

Oregon's Criminal Justice Forecasts



Ways and Means Public Safety Subcommittee

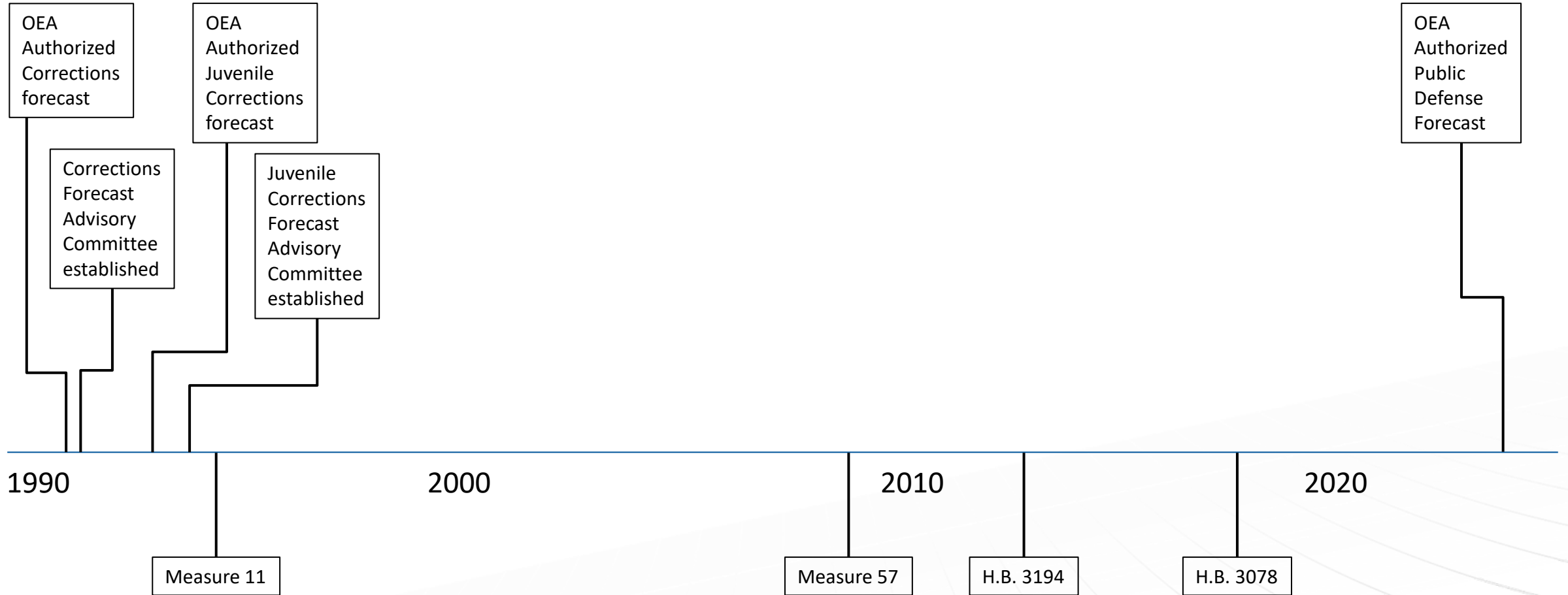
Meeting Date: April 10th, 2025

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 vs. Juvenile; Circuit vs. Appellate; Criminal vs. 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 and 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 and trends in the forecast.

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 will release**)
- Forecast of intakes out ten years
- Release profile (**how each monthly intake cohort will release over time**)

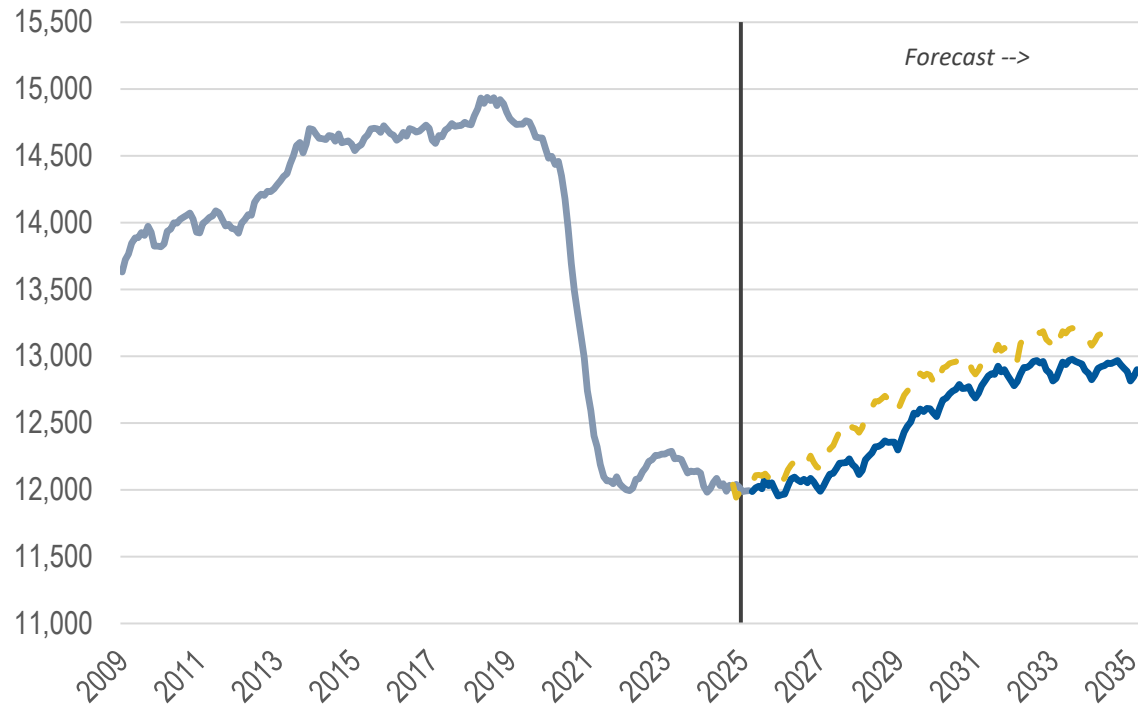
Law change impacts are produced by the Criminal Justice Commission and incorporated following session.

