

1. Rep. Grayber, Rep. Lewis and Sen. Broadman asked about the impact of 4002 investments.

According to CJC’s [Possession of Controlled Substance Dashboard | Tableau Public](#) there have been 3,298 cases filed with Drug-Enforcement Misdemeanor (DEM) charges. The most common additional charges on DEM cases are Criminal Trespass II (319), and Theft II (236). According to OJD’s public caseload dashboard, [Microsoft Power BI](#), there are currently 65 unrepresented DEM and DEM related cases.

The Legislature made investments to mitigate the impact of DEM charges. These investments went into additional attorney MAC and support staff under contract and additional attorneys and support staff in the Oregon Trial Division. The additional MAC was distributed into contracts in counties with the most anticipated DEM charges.

Case Type	Count of Cases	Client Count by Highest Charge
Felony - Low	208	141
Misdemeanor - Low	190	68
Probation/Parole Violation	106	50
Felony - Mid	83	71
Misdemeanor - High	43	19
Felony - High - Other	18	17
Felony - High - Sex	14	14
DUII - Low	11	9
DUII - High	3	2
Total	676	391

The Oregon Trial Division added 7 attorneys, who have taken 676 cases, representing 391 clients.

2. Sen. Broadman asked about the contracts database and data available.

The screenshot below is an example of the data PDC has available internally on individual attorney MAC and case appointments.

Monthly MAC and Appointments

HomeCounty	Prorated MAC	Reported MAC	Capacity	Utilization_CRIM	Appointed Cases	PCR Agg	Murder	Jessica's Law	Measure 11	Major Felony	Minor Felony	Misdemeanor	PVs
Clackamas	42.36	47.79	-5.43	112.82%	10,941		21	23	109	325	1,963	5,888	
Juvenile Advocates of Clackamas, LLC - Adult Criminal	1.89	2.44	-0.55	129.16%	559								
Clackamas Indigent Defense Corporation - Adult Criminal	40.48	45.36	-4.88	112.06%	10,382		21	23	109	325	1,963	5,888	
	1.51	1.61	-0.10	106.87%	308		1	1	5	19	82	140	
	1.51	1.61	-0.10	106.65%	312		1	1	6	15	83	151	
	0.93	1.38	-0.45	148.26%	531			1	3	15	58	183	
	1.51	1.62	-0.12	107.83%	274		2	1	6	16	71	121	
	1.43	1.58	-0.15	110.16%	351			1	6	14	90	164	
	1.43	1.62	-0.19	113.28%	264		2	1	7	13	69	117	
	1.51	1.64	-0.13	108.85%	289			3	4	16	76	117	
	1.43	1.65	-0.21	114.98%	253		3	1	5	11	52	123	
	1.34	1.20	0.14	89.87%	375							356	
	1.43	1.67	-0.24	116.96%	310			2	7	19	87	137	
	1.06	1.22	-0.15	114.33%	373					1	2	354	
	1.51	1.61	-0.11	107.08%	269		2	1	7	19	64	109	
Total	42.36	47.79	-5.43	112.82%	10,941		21	23	109	325	1,963	5,888	

3. Sen. Broadman and Rep. Chotzen asked why the current unrepresented cases weren't included in the forecast.

We'd like to clarify the conversation around the forecast. The OEA forecast forecasts all eligible cases for the 25-27 biennium. In doing so, they look at all historic cases with an indication that the party was eligible for court-appointed counsel, regardless of whether counsel was immediately available. This includes cases listed on OJD’s unrepresented dashboard. PDC then takes those numbers and applies contracting factors, like co-counsel and partial weighting for some cases, to get the total attorney need to

fully cover the forecasted caseload. We can then break the caseload up into provider types by looking at the current MAC and the Trial Divisions FTE, as well as the projected hourly work. What remains would be the predicted unrepresented workload for the 25-27 biennium, or the ‘gap’ in service levels.

