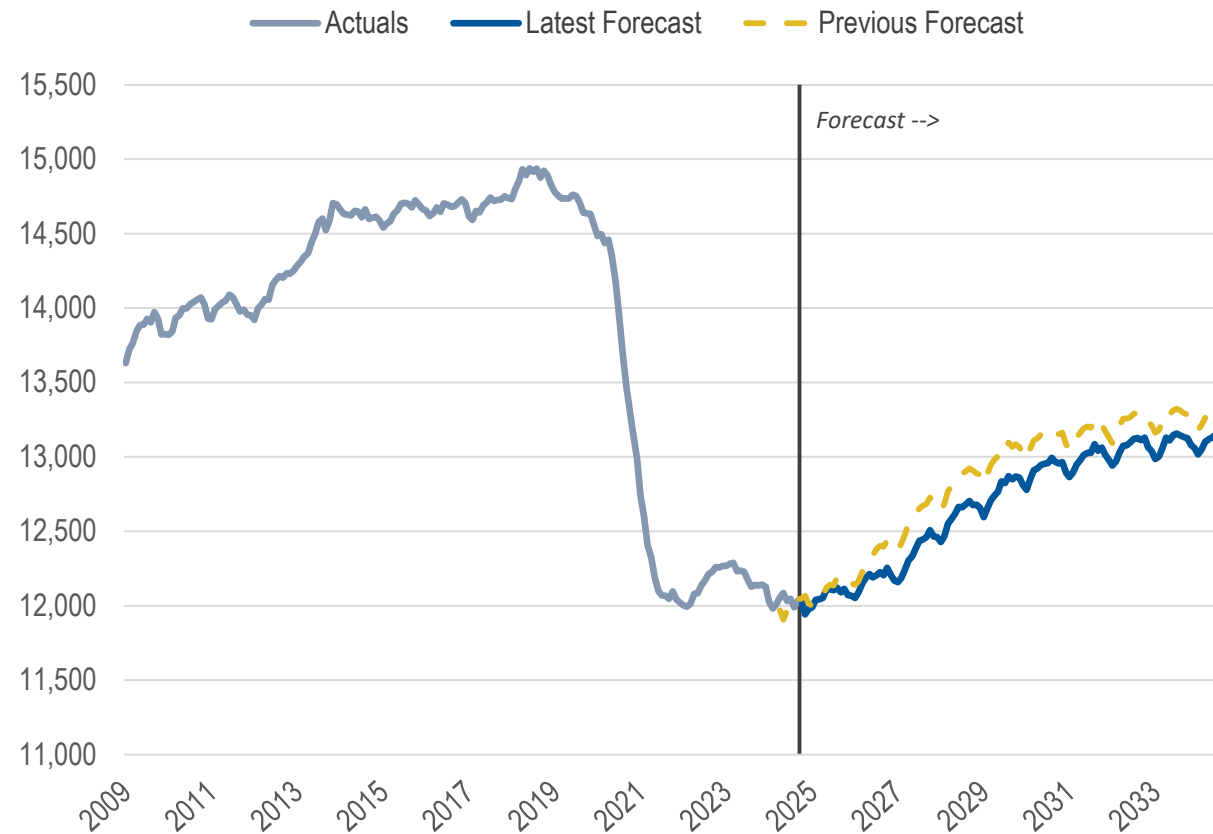
- Snapshot of population (**and when they are released**)
- Forecast of intakes out ten years
- Release profile (**how each monthly intake cohort will release over time**)

Law change impacts are produced by the Criminal Justice Commission and incorporated following session.