Forecast



Oregon Adults in Custody Forecast

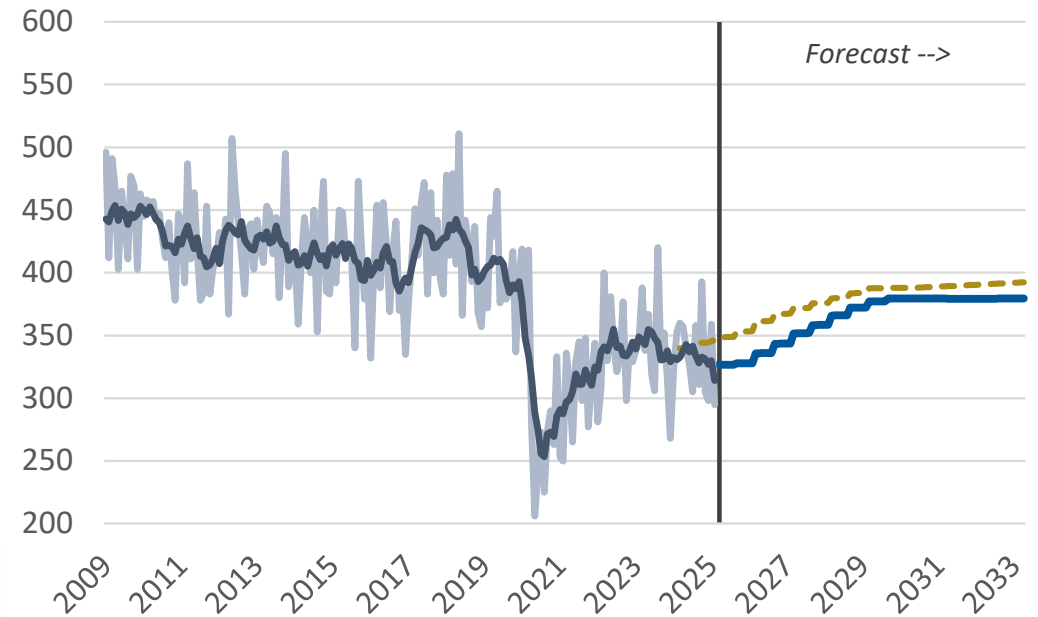
Actuals; Current Forecast; Previous Forecast



