



**Testimony Supporting HB 3335  
House Committee on Judiciary  
March 25<sup>th</sup>, 2019**

Chair Williamson, Vice-Chairs Gorsek and Sprenger and, Members of the Committee,

I submit this testimony on behalf of the Oregon Law Center (OLC) in support of HB 3335, which would remove criminal sanctions for simple non-payment of transit fare in a mass transit district.

As you know, OLC's mission is to achieve justice for low-income communities of Oregon by providing a full range of the highest quality civil legal services. Many of our low-income clients depend upon the transit system as their primary system of transportation. Our clients use mass transit to visit their friends and family, get to work, do their errands, and access critical social services. It is important to ensure that access to transit is as available and accessible as possible. In the midst of a statewide housing crisis and increasing homelessness, more and more people struggle to afford access to transit, even though they are dependent upon it.

In the event of a violation of a transit fare requirement, current law allows a prosecution for a Class C Misdemeanor, with an upgrade to a Class A Misdemeanor in certain circumstances. This can often lead to incarceration as well as significant collateral consequences to employment and housing that may be vastly out of proportion to the nature of the infraction. In addition, fines for citations may be impossible for some low-income Oregonians to ever pay.

Recent studies have shown that prosecution for fare evasion is a practice that has had a disproportionate impact on communities of color. People who are low-income or homeless are also disproportionately impacted. Passage of this bill would reduce negative impacts on vulnerable people while preserving the serious treatment of interference with transportation services, disorderly conduct, or offensive physical contact. The bill helps to make a distinction between serious behavior that causes hurt or interference with others, from behavior that is highly likely to be associated with poverty or necessity.

HB 3335 would protect against significant collateral consequences of transit violations that currently impact low-income people, seniors, people with disabilities, and other vulnerable Oregonians to a greater extent than others. Passage of the bill will allow greater security of access to mass transit.

For these reasons, we urge support of HB 3335. Thank you for the opportunity to submit testimony.