Forecast



Oregon Adults in Custody Forecast



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

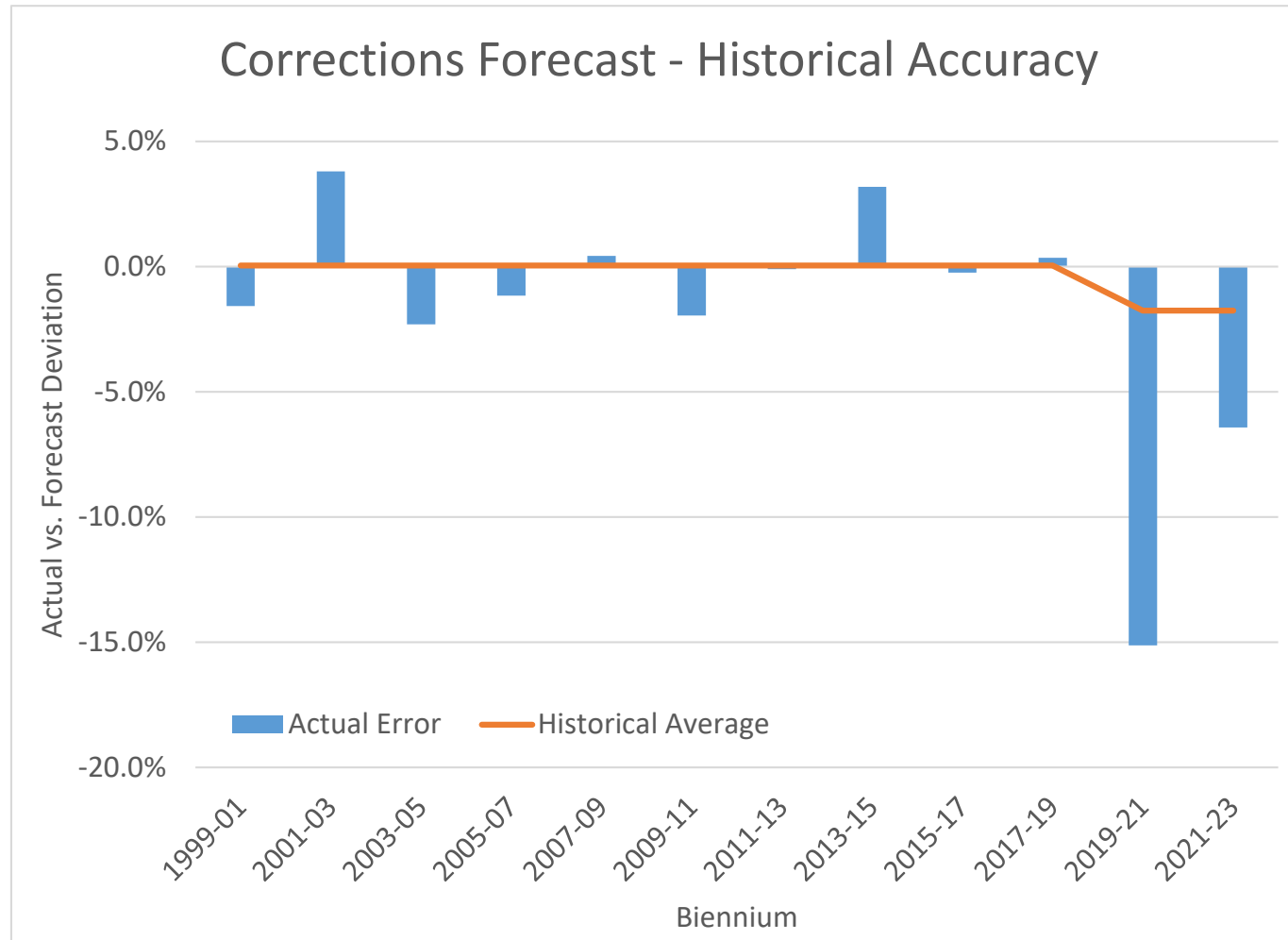
- Intakes projected to return to pre-pandemic levels in 2027.

Assumptions/Risks



- Assumes intakes return to pre-pandemic levels by 2027: in turn dependent on resolution of the shortage in public defense attorneys.
- Intakes tied to long-run population growth (key assumption/risk).
- Current law forecast: also assumes current prosecutorial and judicial practices hold fairly constant throughout forecast horizon.

