



February 19, 2020

House Judiciary Committee
State of Oregon

Greetings:

The Fare Inspectors of Tri-County Metropolitan Transportation District of Oregon (TriMet), which are members of the Amalgamated Transit Union (ATU), strongly oppose the State of Oregon removing authority given to Oregon law enforcement officers to enforce public transportation fare violation codes. HB-4097 negatively impacts mass transit districts' ability to maintain peace and order under the authority given to Oregon Peace Officers.

TriMet serves a diverse population, encompassing 533 square miles of the Portland Metro area, providing mobility services to approximately 310,000 riders per weekday.

TriMet's Fare Inspectors believe law enforcement is needed to assist in fare enforcement for the following concerns. Police presence is needed to:

- Immediately enforce and identify any uncooperative violator in a fair and equitable manner
- Immediately address harassing and threatening behavior toward TriMet employees and the public
- Immediately enforce interdiction commands, behavioral exclusions, and individuals who are interfering with public transportation
- Investigate time-sensitive safety and security issues that are above and beyond the scope of TriMet employees
- Encourage voluntary compliance with all TriMet code and reduce overall criminal activity

TriMet has enacted several codes to protect riders from unfair and/or biased treatment (TriMet Code Chapter 29) to create a cost saving, self-service, barrier-free fare collection system available to all community members, regardless of socioeconomic status. To ensure safety and security to riders, Oregon Revised Statutes (ORS) 267.140 mandates TriMet's General Manager shall enforce all ordinances adopted by the Board of Directors, which includes giving Oregon Peace Officers authority to enforce TriMet Codes under Chapter 28 & 29.

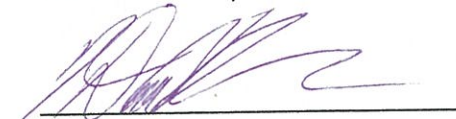
ORS 267.200 recognizes mass transit districts as municipal corporations of this state as a public body, corporate and political, exercising public power. In 2018, TriMet enacted Ordinance 349, amending TriMet Code Chapter 29.35, thereby adopting administrative options that help decriminalize fare evasion. TriMet has enrolled over 25,000 riders in the low income Honored Citizen program. TriMet has also institutionalized several safeguards to prevent biased or discriminating practices, including independent surveys of TriMet fare enforcement practices and reducing law enforcement presence during fare enforcement missions. HB-4097 does not recognize the enormous efforts TriMet has undergone to address community concerns, nor does it allow us the flexibility to adapt and change our enforcement practices based on concerns from the community.

Due to many disruptive persons refusing to pay fare, TriMet has received several thousand complaints (verbal and written) from riders and staff requesting more police, security and fare enforcement presence on the system. TriMet's fare enforcement program employs a number of contracted security officers to support TriMet staff. TriMet security staff do not have the power of arrest for those simply refusing to cooperate by providing their legal name to Fare Inspectors issuing them a citation. When being non-cooperative, disruptive persons who chose to avoid paying fare often engage in criminal activity and/or TriMet code violations simply because police are not on site. Having police support routine fare inspections helps promote civility and courtesy for everyone, also giving police authority to enforce code violations when responding to 911 calls when TriMet staff are not available.


It is widely believed by customers and staff that not all who evade fare engage in criminal acts, but rather all who engage in criminal acts on public transportation evade paying fare. TriMet's fare inspection program, occasionally supported by law enforcement, helps provide safe rides for both customers and staff.

Sincerely,

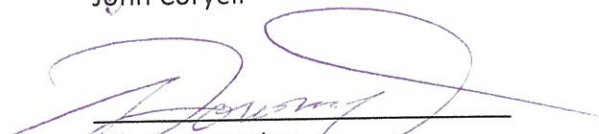
TriMet Fare Inspectors



Dan Brown



John Coryell




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Jerry Dobbels



Ray Donna Harley



Brian Le



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