

Unrepresented Persons

**Public Safety
Subcommittee**

February 3, 2025

Jennifer Nash
OPDC Chair

Jessica Kampfe
Executive Director



**Oregon
Public
Defense
Commission**

Oregon Public Defense Commission

Presentation Overview

01

Unrepresented Process

02

County Specifics

03

Future Initiatives

OPDC Unrepresented Process

OPDC Programs

Contracted Public Defenders

OPDC contracts with 164 entities.



Assignment Coordinators

4 staffers who identify attorneys for unrepresented cases.



20 attorneys in 3 offices.

Oregon Trial Division

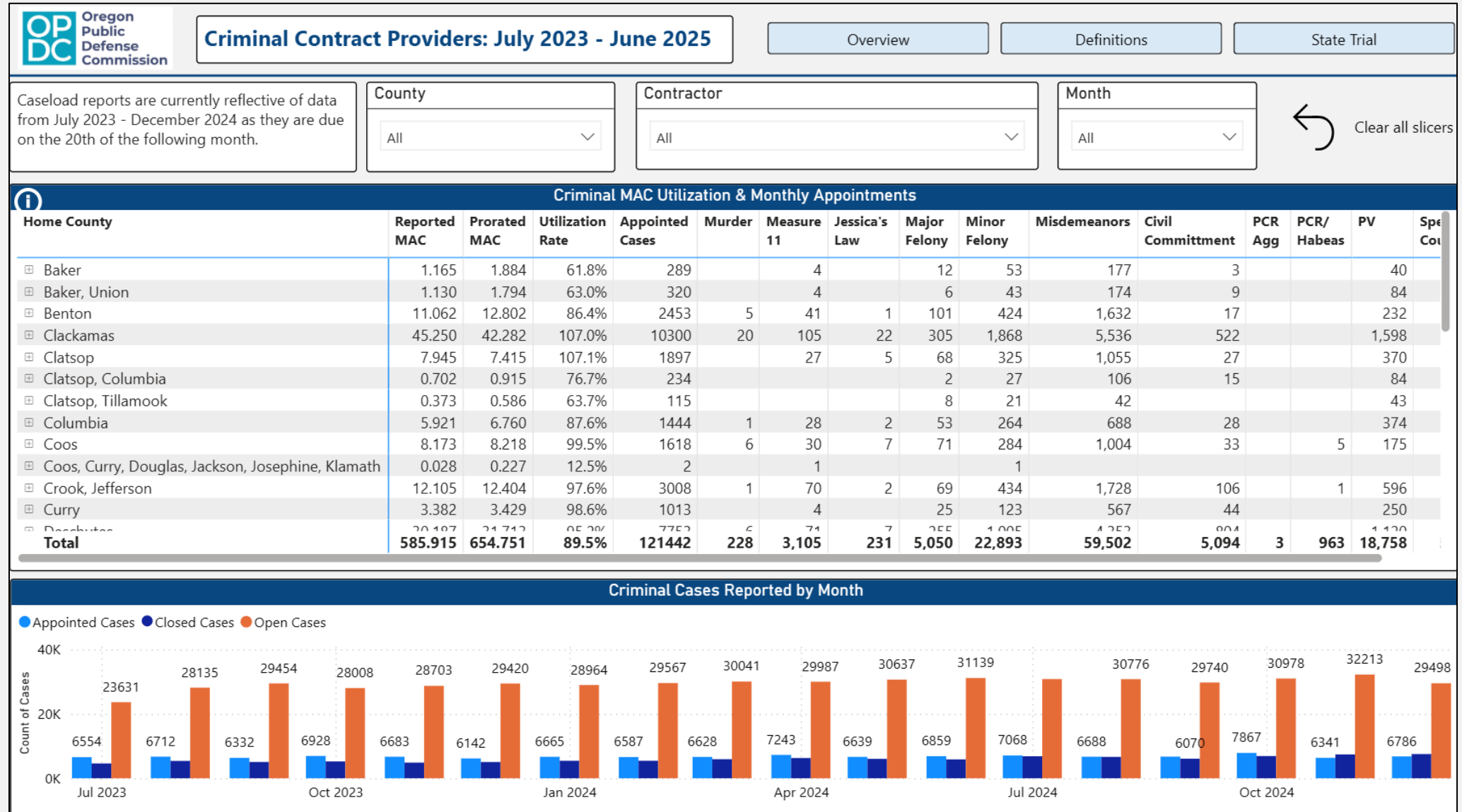


Enhanced hourly rates paid on in-custody cases.

Temporary Hourly Increase Program (THIP)



Contract Dashboard



Source: OPDC Dashboard 1/27/25 - Oregon Public Defense Commission : Data & Reporting : General Information and Resources : State of Oregon

CONTRACTORS

Retention

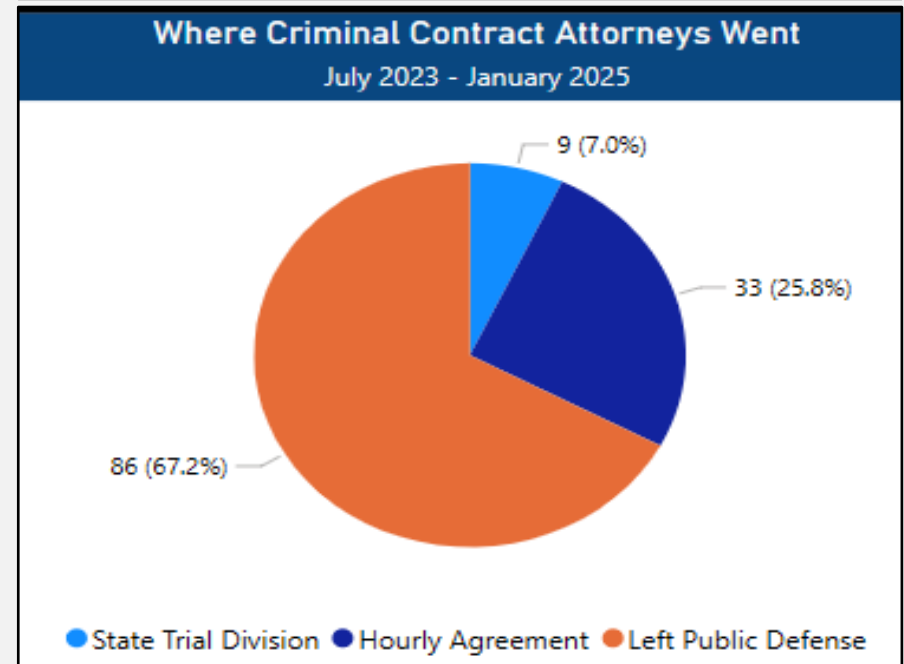


High-level attorneys leave and are replaced by lower-level attorneys.



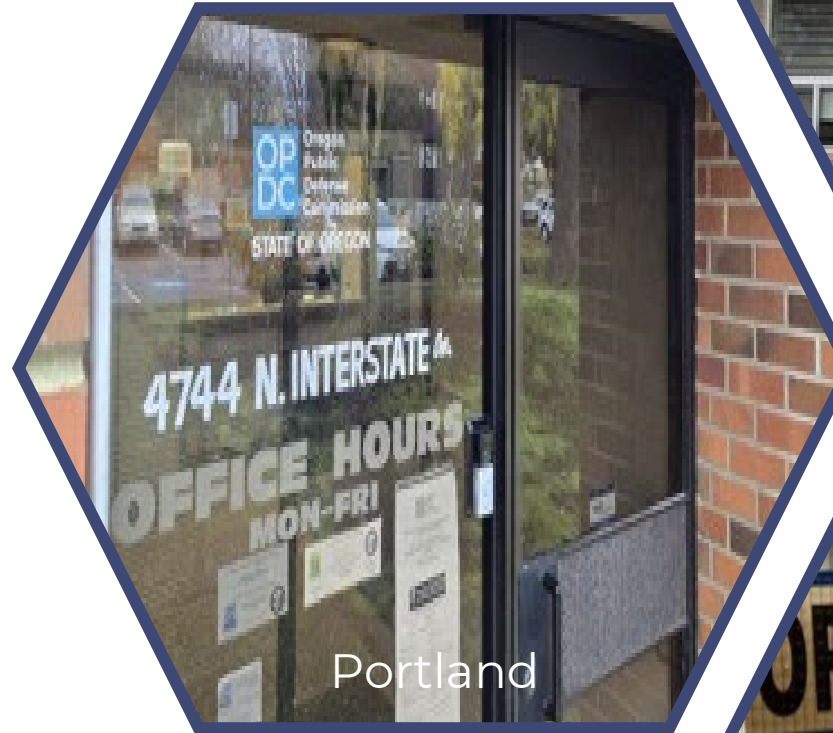
2/3 are leaving public defense entirely.