Forecast Performance



- Measured from October odd-year to end of biennium.
- Prior to pandemic, forecast error averaged zero over ten biennia period.



Community Corrections

Methodology:

- Populations (Probation, Local Control, Post-prison Supervision) modeled on demographic and historical trends.

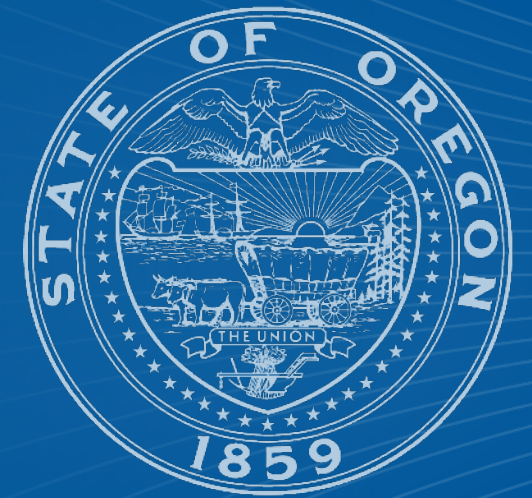
Assumptions/Risks:

- Significant impacts due to HB 4002, subject to potential error.

Performance

- Historically, OEA forecast has over projected these populations slightly.

Youth Corrections Forecast



Methodology



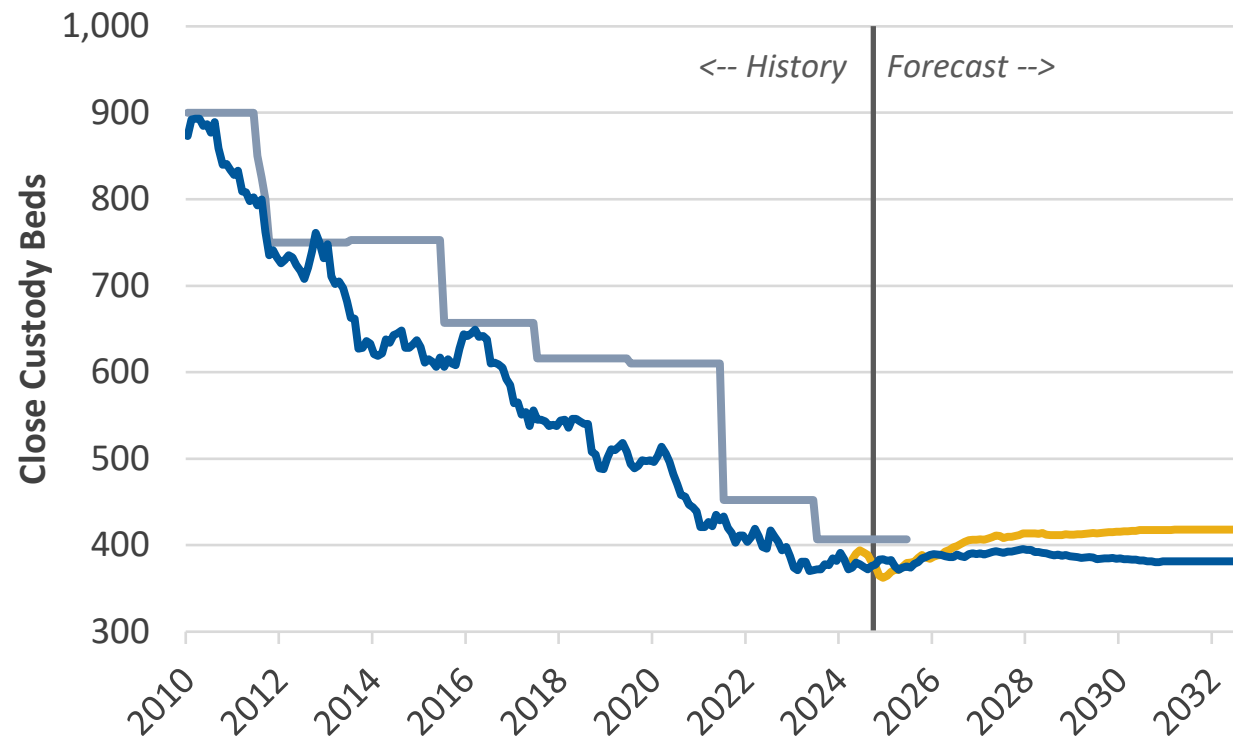
- Same methodology as the Adult Forecast.
- Most youth have indeterminate sentences (i.e., no Projected Release Date).
 - Historical length-of-stay patterns are used to project release rates.

