Oregon Public Defense Commission
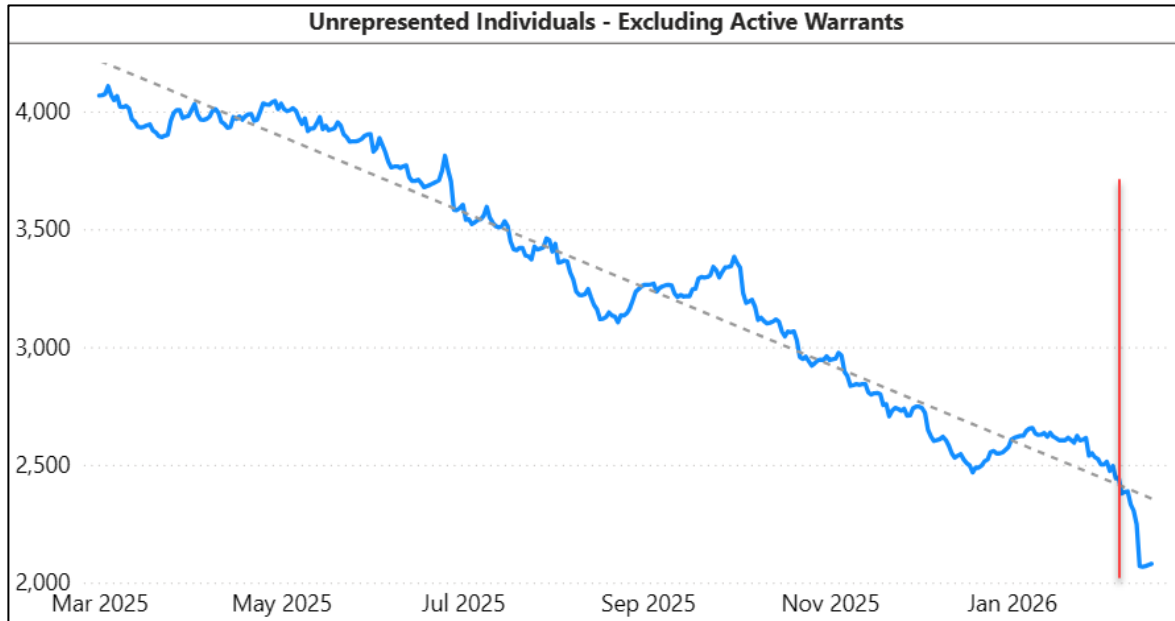
Unrepresented Persons Update

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Interim Executive Director

February 19, 2026

OPDC Oregon Public Defense Commission

Unrepresented Statewide Trends

Unrepresented Individuals - Excluding Active Warrants

Data Source as of 2/17/2026: OJD's OPDS Unrepresented Power BI Dashboard. 3/1/2025 - 2/17/2026. Red line indicates Roberts effective date.

1

Down 49% Year Over Year

Unrepresented numbers are down 49% from March 1, 2025.