Criminal Contract Retention by Attorney Qualification Level			
Qualification	New Attys	Departed Attys	Net Attys
⊕ Attorney 1	69	19	50
⊕ Attorney 2	44	38	6
⊕ Attorney 3	30	46	-16
⊕ Attorney 4	16	26	-10
Total	156	128	28

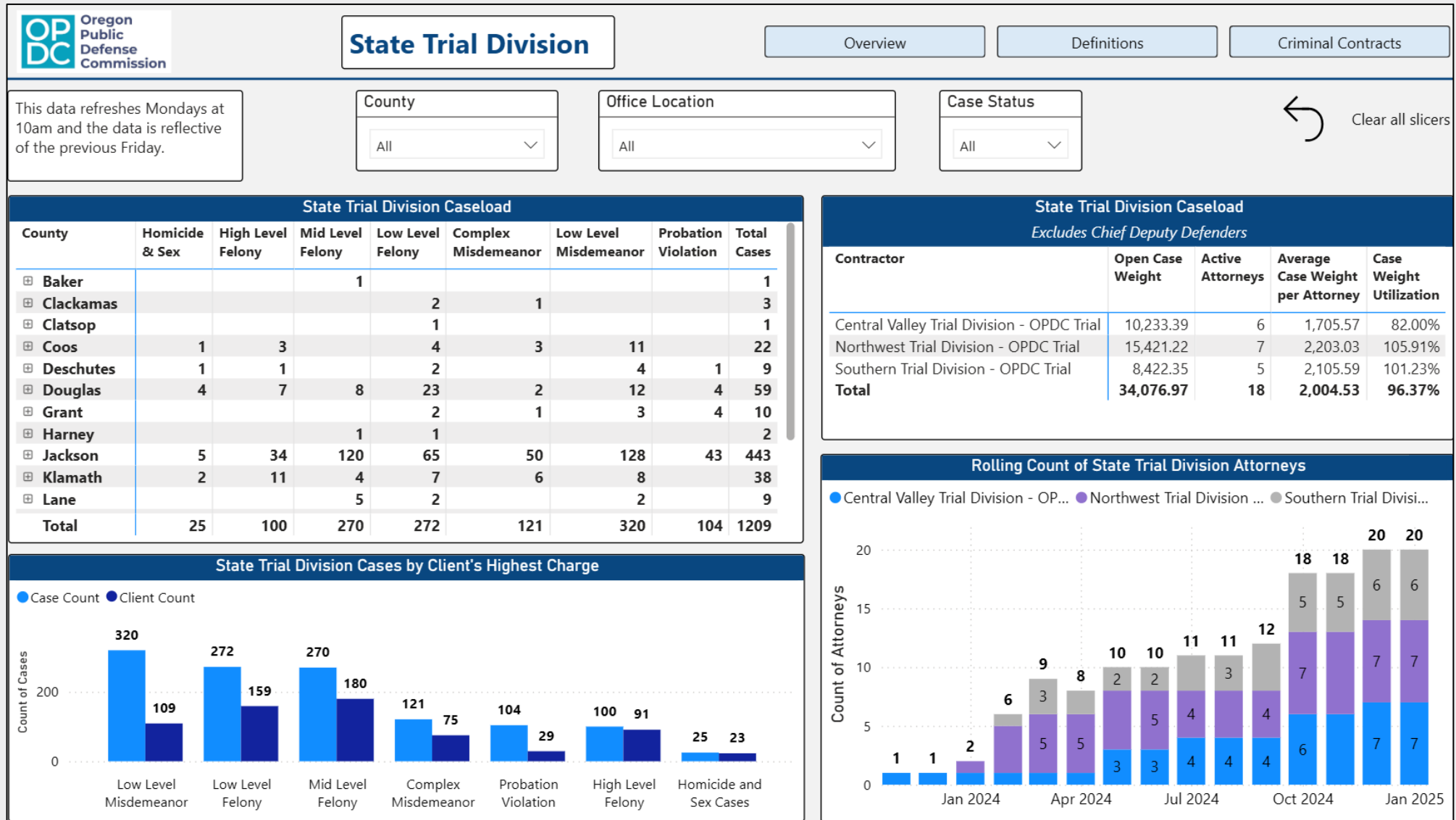


Oregon Trial Division

- Required by SB 337;
- First office opened December 2023;
- 20 attorneys;
- 1200+ cases.



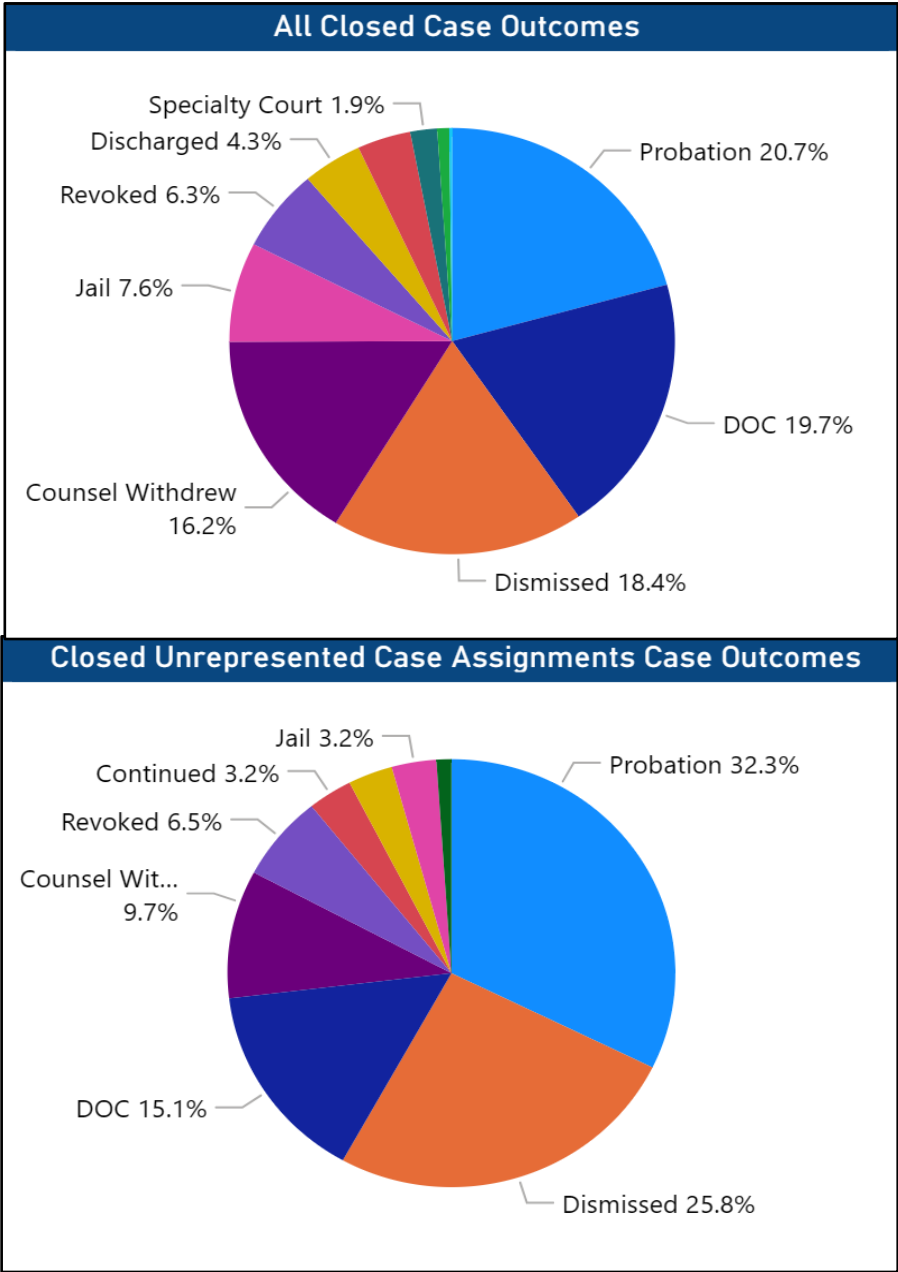
Trial Division Dashboard



Source: OPDC Dashboard 1/27/25 - [Oregon Public Defense Commission : Data & Reporting : General Information and Resources : State of Oregon](#)

Client Outcomes

Closed Cases by Client's Highest Charge as of 1/27/2025		
Case Type	Count of Clients by Highest Charge	Count of Cases
Mid Level Felony	62	112
Low Level Felony	54	91
Complex Misdemeanor	41	54
High Level Felony	41	45
Low Level Misdemeanor	40	103
Probation Violation	15	58
Homicide and Sex Cases	7	7
Total	260	470

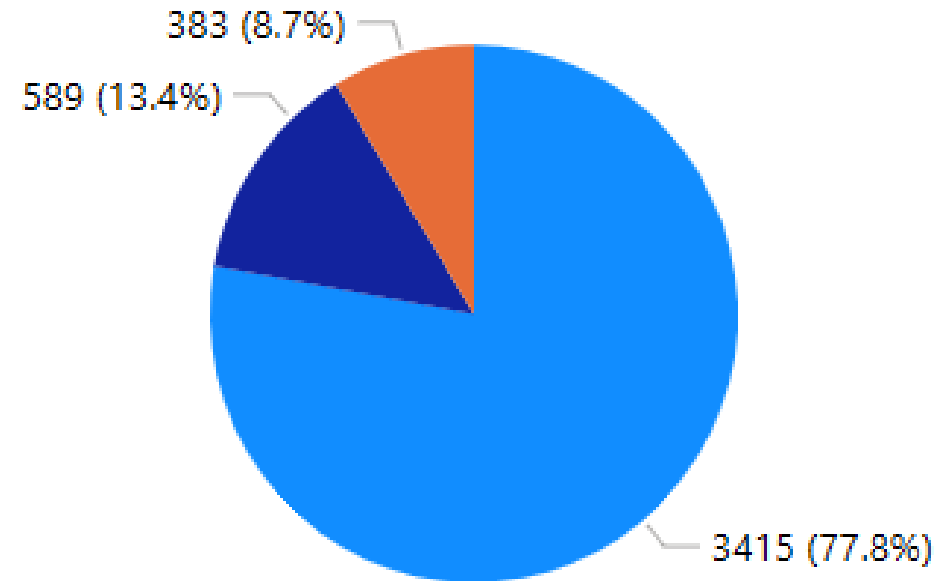


OPDC INITIATIVES

Assignment Coordinators

- Two full-time employees, with two more starting last week.
- Located and assigned 4356 cases since May 2024.
- Most of those go through hourly.
- Oregon Trial Division is their backstop.

