



**Testimony of Kimberly McCullough, Legislative Director**  
**Supporting HB 2777**  
**Senate Committee on Judiciary**  
**April 25, 2017**

Chair Prozanski and Members of the Committee:

The American Civil Liberties Union of Oregon<sup>1</sup> supports HB 2777, which would create an optional administrative process for resolving TriMet citations and help to prevent riders who receive citations from facing increased fines, exclusions, and entanglement with the court system. More specifically, HB 2777 would allow TriMet to:

- Stay violations for up to 90 days;
- Create administrative payment options;
- Allow for community service in lieu of payment; and
- Design an optional administrative administration process.

The ACLU of Oregon has concerns about TriMet’s current fare enforcement policies and tactics, along with the current system for resolving citations for fare evasion. In particular, we are concerned that low-income individuals who are unable to pay fines can easily end up in a situation where they face higher and higher fines, exclusion from TriMet buses (which can last up to 90 days), and potential criminal charges for Interfering with Public Transit (IPT) for repeat fare evasion.<sup>2</sup> We were also concerned to learn in December about data showing significant racial disparities in which riders who are caught without a ticket on MAX trains end up being banned from TriMet.

We believe HB 2777 is an important piece of much-needed reform of TriMet fare and enforcement policies. We would also like to see increased access to TriMet passes for low-income individuals, seniors, and people with disabilities, which we believe will greatly reduce fare evasion. We also support the passage of SB 357, which will remove entering or remaining unlawfully in or on a public transit vehicle or public station as a manner of committing the crime of an IPT—a Class A misdemeanor—from the Oregon Revised Statutes and reduce the criminalization of people of color and low income individuals.<sup>3</sup>

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<sup>1</sup> The American Civil Liberties Union of Oregon (ACLU of Oregon) is a nonprofit, nonpartisan organization dedicated to preservation and enhancement of civil liberties and civil rights with more than 37,000 members in the State of Oregon.

<sup>2</sup> We understand that Multnomah County is no longer charging individuals for IPT for repeat fare evasion under a newly adopted policy. The option still remains on the books, however, and could be enforced if policy is changed.

<sup>3</sup> IPT is a redundant law, one that is already covered by several statutes that are already in place but impose a lighter penalty.

For all these reasons, we urge you to support HB 2777. Please feel free to reach out with any questions or to discuss this further. Thank you for your time and consideration.