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

Total Prison Intakes

Actuals | 7 Month Average | Forecast | Previous Forecast



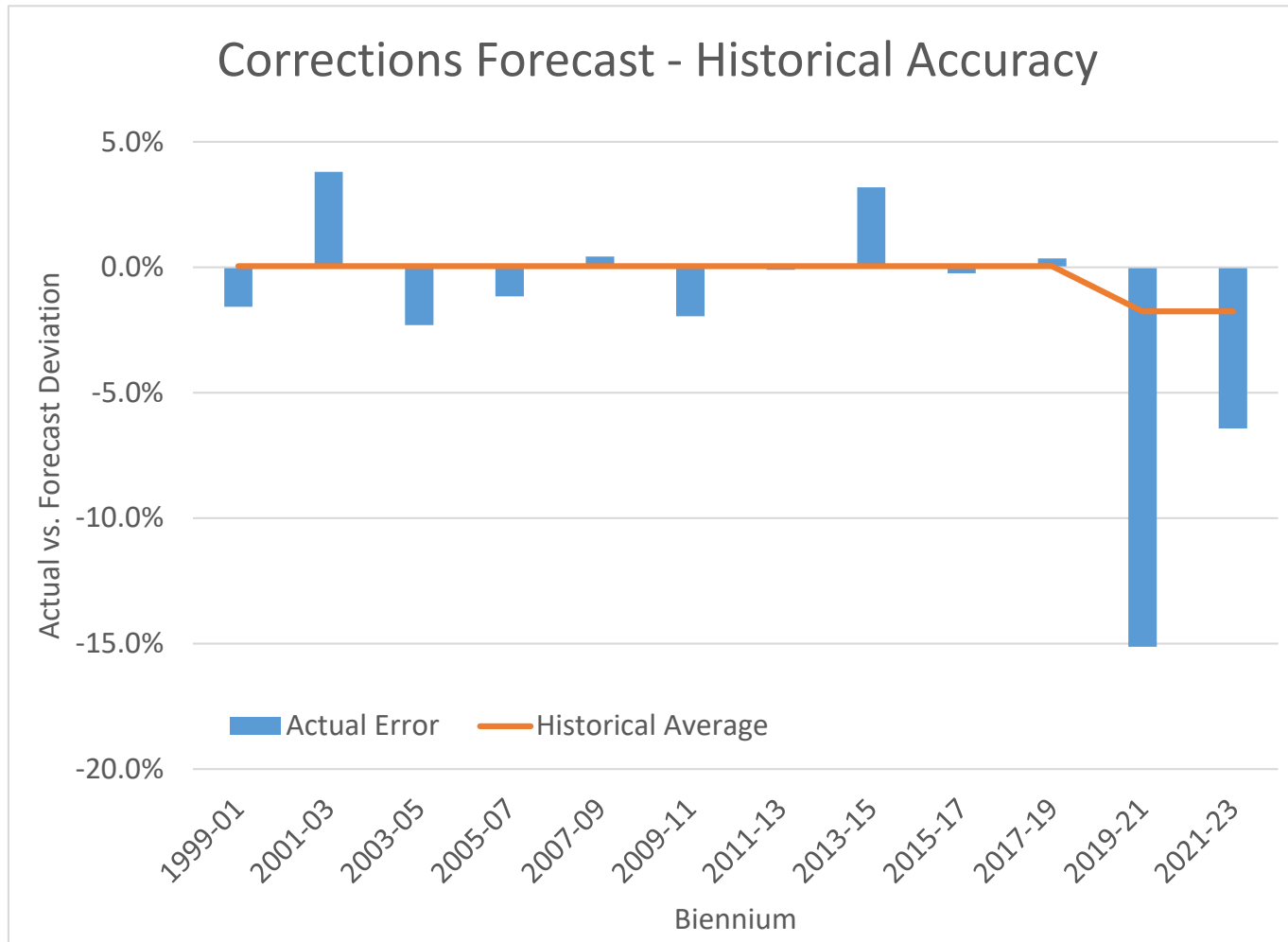
Source: Oregon Dept of Corrections, Oregon Office of Economic Analysis



Assumptions/Risks

- Assumes intakes return to pre-pandemic levels by 2028: in turn dependent on resolution of the shortage in public defense attorneys.
- Intakes tied to long-run population growth (key assumption and risk).
- Current law forecast: also assumes current prosecutorial and judicial practices hold constant throughout forecast horizon.

Forecast Performance



- Measured from October even-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.

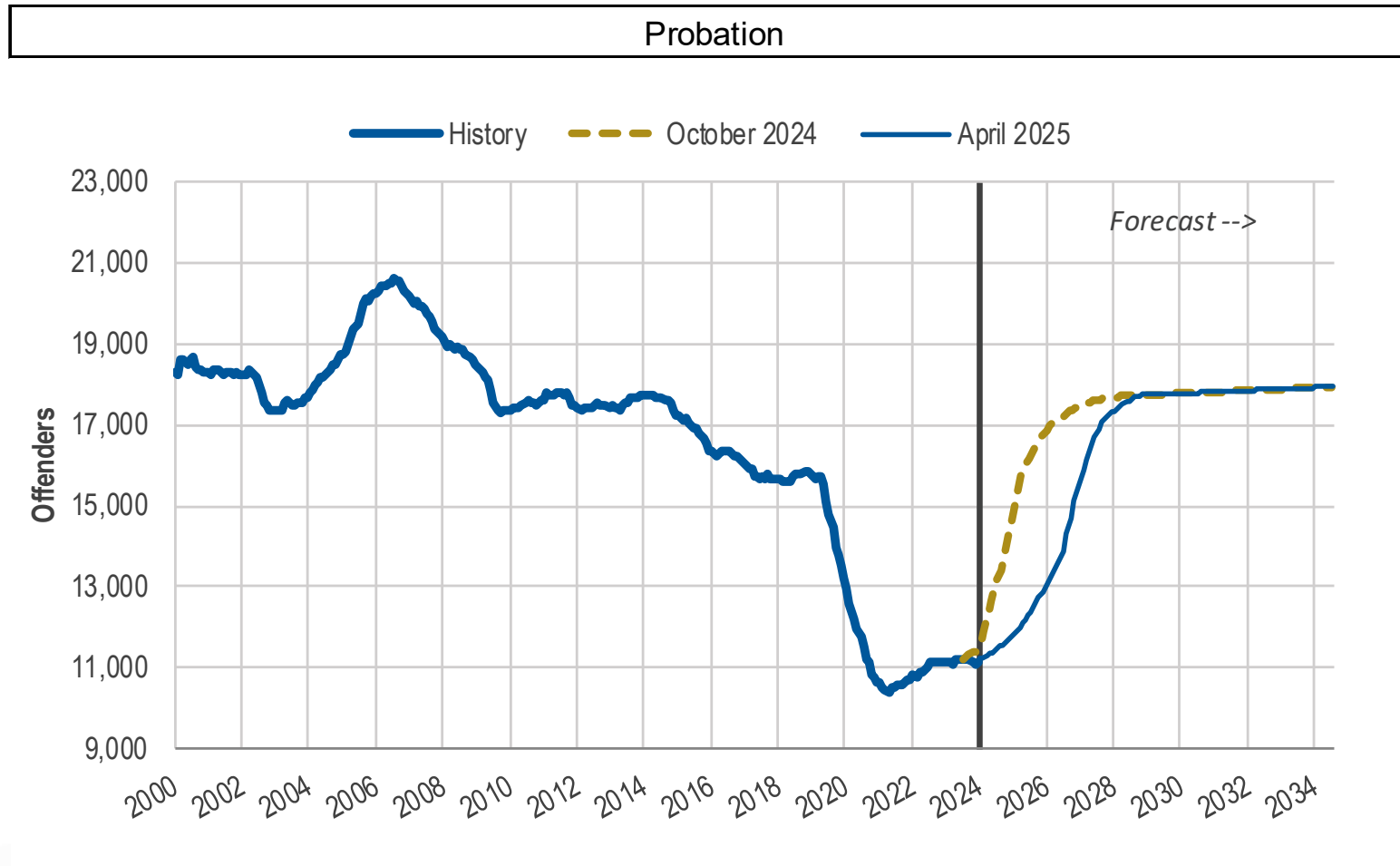
Assumptions and Risks:

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

Performance

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

Community Corrections



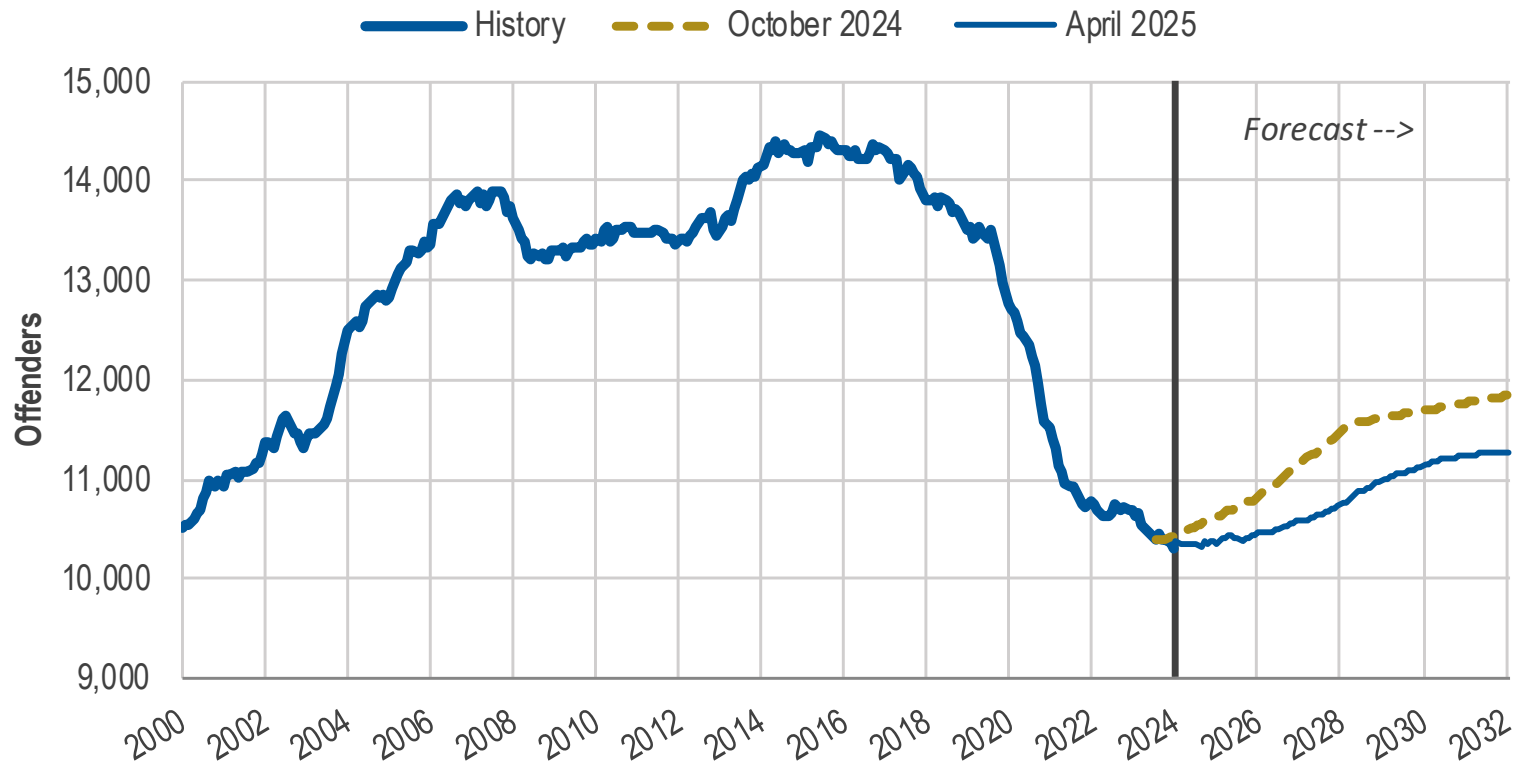
Community Corrections



Community Corrections



Post Prison Supervision



Youth Corrections Forecast