Forecast



All Youth Close Custody Forecast

[Latest Forecast](#) | [Previous Forecast](#) | [Budget Allocation](#)



Source: Oregon Youth Authority, Oregon Office of Economic Analysis

Assumptions/Risks



- Rates of juvenile offending have failed to translate to close custody intakes:
 - While the forecast assumes an increase in intakes, a return to pre-pandemic rates is the greatest risk to the forecast.
- Long-run demographic forecast for the 12-17 population predicts negative growth:
 - Departure from this baseline is also a risk.
- Current law forecast: also assumes current prosecutorial and judicial practices hold reasonably constant throughout forecast horizon.

Forecast Performance



- Adult methodology adopted in 2021.
- Prior methodology estimated “demand” for beds and was not verifiable.
- 2021-23 error was -16.4 percent:
 - October 2021 forecast during the pandemic recovery assumed rebound in close custody intakes that failed to materialize.

Public Defense Forecast



Directive



ORS 151.235:

“The Oregon Department of Administrative Services shall issue state public defense population forecasts including, but not limited to, **expected populations of adults and juveniles eligible for appointed counsel**”

- Currently working with stakeholders (OPDS, OJD, LFO & CFO) to augment forecast to meet budgetary and contracting/planning needs.

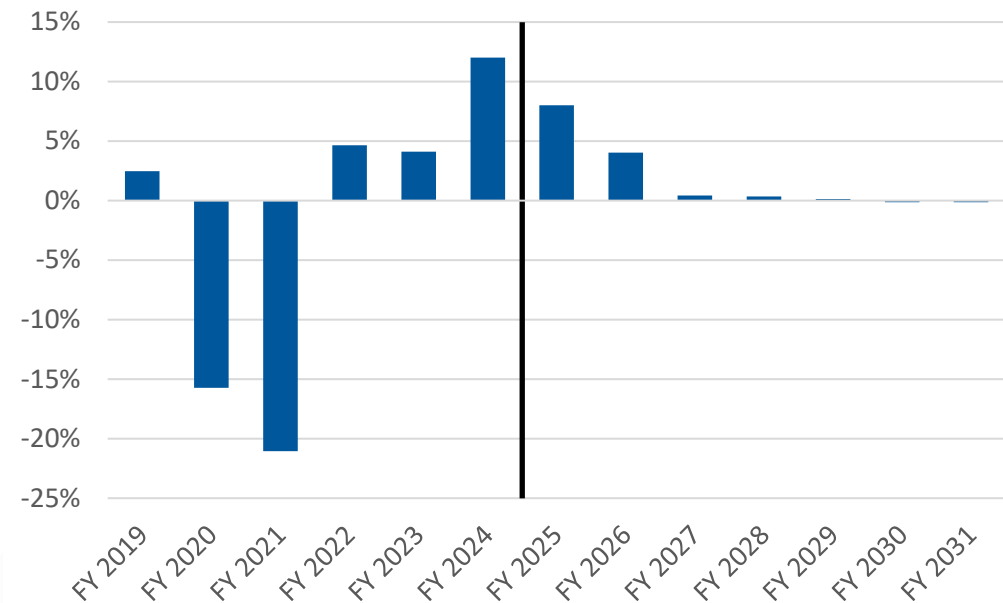
Methodological Overview



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