Director Kampfe’s reference to the unrepresented list not being included in the forecast is in reference to the actual cases on the list as of today- or, more accurately, as of June 30, 2025. Just like how current contractors are carrying about 30,000 open cases at any given time, the unrepresented list represents an existing workload, even if that workload is going unmet. The forecast is an appointed forecast, allowing PDC to say we need this many lawyers to represent the eligible charges for 25-27. But on July 1, 2025 there will still be 30,000 open cases, and there will still be a number of people on the unrepresented list.

OEA will update the forecast in April. PDC continues to work with OEA on improving the forecast through future iterations, including how to capture the existing workload. OEA has been a valuable partner in working through this very complex process, and we appreciate their collaboration.

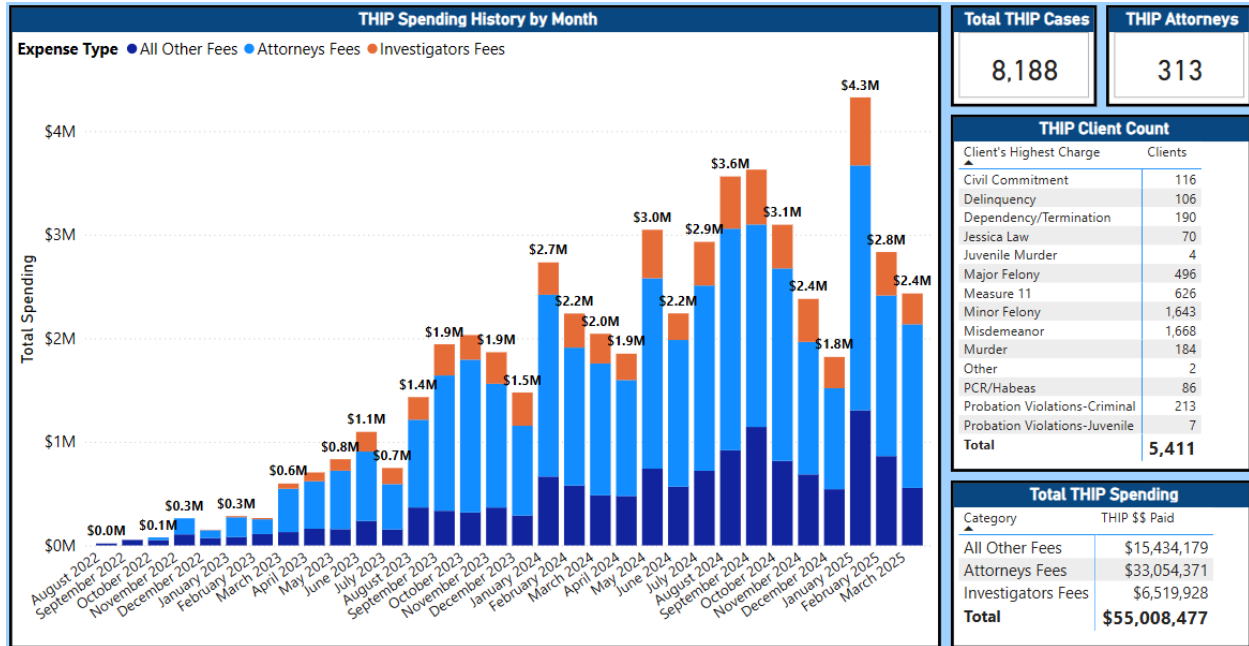
4. Rep. Chotzen asked for the three highest-paid THIP attorneys (de-identified).

Below are the top three highest-paid THIP attorneys, both for the biennium (19.5 months) and for the life of THIP (30.5 months). Four attorneys are represented over both time frames.