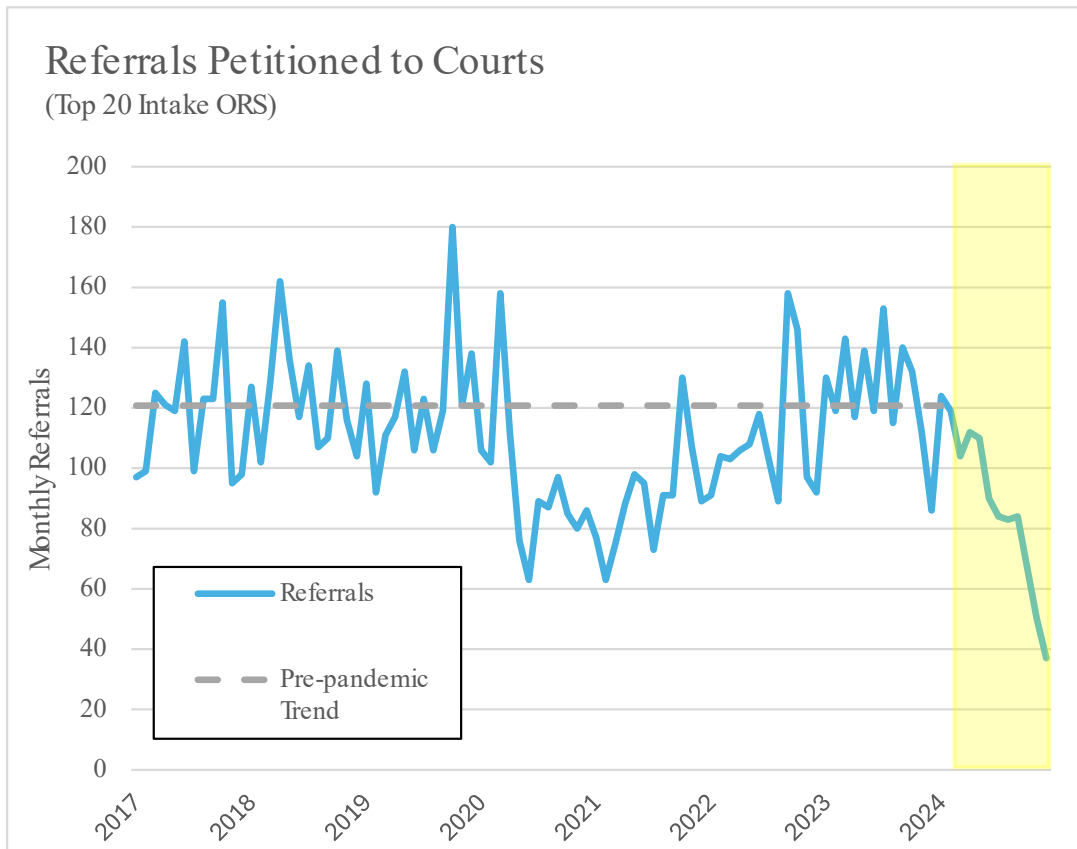


Methodology

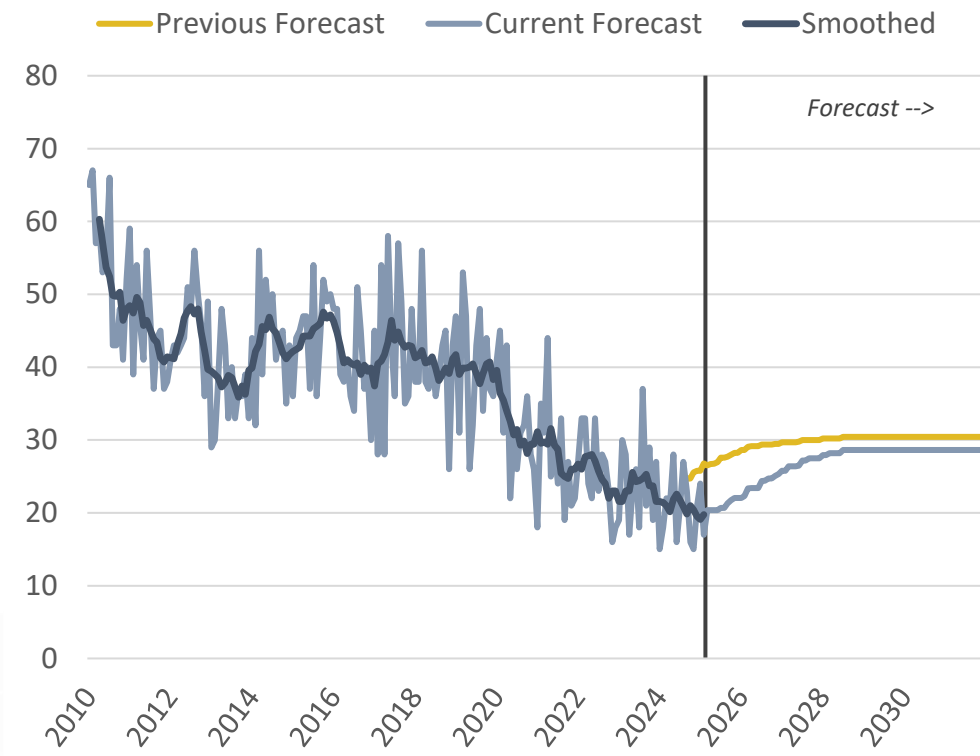


- Same methodology as the Adult Forecast.
- Most youth have indeterminate sentences (i.e., no Projected Release Date).
 - Historical length-of-stay patterns are used to project release rates.