Unrepresented Assignments since May 2024



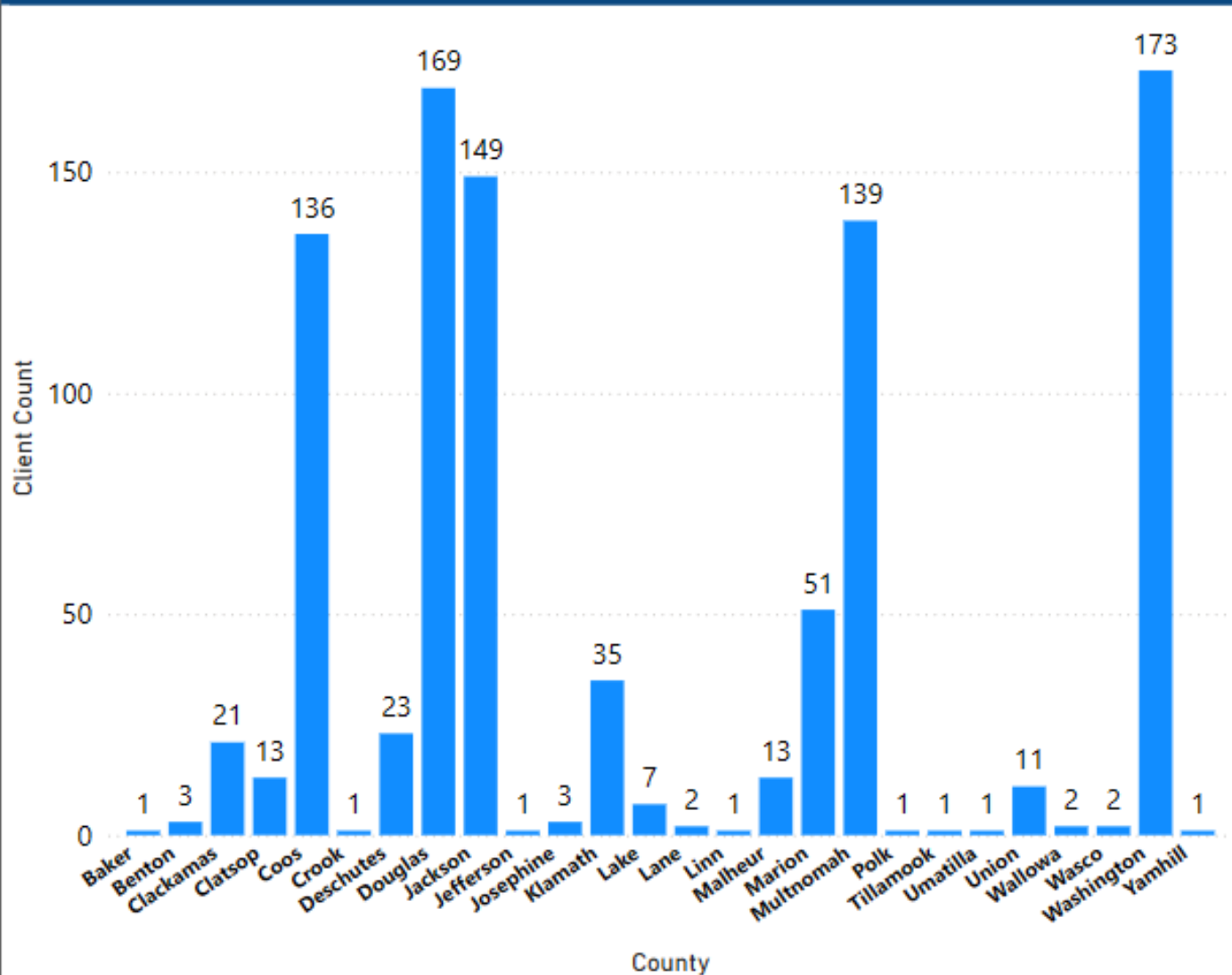
Assignment ● Hourly ● Trial Division ● Contract

Unrepresented Assignments since May 2024

Assignment	Attorney Count	Client Count	Case Count
Contract	122	280	383
Hourly	253	2339	3415
Trial Division	20	370	589
Total	362	2949	4356