2

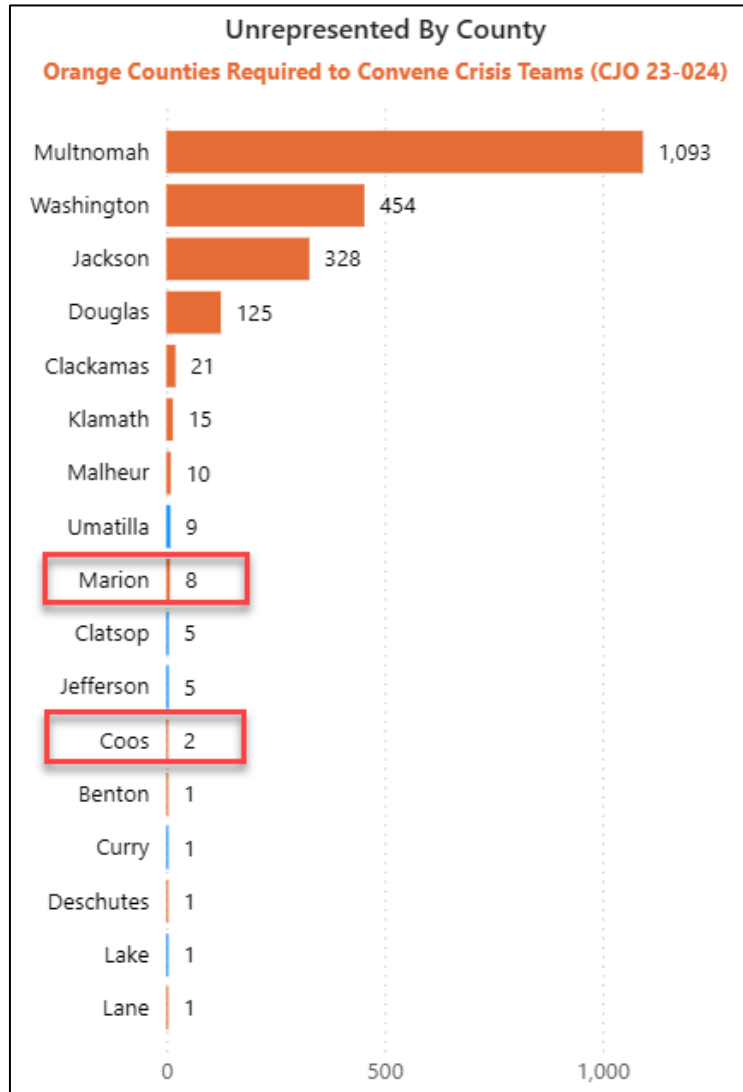## Downward Trend Continues

January 2025 was flat overall, slight uptick over the holidays evened out by the end of the month.

3

Sharp Decline After Roberts

The red line shows when Roberts was released. In the week following the Roberts decision, 311 out-of-custody pretrial individuals were removed from the unrepresented list statewide.

Marion and Coos Counties

Unrepresented By County

Orange Counties Required to Convene Crisis Teams (CJO 23-024)

County	Count
Multnomah	1,093
Washington	454
Jackson	328
Douglas	125
Clackamas	21
Klamath	15
Malheur	10
Umatilla	9
Marion	8
Clatsop	5
Jefferson	5
Coos	2
Benton	1
Curry	1
Deschutes	1
Lake	1
Lane	1

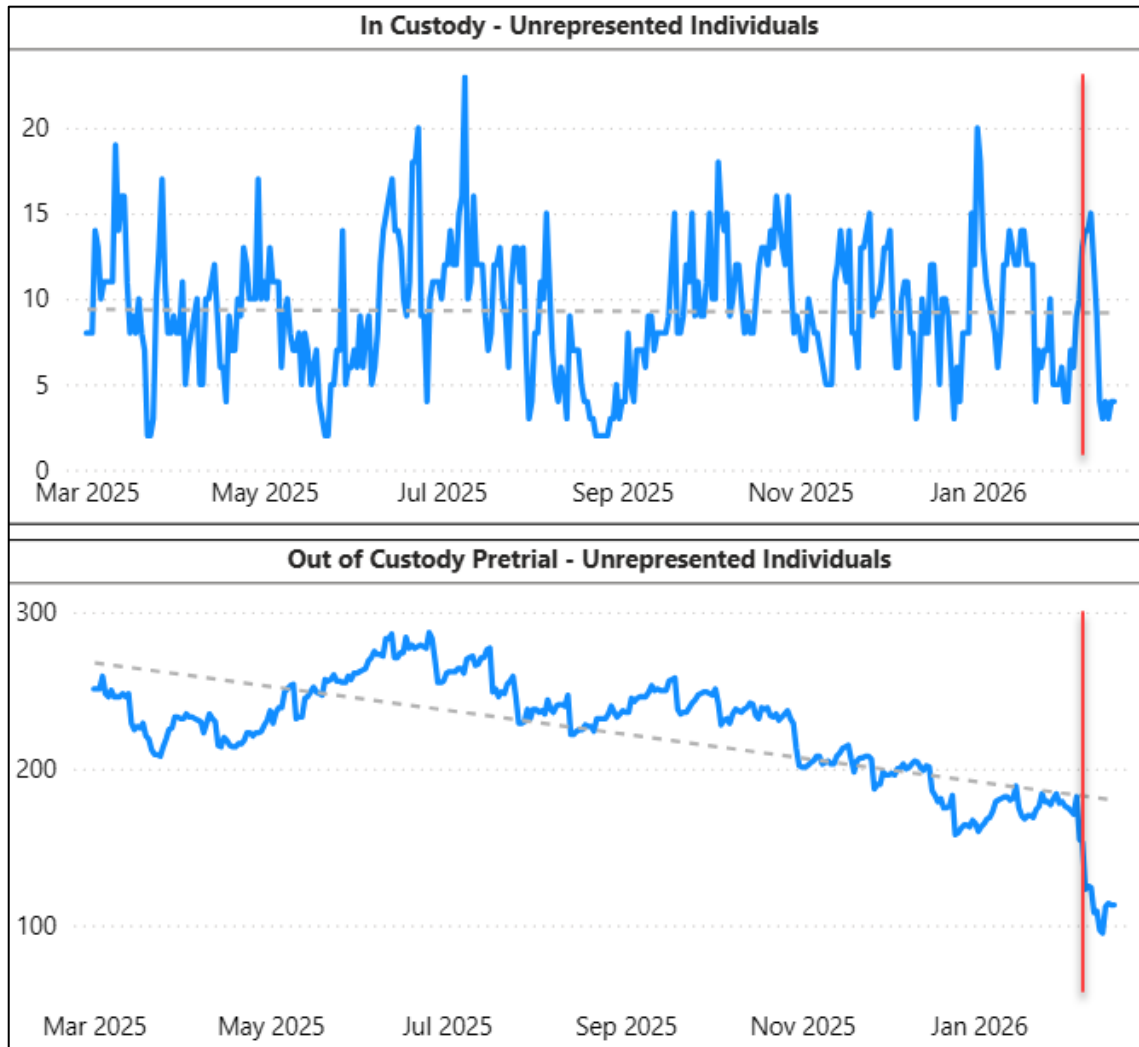*Data Source as of 2/17/2026: OJD's OPDS Unrepresented Power BI Dashboard*