Disconnect?



Total YCF Admissions

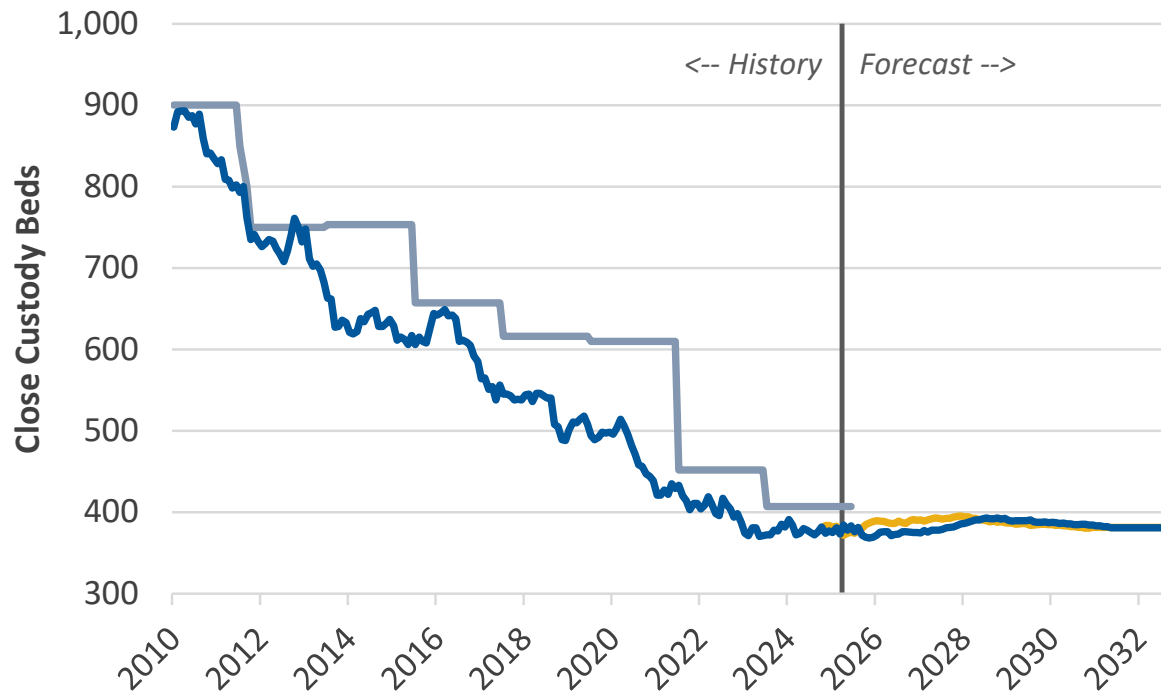


Forecast



Total YCF Forecast

Latest Forecast | Previous Forecast | Budget Allocation



Source: Oregon Youth Authority, Oregon Office of Economic Analysis

- Pre-pandemic bed level was 500.
- Beds have averaged roughly 380 since the beginning of 2023.



Assumptions and 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 need 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