Betschart Assignments Coordinated by OPDC Analysts

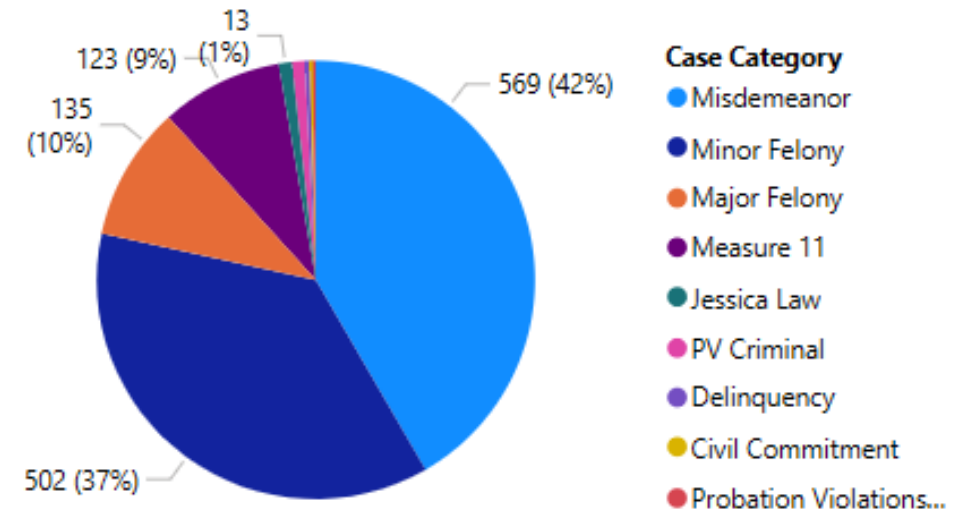
Betschart Client Count by Case County



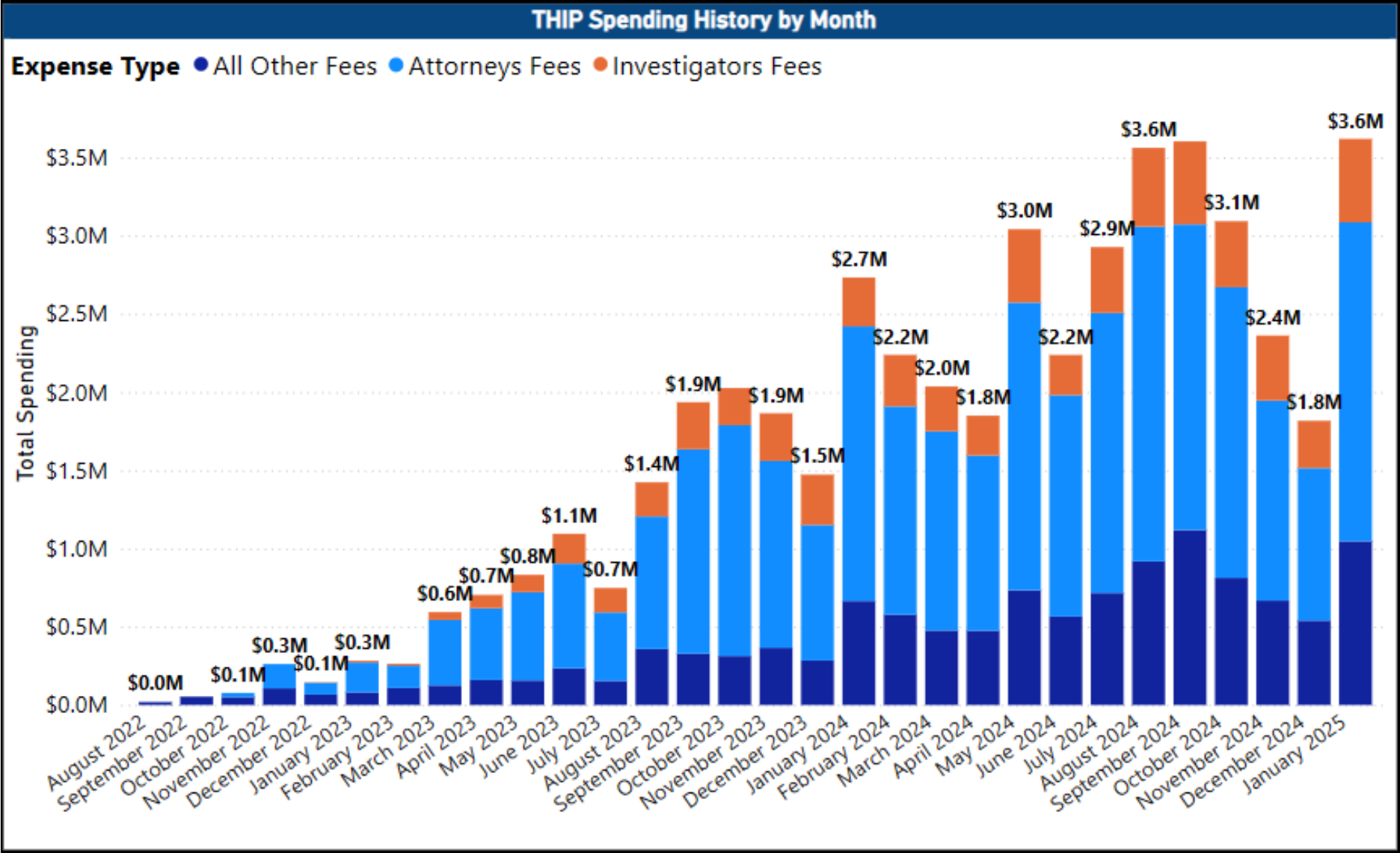
Betschart Assignments by Program

Assignment	Attorney Count	Client Count	Case Count
Contract	65	131	159
Hourly	134	660	944
Trial Division	17	170	266
Total	203	952	1368

**Betschart Assignments
Client Count**



THIP Program Overview (8/1/22 – 1/27/25)



THIP Attorneys

280

Total THIP Cases

7,723

THIP Client Count

Client's Highest Charge	Clients
Civil Commitment	81
Delinquency	104
Dependency/Termination	195
Jessica Law	68
Major Felony	463
Measure 11	586
Minor Felony	1,547
Misdemeanor	1,598
Murder	184
Other	2
PCR/Habeas	74
Probation Violations-Criminal	218
Probation Violations-Juvenile	8
Total	5,128

Total THIP Spending

Category	THIP \$\$ Paid
All Other Fees	\$13,481,173
Attorneys Fees	\$29,598,228
Investigators Fees	\$5,837,992
Total	\$48,917,394

* THIP Attorneys is a count of active Hourly Agreements as of 1/27/2025

**UNREPRESENTED BY
COUNTY**

County Specific

**Six counties make up
95% of unrepresented
cases and 90% of all
in-custody
unrepresented cases.**

Unrepresented Distribution by County 1/24/25				
County	Out of Custody	In-Custody	All (Excludes Warrants)	Overall Population of State (Millions)
Multnomah	29.3% (1,095)	41.5% (66)	29.8% (1,161)	18.7% (.79)
Jackson	20.6% (769)	17.6% (28)	20.4% (797)	5.2% (.22)
Marion	20.4% (757)	7.0% (11)	19.7% (768)	8.2% (.35)
Washington	15.6% (584)	16.4% (26)	15.7% (610)	14.2% (.60)
Douglas	6.9% (257)	5.7% (9)	6.8% (266)	2.7% (.11)
Coos	2.6% (97)	1.9% (3)	2.6% (100)	1.5% (.06)
All Other Counties	4.9% (181)	10.0% (16)	5.0% (197)	56.6% (2.27)
Total	100% (3,740)	100% (159)	100% (3,899)	100% (4.27)

COUNTY SPECIFIC

Multnomah

Drivers:

Criminal case filings increased;

Challenges accessing clients;

High turnover.

Criminal Contract MAC & Attrition					
Contractor Caseload Data July 2023 - December 2024					
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
⊖ Multnomah	89.1%	96	31	29	6
⊕ Sole Proprietorship	80.1%			1	1
⊕ PD	86.4%	80	30	28	6
⊕ Consortium	102.7%	16	1	1	
Total	89.1%	96	31	29	6

Mitigators:

Regular Bench/Bar meetings;

Online unrepresented form;

Data-informed contracting;

THIP (842 cases);

North West Regional Trial Office (197 cases).

COUNTY SPECIFIC

Jackson

Drivers:

Lawyer desert.

Criminal Contract MAC & Attrition					
Contractor Caseload Data July 2023 - December 2024					
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
⊖ Jackson	92.5%	29	8	3	
⊕ Firm	82.5%	1	1		
⊕ Consortium	90.8%	14	3	2	
⊕ PD	94.6%	15	4	1	
Total	92.5%	29	8	3	

Mitigators:

OPDC site visit in October;

DUII specialty docket and an early resolution docket are in the works;

Southern Regional Trial Office (442 cases);

THIP (223 cases).

COUNTY SPECIFIC

Marion

Drivers:

High turnover;

MAC utilization is low across provider types.

Criminal Contract MAC & Attrition					
Contractor Caseload Data July 2023 - December 2024					
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
⊖ Marion	68.9%	55	18	18	6
⊕ PD	59.1%	25	14	11	2
⊕ Firm	73.6%	1			
⊕ Consortium	77.1%	29	4	7	4
Total	68.9%	55	18	18	6



Mitigators:

Good relationship with court staff;

New diversion docket;

OPDC and court meetings resulted in a parole violation docket (starting with 200 cases);

Central Regional Trial Office (202 cases);

THIP (411 cases).



COUNTY SPECIFIC

Washington

Drivers:

High turnover;

Challenges accessing clients;

Under contracted for higher case types;

New court process for diversion and deflection.

Criminal Contract MAC & Attrition					
Contractor Caseload Data July 2023 - December 2024					
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
⊖ Washington	99.3%	66	25	17	7
⊕ Sole Proprietorship	80.6%	1		1	1
⊕ Firm	94.6%	21	10	7	3
⊕ PD	98.6%	33	12	7	3
⊕ Consortium	117.8%	12	3	3	1
Total	99.3%	66	25	17	7



Mitigators:

Turnover is improving;

Regular Bench/Bar meetings;

Diversion specialty court;

Good working relationship with court;

North West Regional Trial Office (188 cases);

THIP (657 cases).



COUNTY SPECIFIC

Douglas

Drivers:

Case assignment process;
Leadership changes in public defender office;
Isolated location.

Criminal Contract MAC & Attrition					
Contractor Caseload Data July 2023 - December 2024					
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
⊖ Douglas	81.3%	18	6	2	2
⊕ PD	75.8%	9	5	2	2
⊕ Consortium	86.0%	4			
⊕ Firm	88.1%	7	1		
Total	81.3%	18	6	2	2



Mitigators:

The public defender office has a new interim director and is increasing MAC utilization;

PD office is now fully staffed;

Working with contractors to better understand their assignment process and ensure standardization and good data;

Data-informed contracting;

Oregon Trial Division (59 cases);

THIP (288 cases).



COUNTY SPECIFIC

Coos

Drivers:

Lawyer desert;
High cost of living;
High turnover.

Criminal Contract MAC & Attrition					
Contractor Caseload Data July 2023 - December 2024					
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
⊖ Coos	99.5%	6	1	4	3
⊕ PD	99.5%	6	1	4	3
Total	99.5%	6	1	4	3