1 Coos County

Coos County has had fewer than 5 unrepresented persons since January 2026. As of this time OPDC believes Coos is appropriately resourced to prevent future unrepresented numbers and no longer needs an OTD presence.

2 Marion County

With fewer than 10 unrepresented persons prior to Roberts, Marion County has steadily been eliminating its unrepresented backlog for some time. Court docketing changes combined with ERDs, the work of the OTD Central Office, and a consortia working at 100% MAC eliminated the backlog. OPDC has since signed a contract with the non-profit, which may allow for OTD attorneys to be redeployed elsewhere.

Douglas County

In Custody - Unrepresented Individuals

Out of Custody Pretrial - Unrepresented Individuals

1 **Mixed Progress**

Douglas County numbers fluctuate significantly, though there has been a decline with the start of the new contracts in October 2025.

2 **New Capacity Added**

OPDC added 1.15 MAC to the Douglas County 25-27 contracts. OTD also provides additional capacity whenever possible.
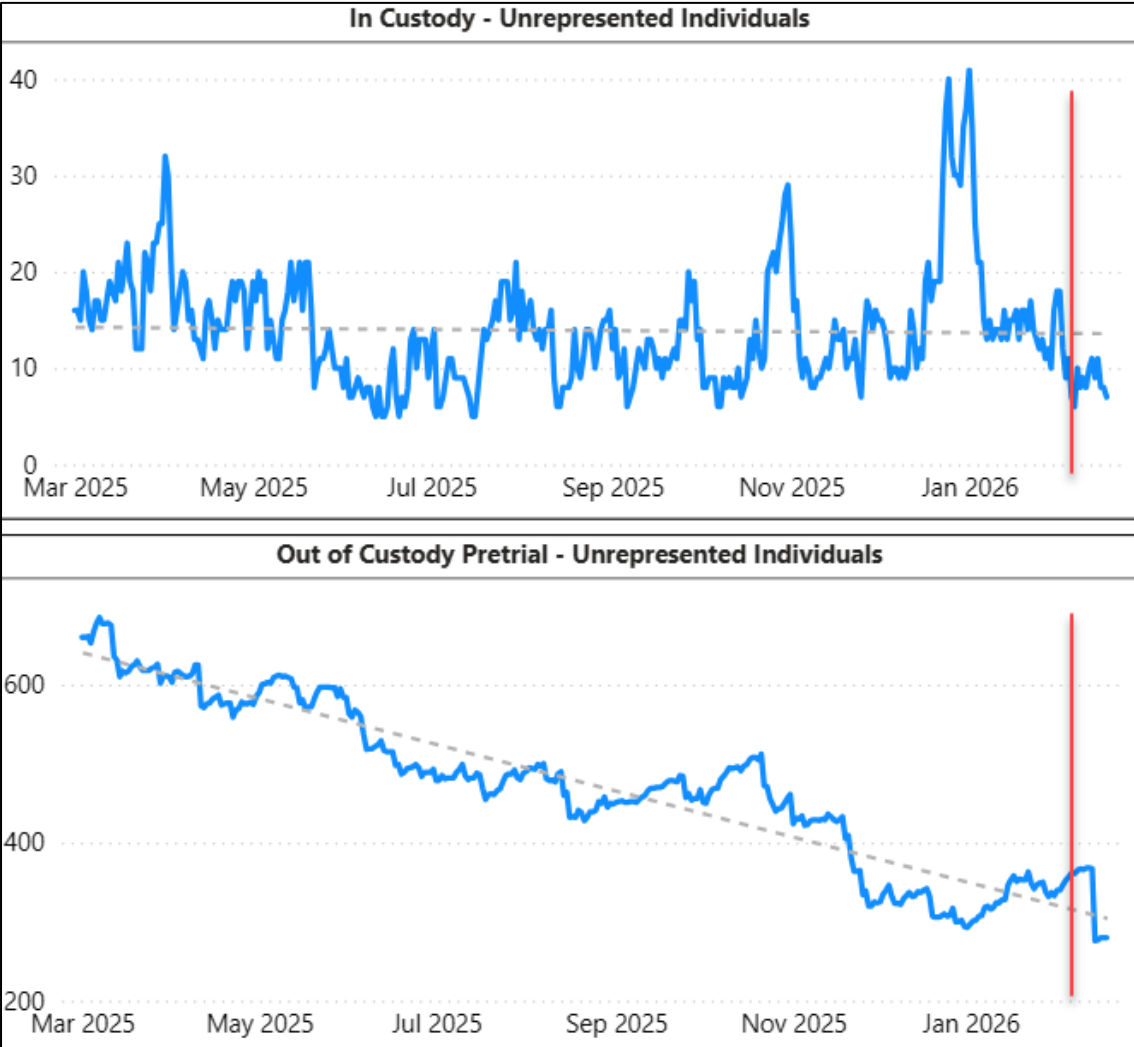
3 **Roberts Impact**

In the week following the Roberts decision, 60 out-of-custody pretrial individuals were removed from Douglas's unrepresented list.

Jackson County

Data Source as of 2/17/2026: OJD's OPDS Unrepresented Power BI Dashboard. 3/1/2025 - 2/17/2026. Red line indicates Roberts effective date.

1 — **58% Reduction Year Over Year**
Jackson County out of custody pretrial numbers are down 58% compared to March 1, 2025.

