

Dayna Jones

Law Student, Lewis & Clark Law, and Legal Intern, OPAL Environmental Justice Oregon and Representative Karin Power

Dear Senate Chair Prozanski, Vice Chair Thatcher and Members of Committee,

I am a law student at Lewis & Clark centering the bulk my education and work on environmental justice and Indian law. As a result, I often find myself disgusted at the failure of our decision makers to protect the most vulnerable members of society. Fear-based protective measures which are achieved through the increased criminalization of poverty have been proven **not** to protect society, instead only increasing the historical burdens weighted upon the shoulders of communities of color and low income.

SB 357 shows that our decision makers are prioritizing the safety and well-being of transit users by decriminalizing the charge of interference with public transit (IPT) when one boards or unlawfully remains on a public transport vehicle or station. The safety and well-being of transit users is increased because most folks who are charged with IPTs are charged because of a previous exclusion, not as an actual interference with a bus operator or vehicle operation. When folks are arrested the high-stress environment of an arrest causes public upset and insecurity. Additionally, the person arrested experiences personal upset and an increased financial burden (many transit-dependent riders come from communities of color and low income, further perpetuating systems of racial and socioeconomic inequality). The increased financial burden of criminalized IPT charges bleeds into the sphere of the tax-paying public as, up until recently, IPT charges have made up a large portion of the caseload in Multnomah County's Community Court.¹ In 2014, it is estimated that local courts spent approximately \$1.4 million on IPT charges in the Portland-metro area. This estimate does not include costs associated with arresting offenders, transporting them and lodging them in county jails.²

Although some jurisdictions are making positive steps toward the decriminalization of IPTs, this progress is not being felt uniformly around the state of Oregon. The 2015 DOJ report on police and court practices in Ferguson, Missouri³ shed light into the ways in which a predatory system of enforcement of minor misdemeanors and compounding fines can trap low-income people in a never-ending cycle of debt, poverty, and jail. Often times laws and regulations that are not discriminatory on their face become discriminatory through the unconscious (and unfortunately, conscious) biases that come into play with their enforcement. SB 357 is essential to ensure that all transit riders and community members equally benefit from the cultural move against racist and unproductive policies criminalizing poverty and toward policies of equity and restoration. Please support advancing this important bill and let me know if you have any questions. (Or need any extra research!)

Best,
Dayna Jones

¹ "Jane Fox, a public defender who handles cases in Multnomah County's Community Court, says IPT charges make up 25 percent of her caseload." <http://news.streetroots.org/2015/03/10/trimet-exclusions-one-wrong-step>

² *Id.*

³ https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf