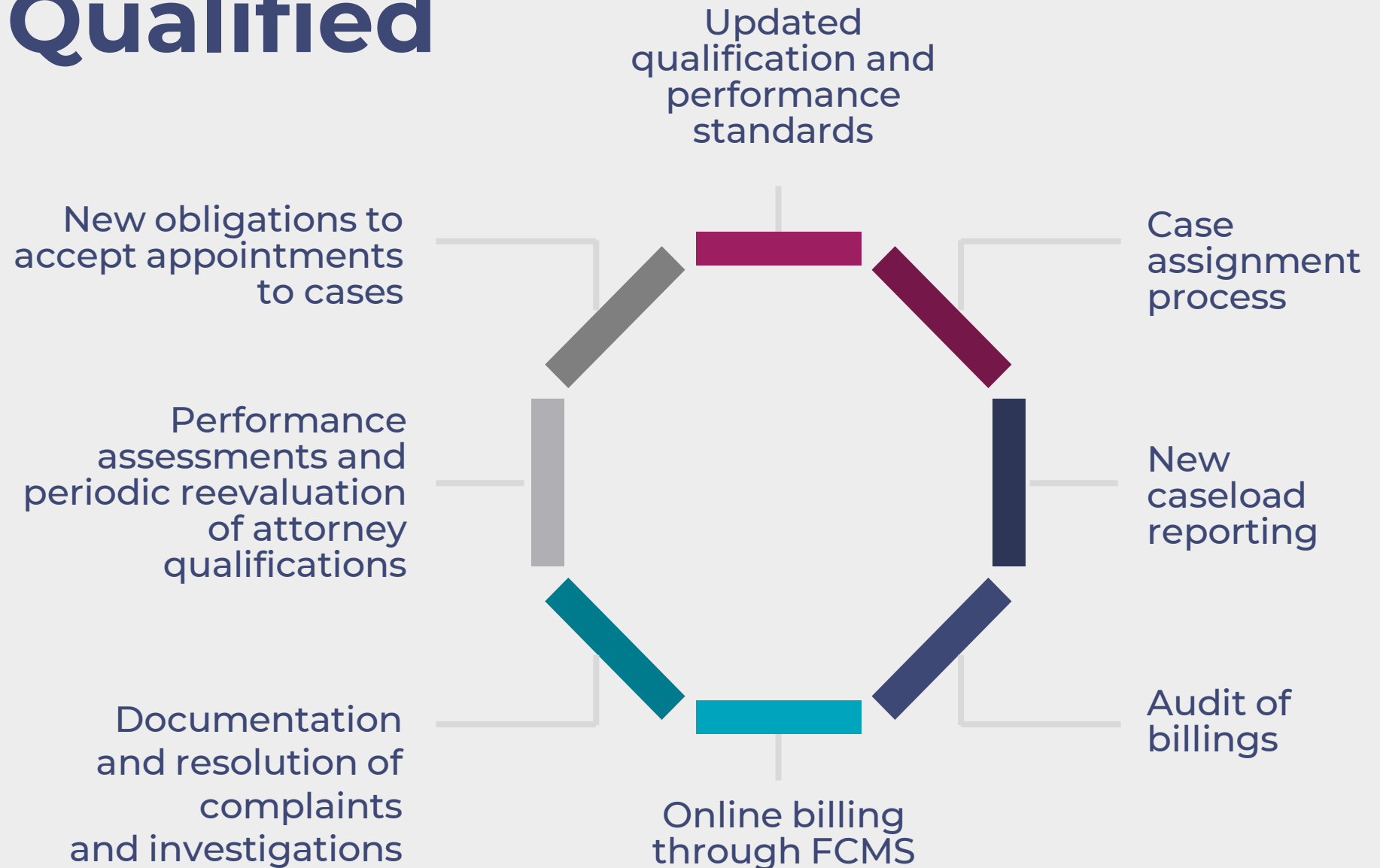
Mitigators:

- Stationed an Oregon Trial Division employee to Coos;
- Oregon State Trial Office (22 cases);
- The contractor is fully staffed as of December;
- Court has increased flexibility;
- THIP (304 cases).



FUTURE INITIATIVES

Panel of Qualified Counsel



Governor's Requested Budget



42 more lawyers for the Trial Division



55 more non-attorney staff for the Trial Division



40 more lawyers added to the hourly program



Stabilizes hourly rates through increases for attorneys, investigators, and mitigators



Extends THIP to December 2025



Maintains current service level for contracts

Questions

jessica.kampfe@opdc.state.or.us



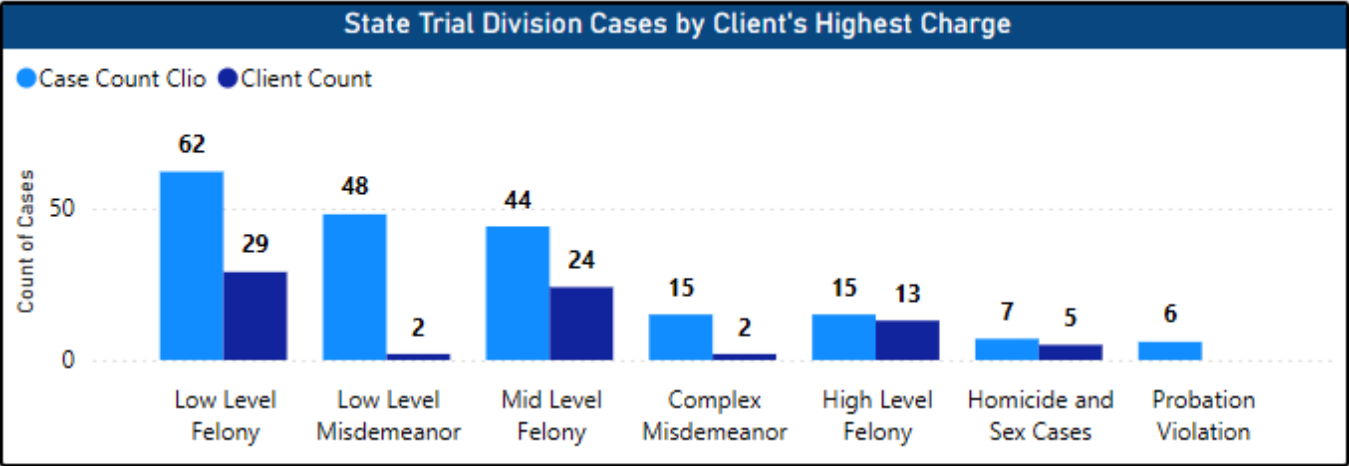
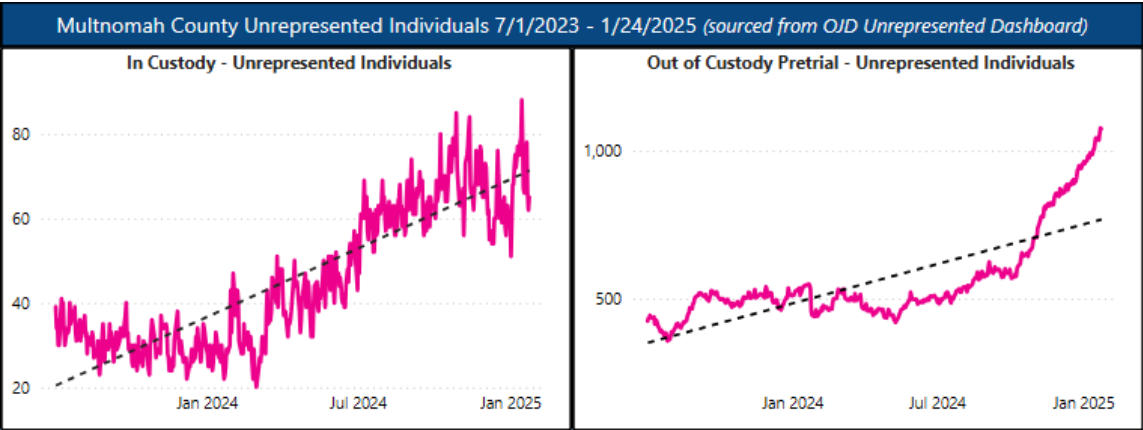
References

Multnomah

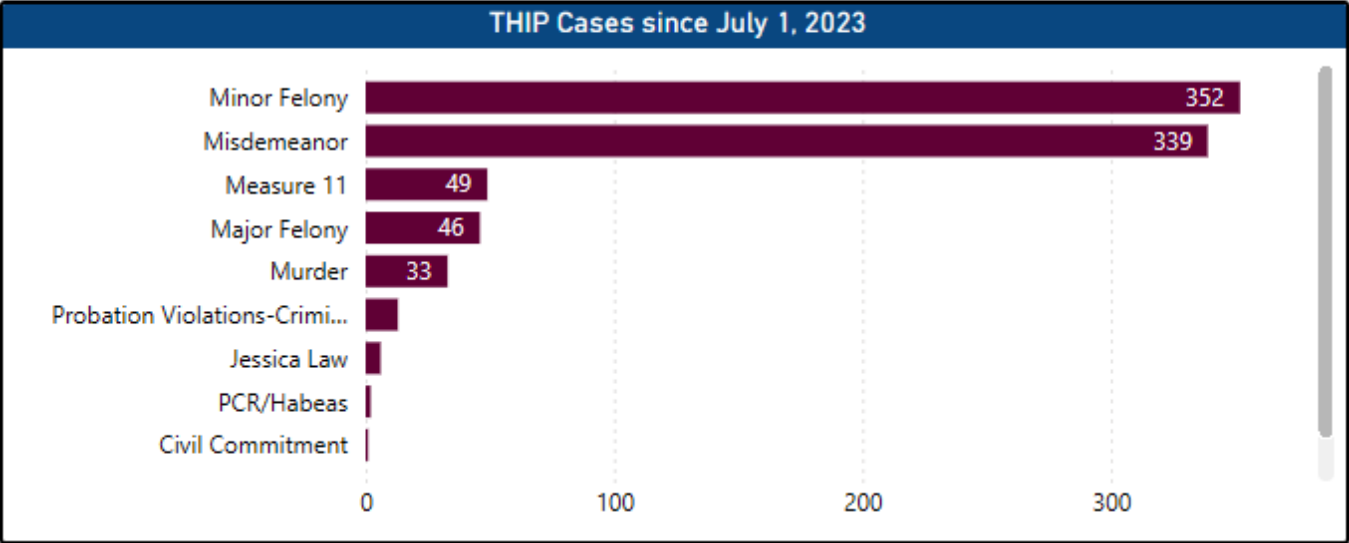
Cases Filed 2023 - 2024 **Increased by 7%.**

(Source: Oregon Judicial Department, One-Year Change in Public Defense Related Cases Filed 2023 - 2024 by Judicial District)

Criminal Contract MAC & Attrition					
Contractor Caseload Data July 2023 - December 2024					
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
⊖ Multnomah	89.1%	96	31	29	6
⊕ Sole Proprietorship	80.1%			1	1
⊕ PD	86.4%	80	30	28	6
⊕ Consortium	102.7%	16	1	1	
Total	89.1%	96	31	29	6