2 — **Oregon Trial Division and EDP**
OTD staffs a monthly Early Disposition Program, and five Jackson County attorneys are participating in the Enhanced MAC program.
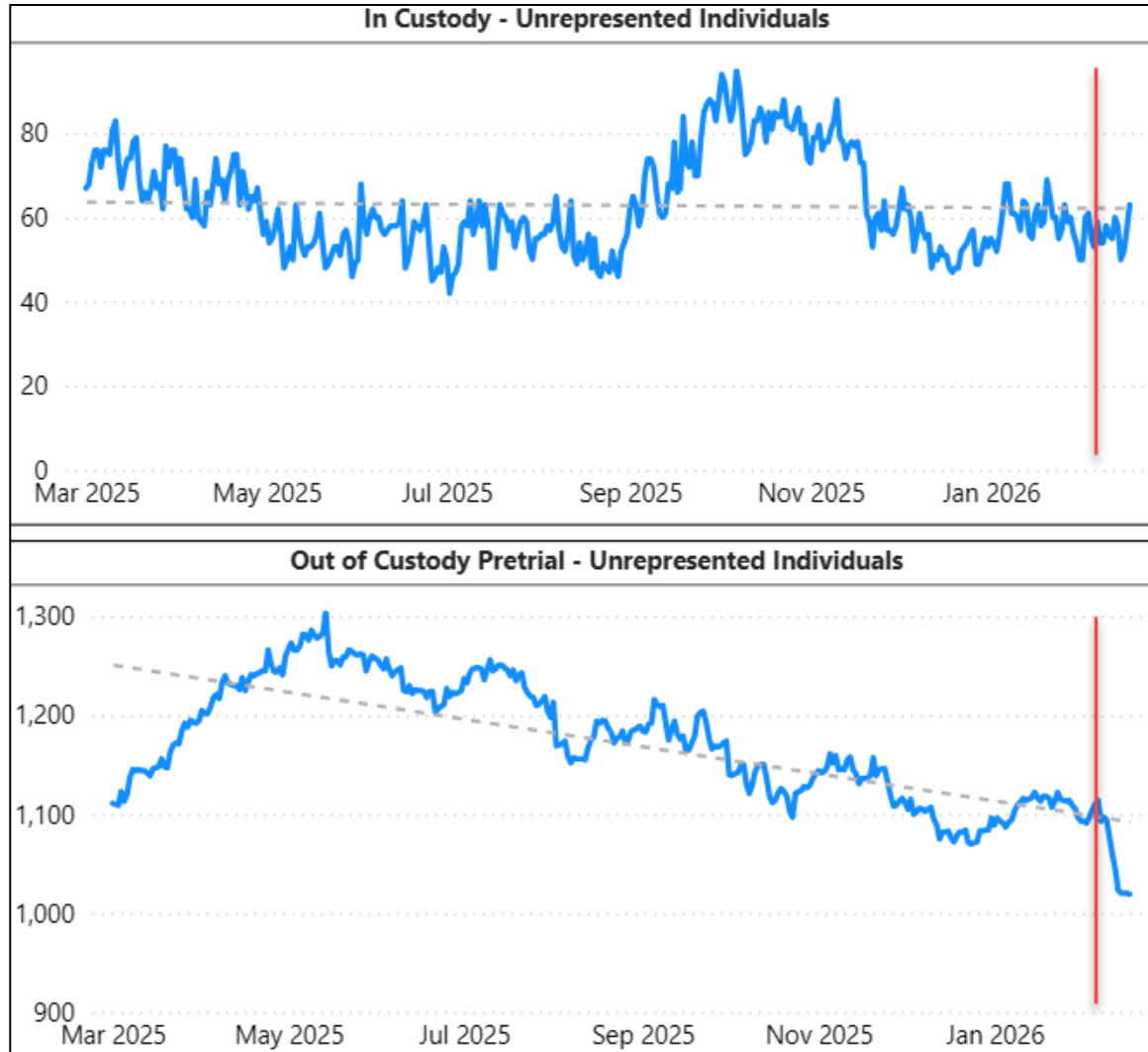
3 — **Roberts Impact**
In the week following the Roberts decision, 86 out-of-custody pretrial individuals were removed from Jackson's unrepresented list.

Multnomah County

In Custody - Unrepresented Individuals

Out of Custody Pretrial - Unrepresented Individuals

Data Source as of 2/17/2026: OJD's OPDS Unrepresented Power BI Dashboard. 3/1/2025 - 2/17/2026. Red line indicates Roberts effective date.

1

Slow, Mixed Results

Multnomah has experienced a gradual decline in out-of-custody unrepresented individuals since the peak in May 2025. The number of in-custody individuals has remained consistent since mid-November.