THIP Attorney Fees July 1, 2023 - March 18, 2025				THIP Attorney Fees August 1, 2022 - March 18, 2025			
VendorName	Hourly Cases Billed	Attorney Hours Billed	Attorneys Fees Paid	VendorName	Hourly Cases Billed	Attorney Hours Billed	Attorneys Fees Paid
Vendor 1	5	3,465	\$640,191	Vendor 1	6	3,739	\$683,028
Murder	4	2,811	\$525,758	Murder	4	2,826	\$528,311
Measure 11	1	654	\$114,433	Measure 11	1	840	\$145,605
Vendor 2	13	3,154	\$620,497	Delinquency	1	73	\$9,113
Murder	8	2,897	\$570,594	Vendor 2	53	4,060	\$679,631
Measure 11	4	173	\$33,223	Measure 11	18	1,694	\$291,769
Major Felony	1	83	\$16,680	Major Felony	13	1,187	\$194,701
Vendor 3	9	3,066	\$575,950	Minor Felony	20	1,123	\$184,080
PCR/Habeas	8	2,890	\$547,184	Misdemeanor	2	56	\$9,082
Minor Felony	1	175	\$28,766	Vendor 3	13	3,473	\$674,444
				Murder	8	3,216	\$624,541
				Measure 11	4	173	\$33,223
				Major Felony	1	83	\$16,680

5. Sen. Broadman asked for more information about THIP generally and what costs are included.

THIP costs are made up of the enhanced hourly rates for attorneys and investigators. However, PDC is tracking all costs associated with THIP cases, including the PAE and CME expenses that any case would incur. PAE and CME costs were further discussed on Day 3. Below is the most up-to-date graph of THIP expenses.



6. Rep. Chotzen asked about Discovery funding and where it is being moved to if not with PDC.

PDC provided discovery costs as a reduction in order to meet the 10% reduction list for the GRB. Discovery costs do not further our mission and are simply a pass-through expense for our agency. Discovery expenses do not appear to have been moved to another agency within the GRB. SB 177 and SB 178 have been introduced, which would change the discovery procedure and payment; however, as of now, those bills have not been scheduled.

7. Sen. Broadman asked us to verify Package 90 for CME.

The numbers presented for Package 090 for Court Mandated Expenses are correct.

The agency recommended \$3,743,184 in reductions as a part of the budget process. In package 090 the Governor’s Budget removed the calculated inflation, \$3,713,367, for a total 090 reduction of \$7,456,551. Also in package 090, the Governor’s budget realized an additional investment that would continue the THIP through December 31, 2025, instead of the planned sunset of June 30, 2025, adding \$11,352,179 to this budget. This addition when coupled with the reductions equated to a net increase of \$3,895,628. The below chart outlines these actions:

Court Mandated Expenses reductions	-7,456,551
Court Mandated Expenses additions	11,352,179
	3,895,628

8. Rep. Grayber would like to see the CSL over time graphed along with cost per case over time.

PDC does not have an accurate cost per case to answer this question. However, Sen. Broadman asked a similar question on Day 3. PDC is working to try to answer both of these questions.

9. Sen. Broadman asked about the caseloads of the state trial offices.

OPDC began consistently reporting on the Trial Division’s MAC in January to aid in easier comparison between contracted and state-employed attorneys. OTD is not using the MAC standard, once a trial division attorney resolves a case, we can replace that capacity with new cases because trial division attorneys are not limited to a maximum number of cases per year.

This table shows current MAC utilization of the Trial Offices as of 3/17. OPDC directed the Trial Division to reach or exceed MAC standards as soon as possible while maintaining ethical standards of practice. The Northwest Trial Division, which is the only office under 100% of MAC, has done that. Increasing from 60% at the end of January to 72.6% at the end of February to 76.3% today.

Oregon Trial Division MAC Capacity Analysis				
<i>Excludes Chief Deputy Defenders</i>				
Trial Office	All Cases Utilization	Prorated MAC	Reported MAC	Count of Cases
☐ Central Valley Trial Division - OPDC Trial	121.13%	4.065	4.924	570
☐ Southern Trial Division - OPDC Trial	111.13%	3.152	3.503	515
☐ Northwest Trial Division - OPDC Trial	76.34%	4.372	3.337	468
Total	101.51%	11.589	11.764	1549