18455 Contract Cases	197 State Trial Cases	842 THIP Cases
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Jackson

Cases Filed 2023 - 2024 **Increased by 16%.**

(Source: Oregon Judicial Department, One-Year Change in Public Defense Related Cases Filed 2023 - 2024 by Judicial District)

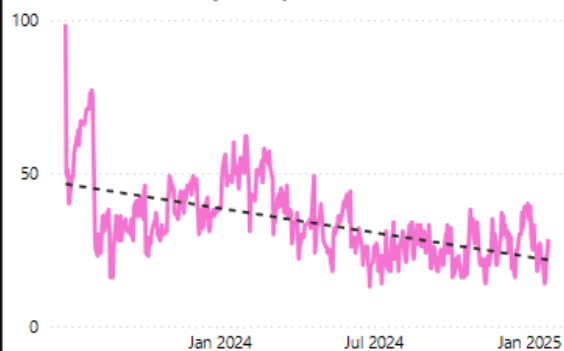
Criminal Contract MAC & Attrition

Contractor Caseload Data July 2023 - December 2024

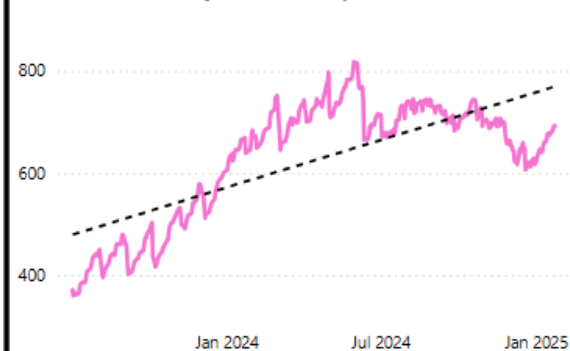
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
<input checked="" type="checkbox"/> Jackson	92.5%	29	8	3	
<input checked="" type="checkbox"/> Firm	82.5%	1	1		
<input checked="" type="checkbox"/> Consortium	90.8%	14	3	2	
<input checked="" type="checkbox"/> PD	94.6%	15	4	1	
Total	92.5%	29	8	3	

Jackson County Unrepresented Individuals 7/1/2023 - 1/24/2025 (sourced from OJD Unrepresented Dashboard)

In Custody - Unrepresented Individuals

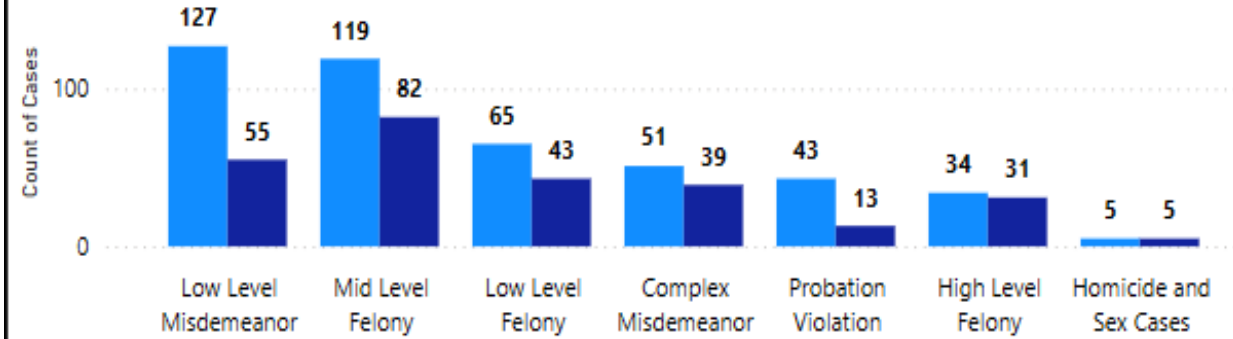


Out of Custody Pretrial - Unrepresented Individuals



State Trial Division Cases by Client's Highest Charge

Case Count Clio Client Count

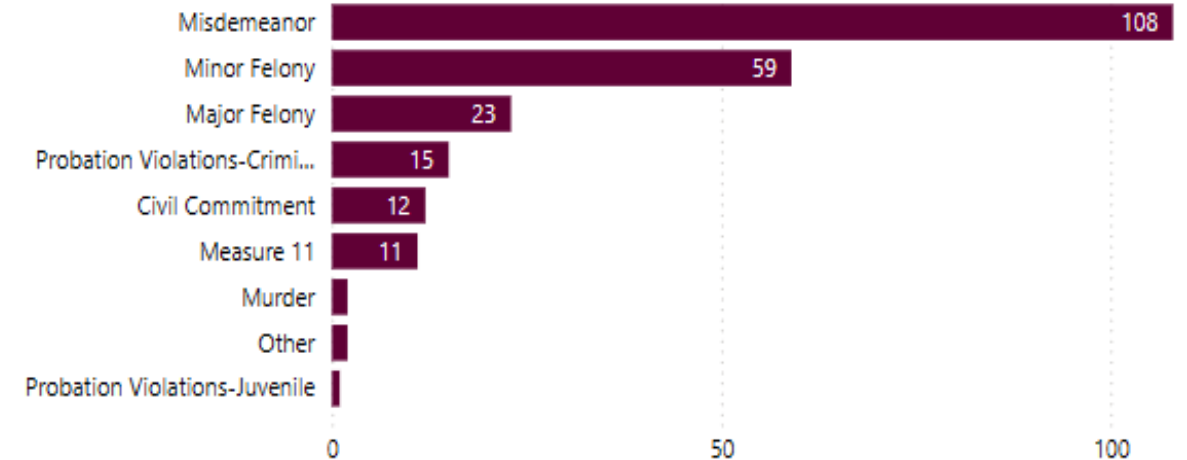


5003
Contract Cases

442
State Trial Cases

233
THIP Cases

THIP Cases since July 1, 2023



Marion

Cases Filed 2023 - 2024 **Increased by 4%.**

(Source: Oregon Judicial Department, One-Year Change in Public Defense Related Cases Filed 2023 - 2024 by Judicial District)

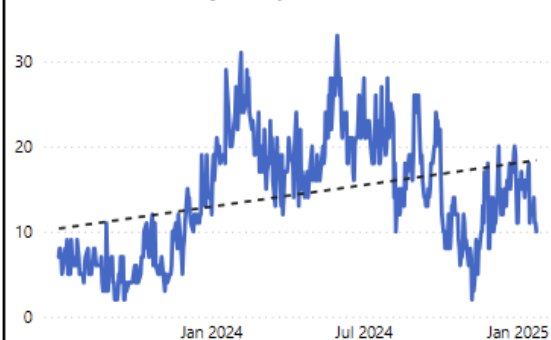
Criminal Contract MAC & Attrition

Contractor Caseload Data July 2023 - December 2024

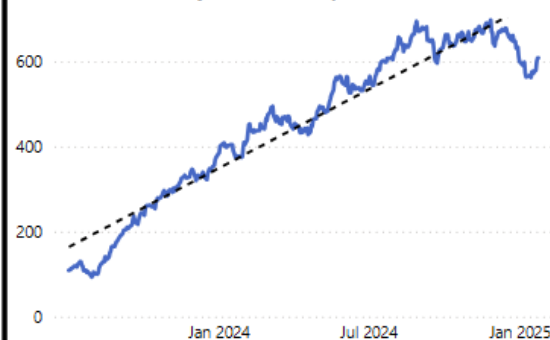
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
Marion	68.9%	55	18	18	6
PD	59.1%	25	14	11	2
Firm	73.6%	1			
Consortium	77.1%	29	4	7	4
Total	68.9%	55	18	18	6

Marion County Unrepresented Individuals 7/1/2023 - 1/24/2025 (sourced from OJD Unrepresented Dashboard)