Misdemeanor Cases

Year-over-year growth in adult misdemeanor cases



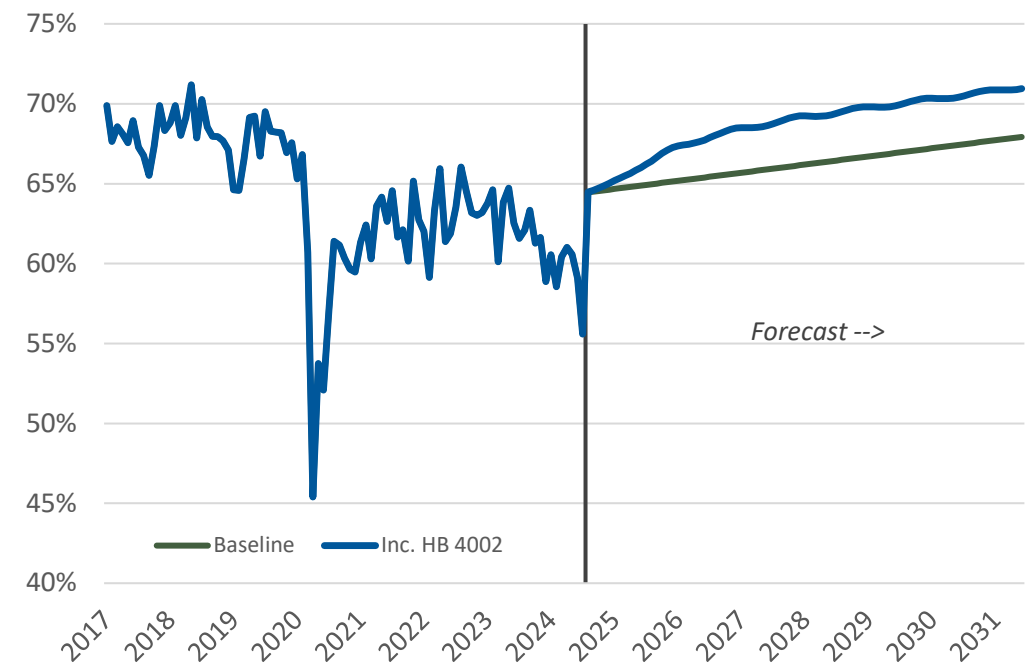
Methodological Overview



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

Misdemeanor Eligibility

Percent of all new adult misdemeanor cases eligible for public defense

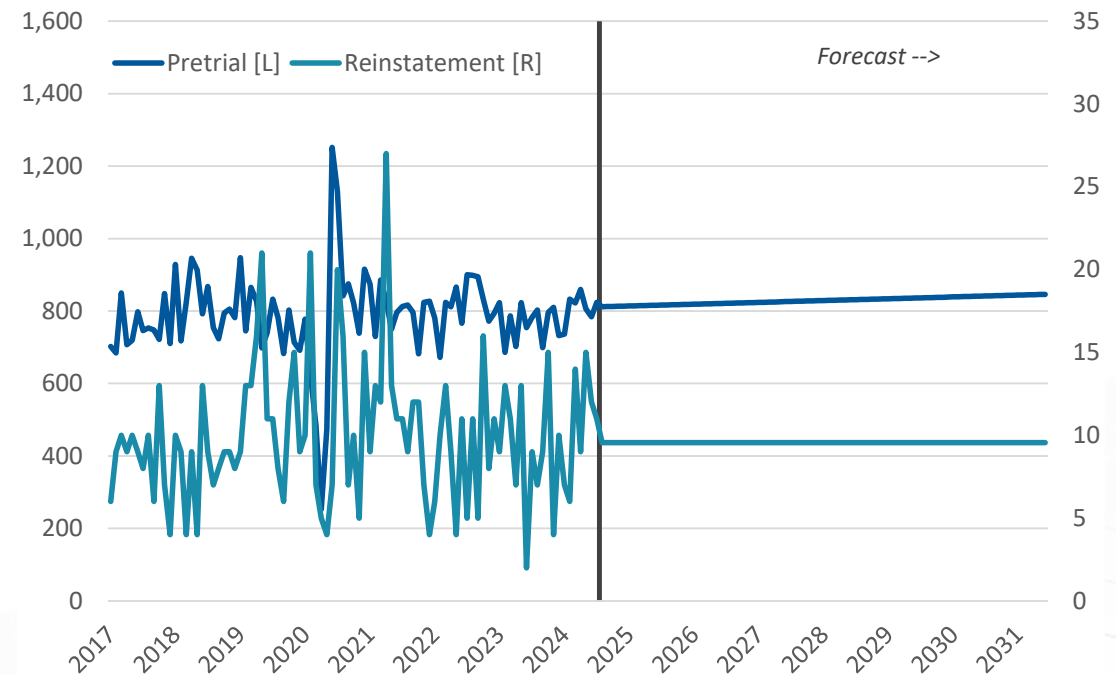


Methodological Overview



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

Misdemeanor Cases: Ongoing



Source: Oregon Judicial Department; Office of Economic Analysis

Methodological Overview



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

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

Forecast ----->

Latest Forecast



Cases Eligible for Court-Appointed Counsel

October 2024 Forecast

	Actuals							Forecast						
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Adult														
Felony	26,550	24,648	21,922	20,286	19,033	19,933	19,665	21,089	21,791	22,390	22,773	22,933	22,955	22,943
Misdemeanors	42,483	42,842	35,114	30,303	30,953	32,405	33,799	39,489	47,208	51,278	53,160	53,927	54,290	54,648
Treatment Court			433	691	727	867	828	830	837	840	844	845	844	843
Probation Violation	22,116	22,659	18,718	13,419	13,471	14,623	14,140	14,001	14,713	18,545	21,344	22,413	22,692	22,688
Appellate	1,458	1,801	1,463	974	1,341	1,448	1,425	1,439	1,430	1,437	1,442	1,444	1,442	1,440
Post-Conviction Relief	270	384	317	566	390	408	427	426	433	433	434	434	434	433