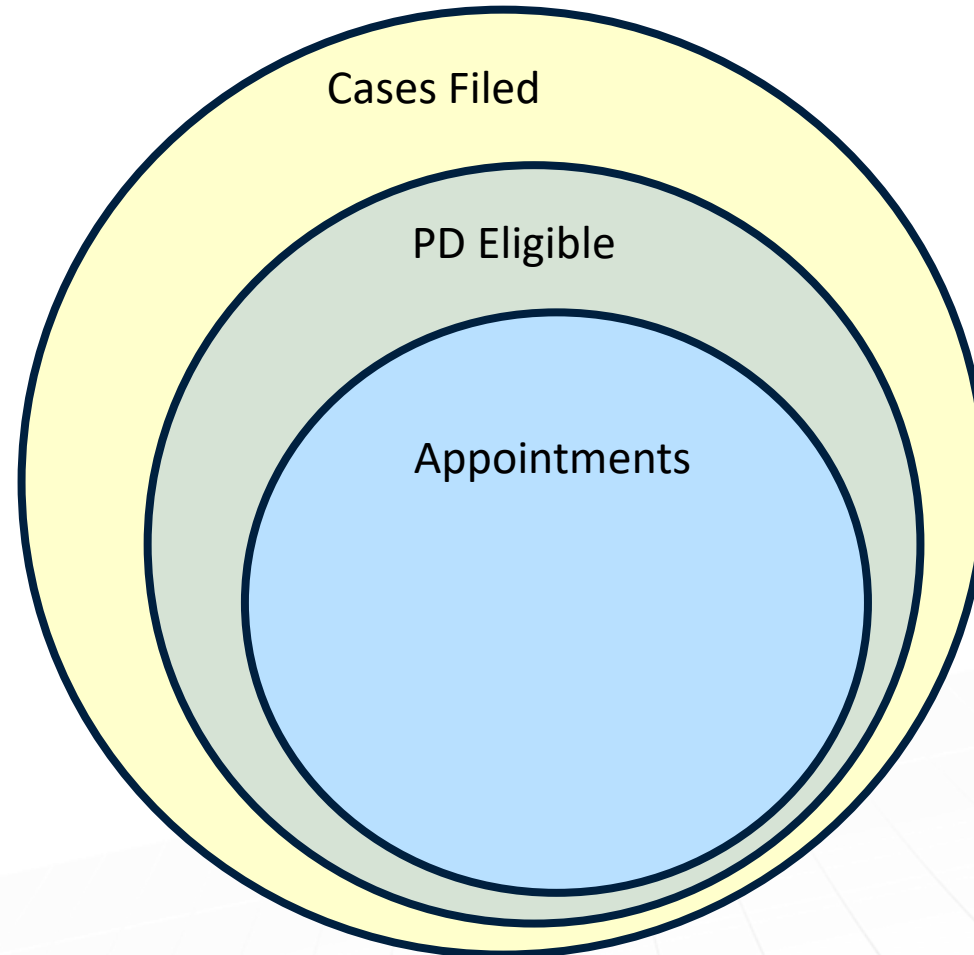
Directive



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**”

Public Defense Populations



Methodological Overview



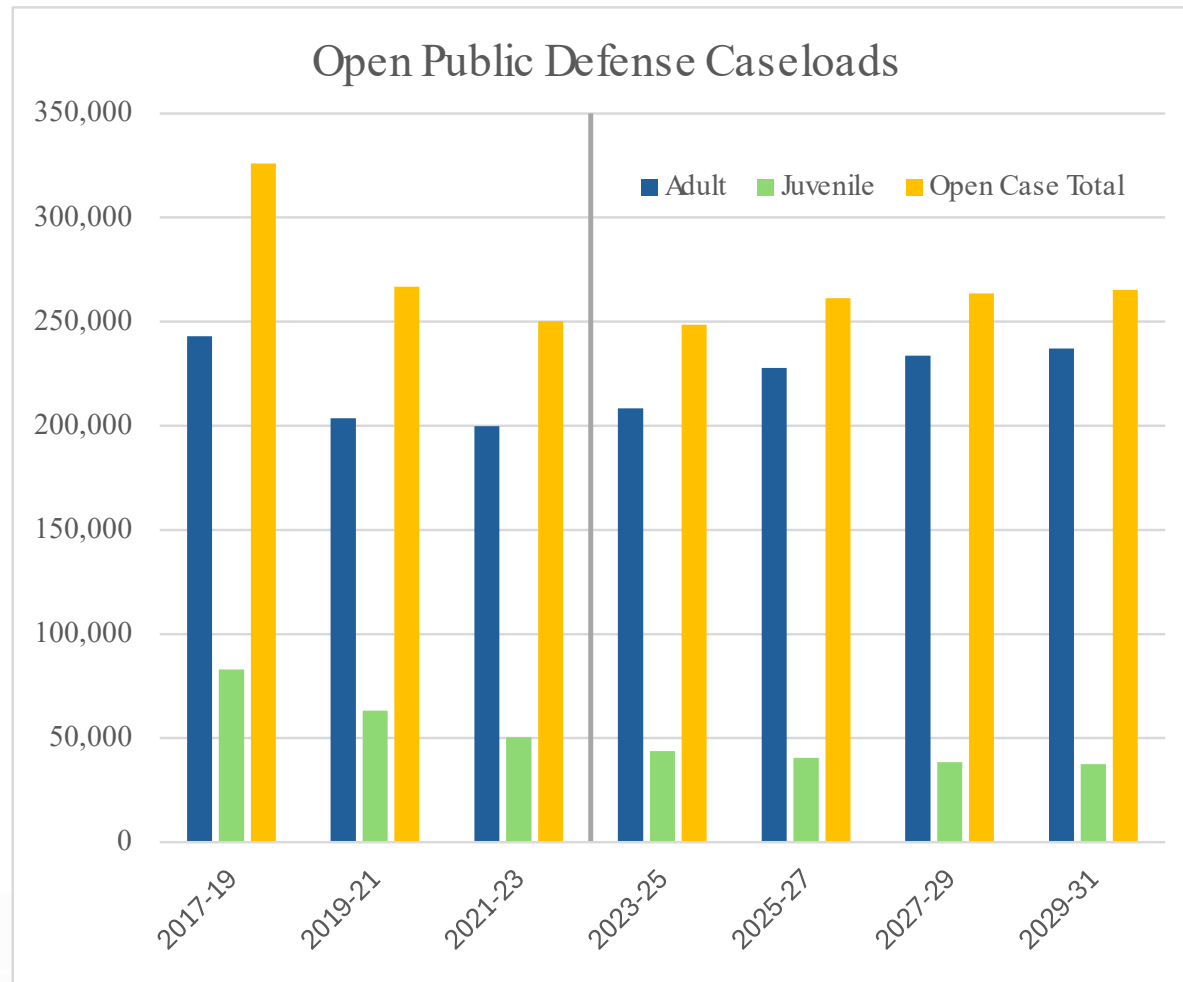
- First two forecasts focused on new “instances” of becoming eligible.
- Following discussions with OPDC, OJD, DAS-CFO and LFO: developed an open caseload model.
 - Still requires forecasting new instances of eligibility.
 - Adds caseload and episode length metrics
 - Similar to Corrections model with excellent track record.