In Custody - Unrepresented Individuals

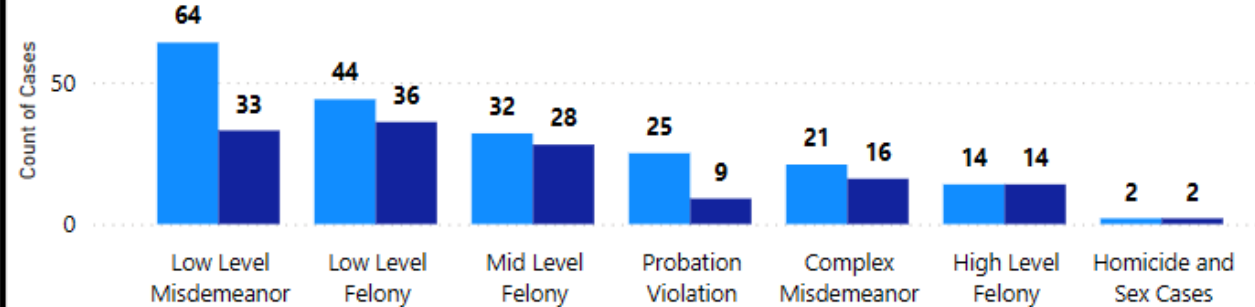


Out of Custody Pretrial - Unrepresented Individuals



State Trial Division Cases by Client's Highest Charge

Case Count Clio Client Count

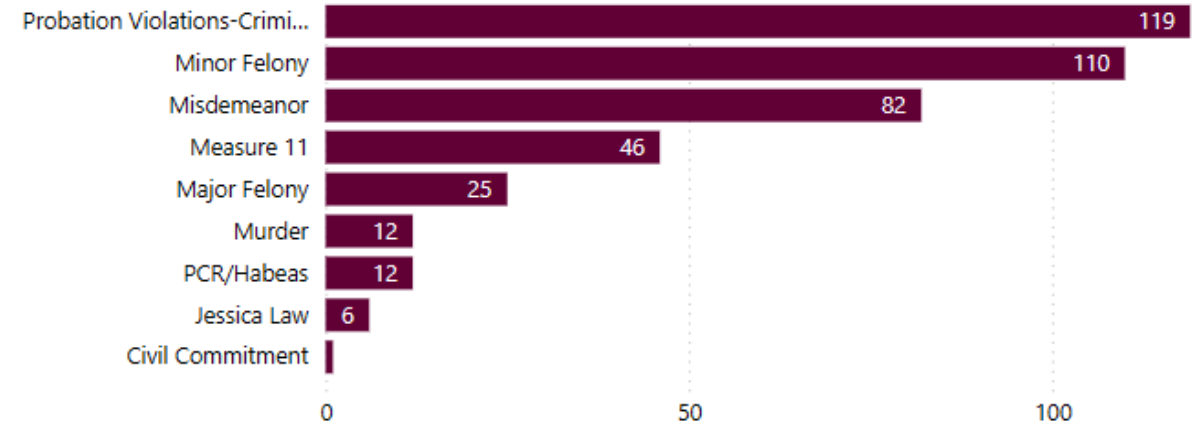


7525
Contract Cases

202
State Trial Cases

411
THIP Cases

THIP Cases since July 1, 2023

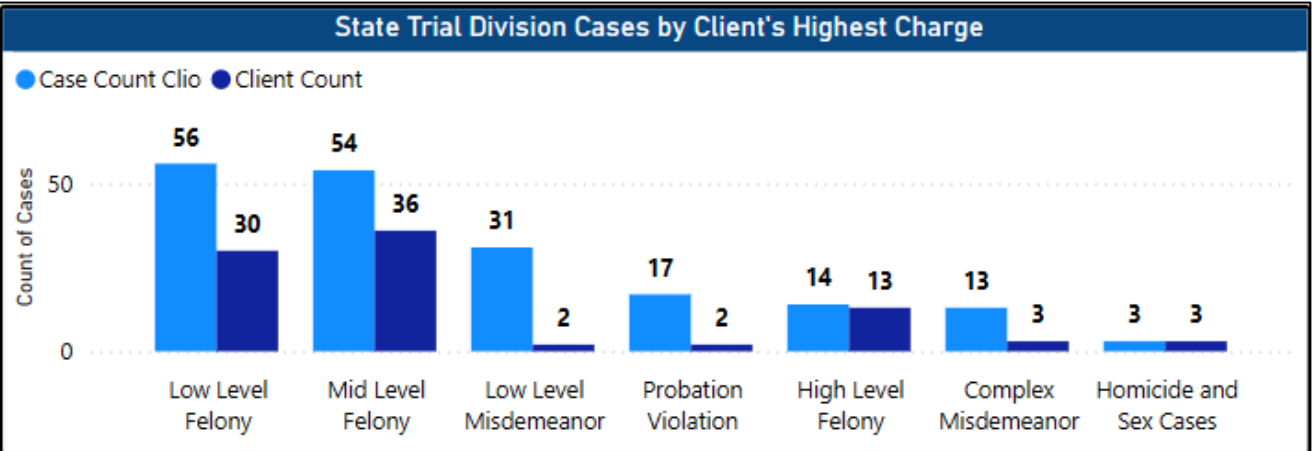
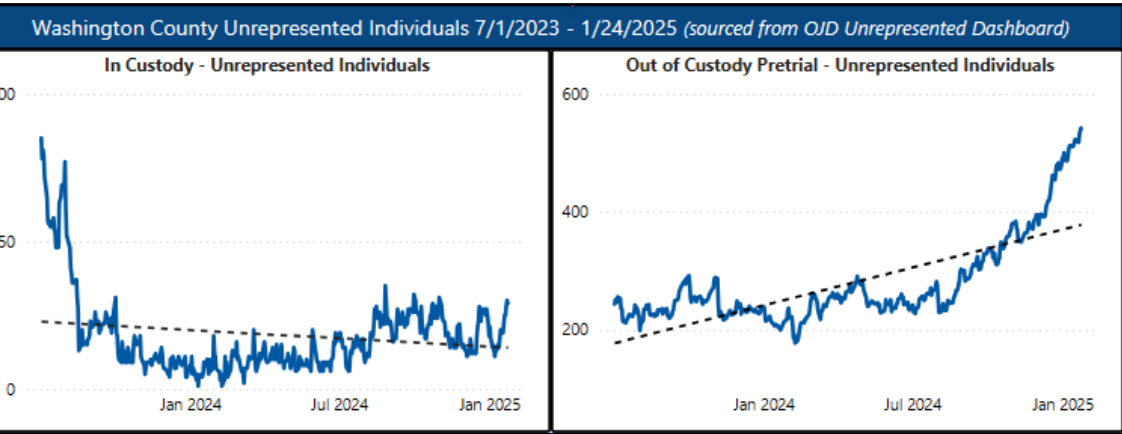


Washington

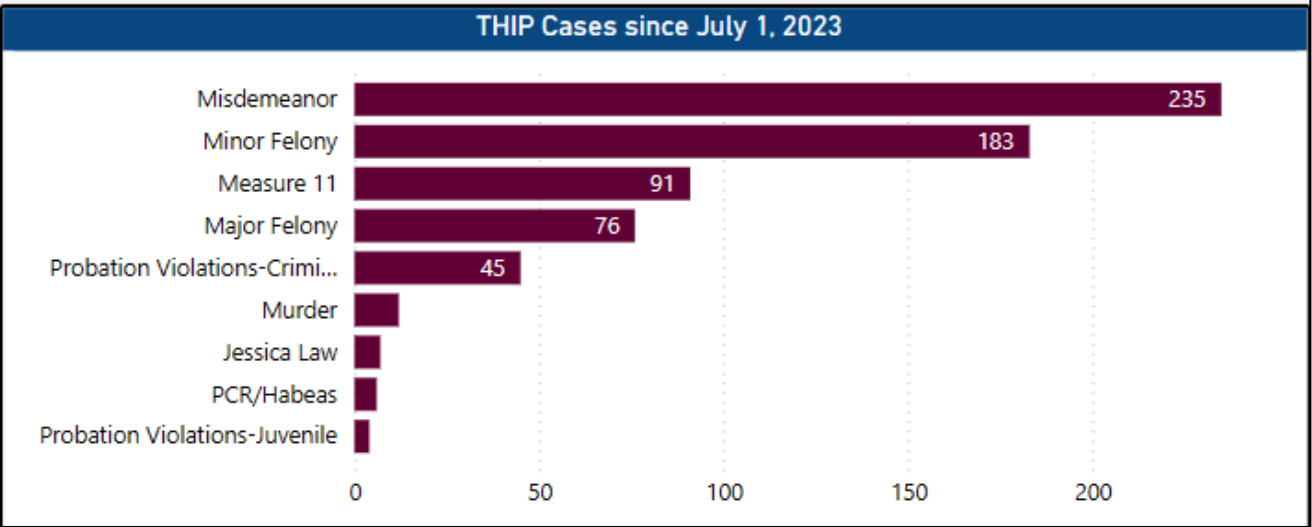
Cases Filed 2023 - 2024 **Increased by 18%.**

(Source: Oregon Judicial Department, One-Year Change in Public Defense Related Cases Filed 2023 - 2024 by Judicial District)

Criminal Contract MAC & Attrition					
Contractor Caseload Data July 2023 - December 2024					
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
Washington	99.3%	66	25	17	7
⊕ Sole Proprietorship	80.6%	1		1	1
⊕ Firm	94.6%	21	10	7	3
⊕ PD	98.6%	33	12	7	3
⊕ Consortium	117.8%	12	3	3	1
Total	99.3%	66	25	17	7