2

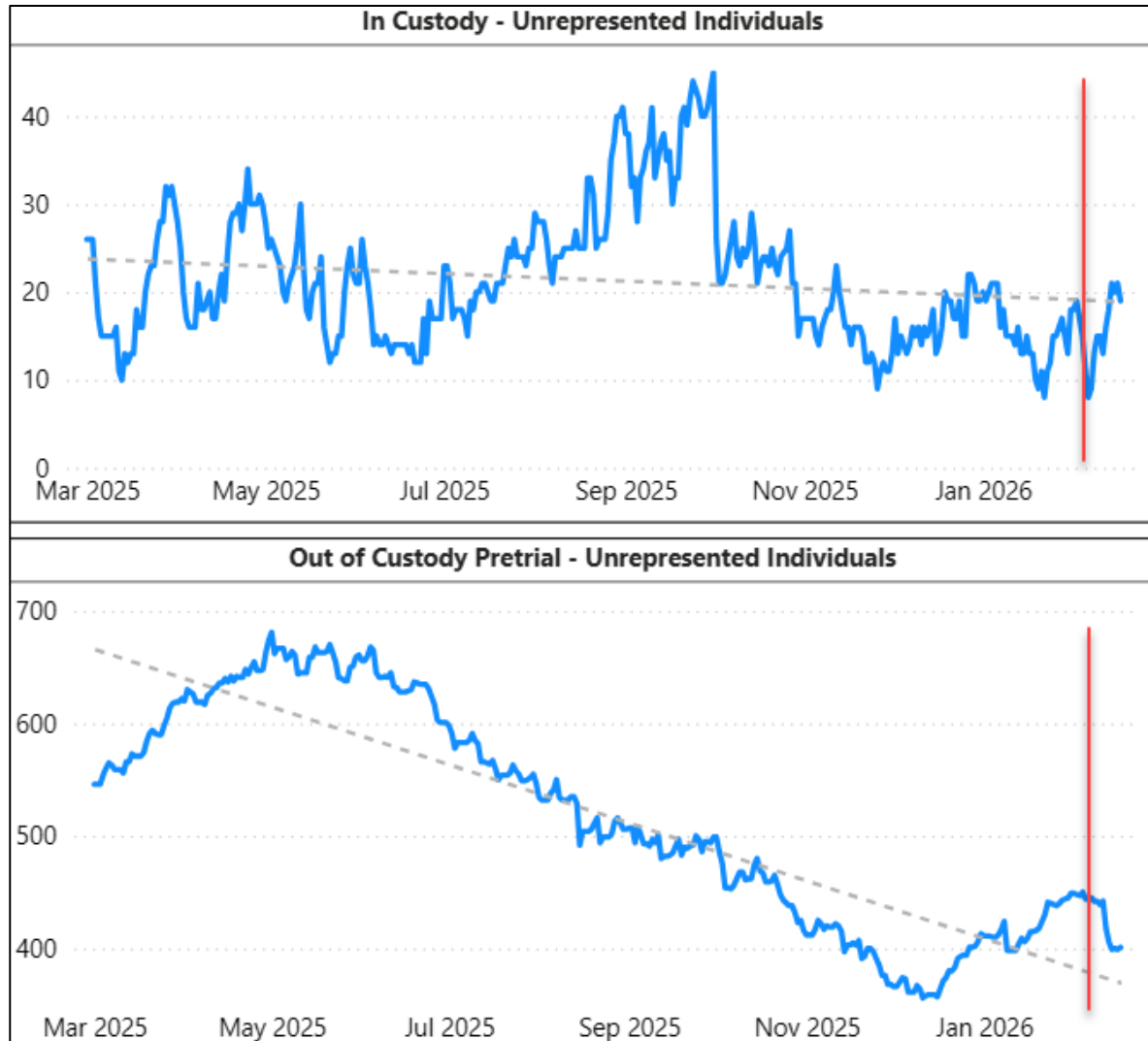## Increased Provider Capacity

The 25-27 contracts increased provider MAC, including 3 Enhanced MAC participants with newly licensed lawyers joining in December 2025.

3

Robert's Impact

In the week following the Roberts decision, 87 out-of-custody pretrial individuals were removed from Multnomah's unrepresented list.

Washington County

In Custody - Unrepresented Individuals

Out of Custody Pretrial - Unrepresented Individuals

1

41% Decrease in Past 9 Months

Washington County numbers peaked at 709 individuals in May 2025 for in and out of custody pretrial and have decreased by 41% since then.