Habeas Corpus	40	53	129	436	100	86	95	139	141	142	142	142	142	142
Civil Commitment	1,408	1,461	1,746	1,688	1,650	1,791	1,997	2,151	2,145	2,193	2,237	2,283	2,328	2,374
Total Adult Eligibles	94,325	93,848	79,842	68,363	67,665	71,561	72,376	79,565	88,698	97,259	102,376	104,420	105,126	105,511
Juvenile														
Dependency	16,384	14,564	12,200	10,447	9,612	9,042	8,850	8,629	8,491	8,569	8,611	8,660	8,708	8,756
Delinquency*	3,562	3,426	3,259	2,178	2,427	2,893	3,144	3,297	3,367	3,346	3,330	3,298	3,259	3,213
Probation Violation	2,799	2,821	2,475	1,717	1,615	1,875	1,970	2,057	2,107	2,094	2,083	2,063	2,037	2,007
Appellate	378	362	320	368	342	295	313	327	320	318	316	313	309	304
Treatment Court			26	71	89	113	141	154	166	165	164	162	160	158
Total Juvenile Eligibles	23,123	21,173	18,280	14,781	14,085	14,218	14,418	14,465	14,451	14,492	14,503	14,496	14,474	14,438

* includes Measure 11, Murder, and All Other

Source: Oregon Judicial Department, Oregon Office of Economic Analysis

Assumptions/Risks



- Current law forecast: also assumes current prosecutorial and judicial practices hold fairly constant throughout forecast horizon.
- New forecast – need time to calibrate model
- Tie to long-run population growth a major assumption/risk.

Forecast Performance



- Would like at least a year of actuals to gauge the performance of the forecast.
- Will publish routine tracking reports.

Questions?



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[Oregon Office of Economic Analysis](#)