16988 Contract Cases	188 State Trial Cases	657 THIP Cases
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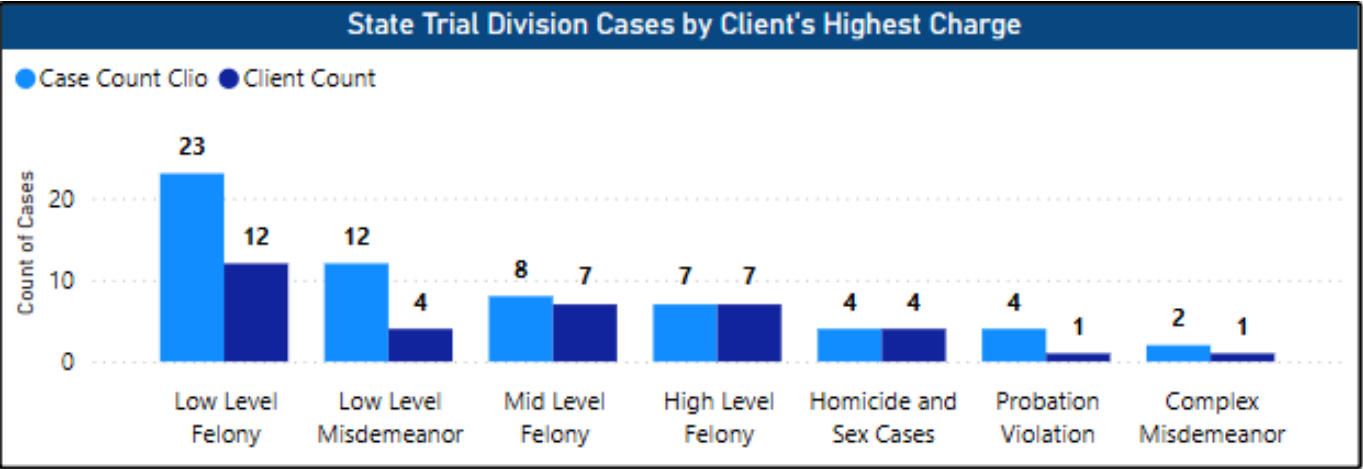
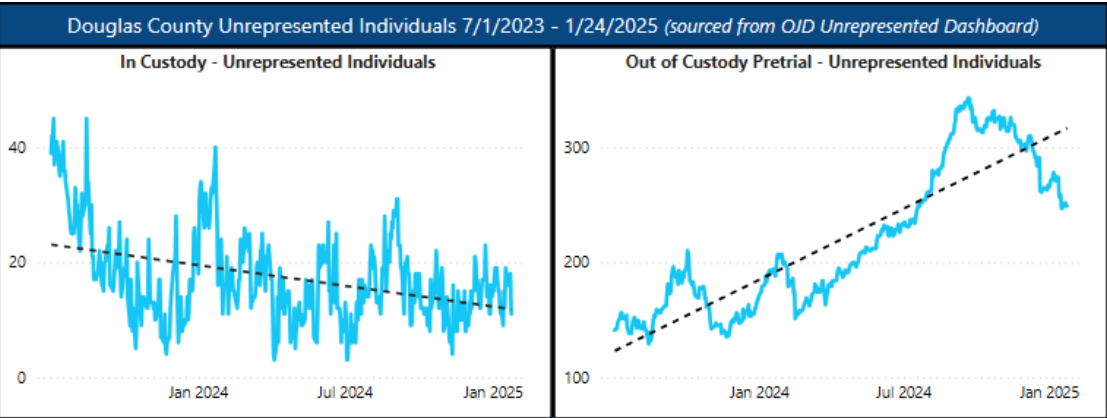


Douglas

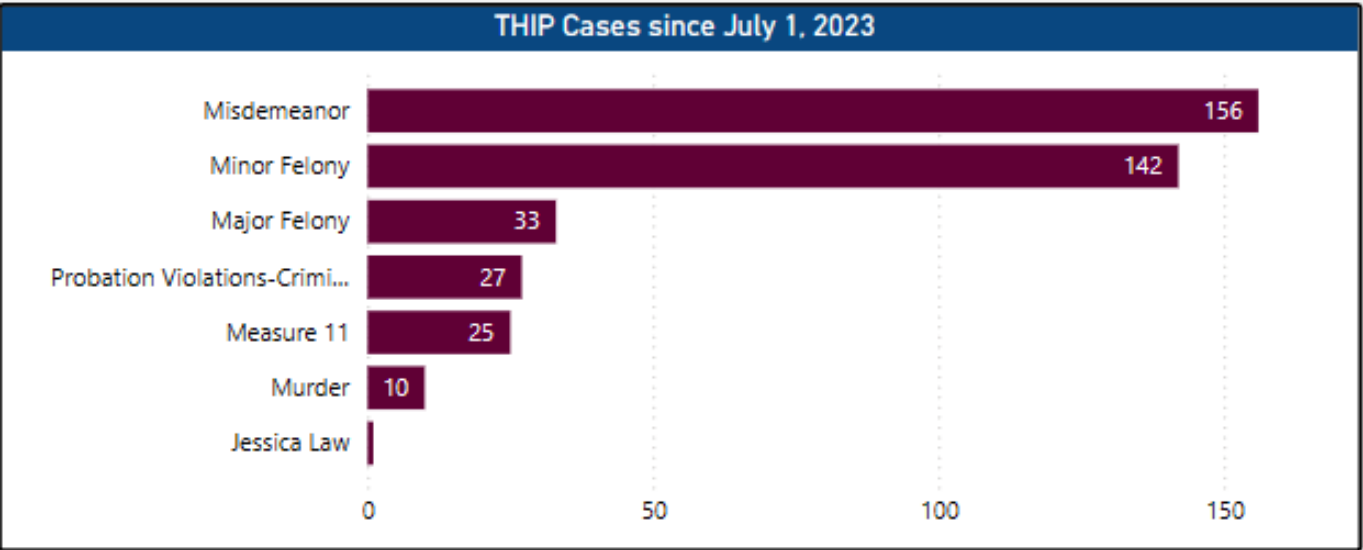
Cases Filed 2023 - 2024 **Decreased by 10%.**

(Source: Oregon Judicial Department, One-Year Change in Public Defense Related Cases Filed 2023 - 2024 by Judicial District)

Criminal Contract MAC & Attrition					
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⊕ PD	75.8%	9	5	2	2
⊕ Consortium	86.0%	4			
⊕ Firm	88.1%	7	1		
Total	81.3%	18	6	2	2



2689 Contract Cases	59 State Trial Cases	388 THIP Cases
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Coos

Cases Filed 2023 - 2024 **Increased by 3%.**

(Source: Oregon Judicial Department, One-Year Change in Public Defense Related Cases Filed 2023 - 2024 by Judicial District)

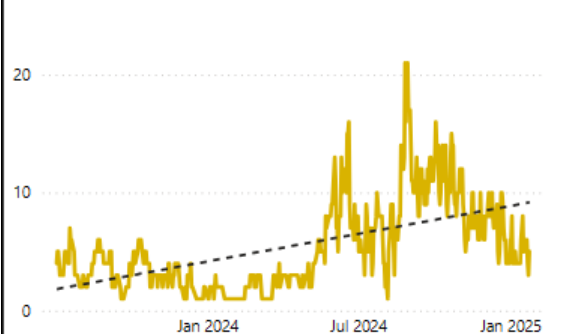
Criminal Contract MAC & Attrition

Contractor Caseload Data July 2023 - December 2024

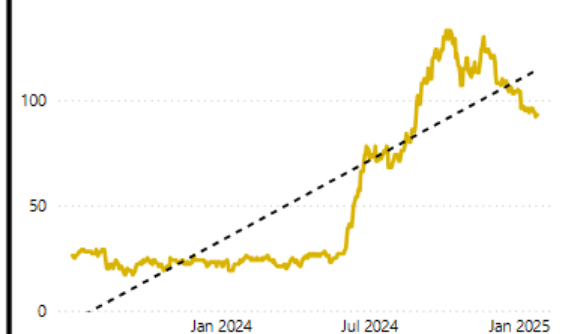
Contractor County	Utilization Rate	Active Attorneys	Hired after 7/1/23	Departed Attorneys	Now Hourly
Coos	99.5%	6	1	4	3
PD	99.5%	6	1	4	3
Total	99.5%	6	1	4	3

Coos County Unrepresented Individuals 7/1/2023 - 1/24/2025 (sourced from OJD Unrepresented Dashboard)

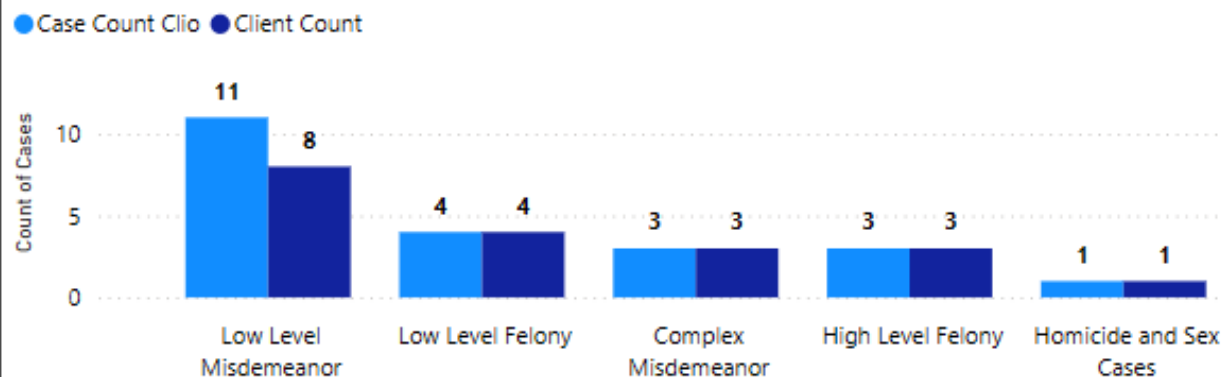
In Custody - Unrepresented Individuals



Out of Custody Pretrial - Unrepresented Individuals



State Trial Division Cases by Client's Highest Charge



1618
Contract Cases

22
State Trial Cases

304
THIP Cases

THIP Cases since July 1, 2023