2

Increased Provider Capacity

The 25-27 contracts increased provider MAC, including 4 Enhanced MAC, with newly licensed lawyers joining in December 2025.
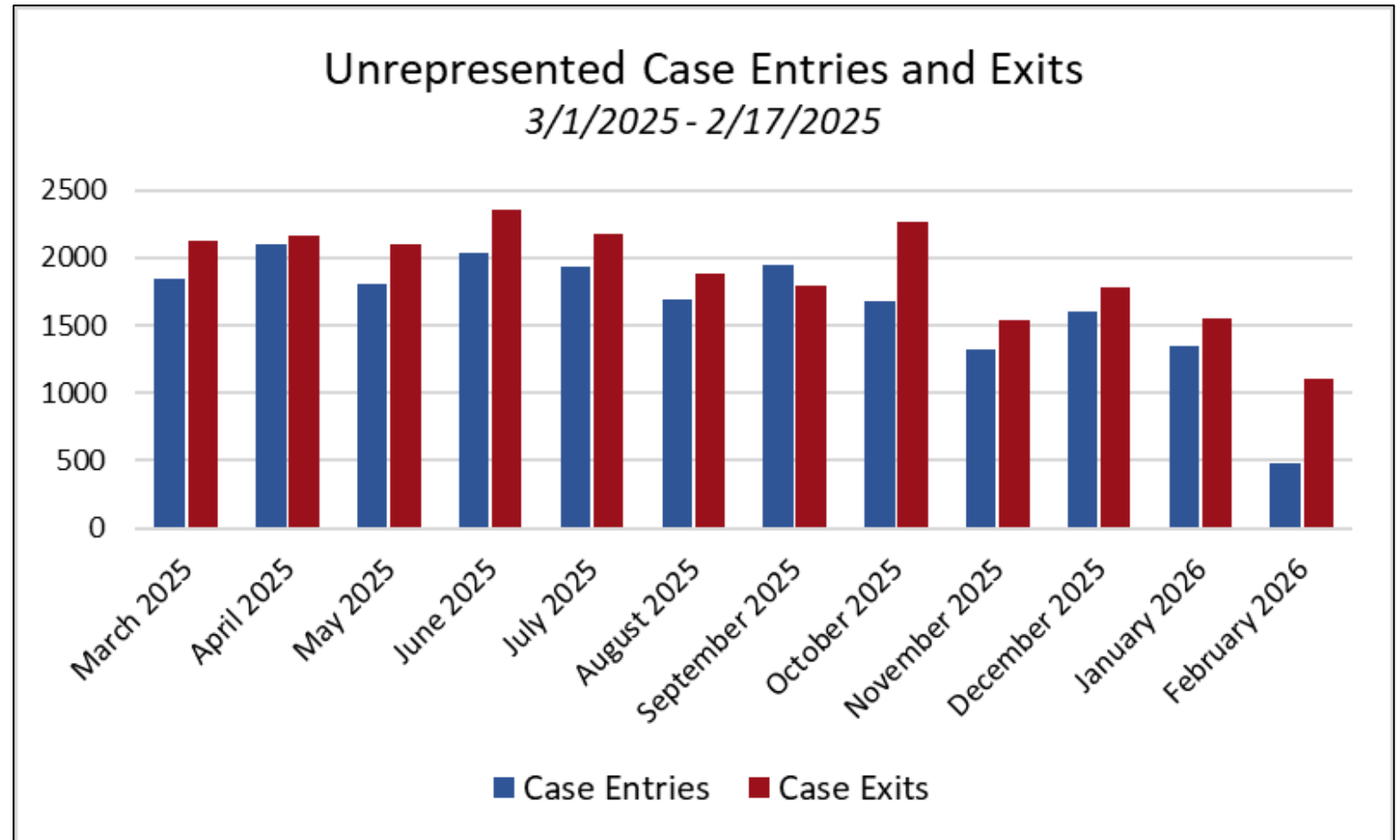
3

Robert's Impact

In the week following the Roberts decision, 38 out-of-custody pretrial individuals were removed from Washington's unrepresented list.

Unrepresented Case Entries & Exits

The number of cases exiting the unrepresented list surpassed the number of cases entering in 11 out of the past 12 months.

As a result of the 25-27 contracts starting, October saw a significantly large number of cases exiting the list compared to other months.

Unrepresented Case Entries and Exits
3/1/2025 - 2/17/2025

Thank You