Public Defense Forecast



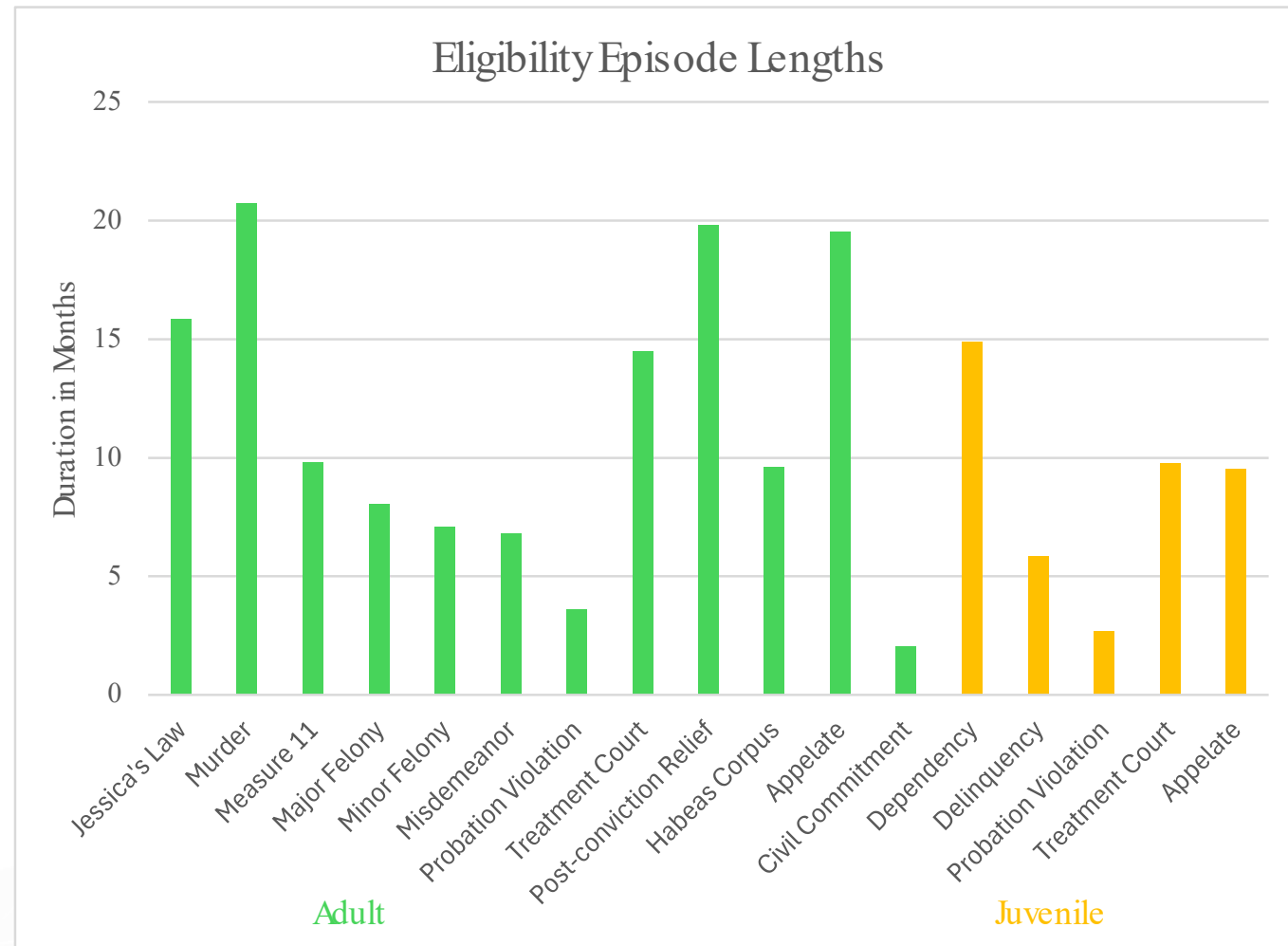
New Cases Eligible For Public Counsel: Forecast Change				
		April 2024 Fcst	April 2025 Fcst	Change
		2025-27	2025-27	2025-27
Adult	Felony	46,155	46,340	186
	Misdemeanors	93,923	93,243	-679
	Probation Violation	33,993	27,343	-6,650
	Treatment Court	1,415	1,866	451
	Appellate	3,083	3,565	483
	Post-Conviction Relief	1,248	672	-576
	Habeas Corpus	596	210	-386
	Civil Commitment	4,031	5,496	1,465
	TOTAL	184,442	178,735	-5,707
Juvenile	Dependency*	15,741	17,726	1,985
	Delinquency**	6,696	6,718	23
	Probation Violation	3,945	4,253	308
	Treatment Court	310	338	28
	Appellate	595	683	88
	TOTAL	27,287	29,718	2,432
Total New Cases		211,728	208,453	-3,275

Open Caseload Forecast





Eligibility Episode Lengths





Assumptions and 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 and risk.



Forecast Performance

- Still fine tuning the compilation of the data to characterize cases of eligibility (e.g., returning from warrant status)
- 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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