

Kate Brown
Governor



Oregon Commission on Black Affairs
"Advocating Equality and Diversity"
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OCBA Testimony in favor of SB 357-1
April 18, 2017, 8 am, HR 343
Senate Committee on Judiciary

Chair Prozanski, Vice Chair Thatcher, and Senators Dembrow, Linthicum, and Manning:

OCBA supports the SB 357-1 legislation that will change the Interfering with Public Transit penalties that charge riders with Class A misdemeanors for being caught without a ticket. Changing the law to a Class C misdemeanor and keeping the Class A penalty for those who frequently violate the rules is a needed change to the Interfering with Public Transit penalty that currently is considered on par with a DUI. The transit rider penalty of Interfering with Public Transit serves a role in providing a safe and accessible transit system for all, but the excessive nature of this deterrent may not be serving the public interest as it was intended.

Oregon Commission on Black Affairs work for the implementation and establishment of economic, social, legal and political equality for Oregon's African American and Black populations. The OCBA is concerned that transit riders statewide may see unequal treatment when it comes to enforcement of Interfering with Public Transit penalty for evading fare. The OCBA commissioners are keenly aware of how fare enforcement officers can be an intimidating presence and create unneeded stress when riding on transit.

Young people and immigrants are reporting over policing and confusion in the current enforcement system. African men traveling to and from work riding the MAX from Gresham to Beaverton are often caught with expired tickets and find themselves caught with the Interfering with Public Transit penalty, they can't get off work to fight it in Multnomah County Courts and find themselves with escalating penalties they can't afford. Young people also feel that the transit system unfairly targets them for being black and riding with a group of friends. They end up in court broken by a system that resembles a debtors' court more than a justice system. Young people can't afford the fines and penalties that feel like a weight on people who may be living in poverty.

The public transit system needs to be equitable. It serves Oregonians by safely bringing them to and from the places where people live, work, play and pray. The buses, trolleys, and light rail are an asset to our communities, economy, and the environment.

An important study by Portland State Professor Brian Renauer from the Criminal Justice Policy Research Institute review of TriMet fare enforcement in 2014 found that Black riders caught without a ticket on a MAX train are significantly more likely to be banned from TriMet than

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whites and other groups. The consequences of being perceived as having a biased enforcement erodes the trust of the general public in the services that are meant to serve all equitably.

The current law contains penalties that are excessive, and for those who are disproportionately receiving these penalties, it adds up. These penalties can escalate to high fees, penalties, and the fear of being banned for 90 days or more from the transit system. The goal of this legislation will work towards rebuilding some eroded trust in our fare enforcement system and to put a more reasonable penalty for Interfering with Public Transit.

Thank you for your positive consideration of SB 357-1 in the judiciary committee.

A handwritten signature in black ink, reading "Robin Morris Collin". The signature is written in a cursive, flowing style.

Commissioner Robin Morris Collin