



TO: House Committee on Judiciary
FROM: DeAnna Horne, Attorney at Law, on behalf of OCDLA
DATE: February 5, 2020
RE: Support for HB 4097– Relating to mass transit districts

Chair Sanchez, Vice Chairs Bynum and Sprenger, and Members of the House Committee on Judiciary,

I am writing on behalf of OCDLA to urge you to **support House Bill 4097**. OCDLA members across this state represent the most vulnerable members of our communities. We represent folks who are mentally ill, people who suffer from drug and alcohol addiction, and those whose challenges affect the ability to parent their children. We represent people who cannot afford to pay for basic needs for themselves or their children, who suffer from food instability, houselessness, and inability to purchase medicine. All too often, these vulnerable members of our community rely on public transportation for their daily needs and, indeed, sometimes their safety.

Placing police officers on busses and trains with the mission to make sure that each and every person riding public transit has complied with the rules regarding fare payment places the most vulnerable members of our communities in jeopardy. Those who can not afford to pay fare but who are absolutely dependent on public transit to access the mental health, treatment, or medical care that keeps them alive and safe are placed in a position where a simple ride to the doctor could end in a criminal charge.

In the Portland Metro area, a person caught riding Tri-Met without having paid fare is excluded from using public transportation. One of our members represented a young mother living in Gresham who was charged with misdemeanor crimes and she was also given a ticket for failing to pay her fare. In order to make it to the downtown Portland courthouse for her court dates and her trial, she walked and hitchhiked from Gresham often starting well before sunup in order to make it on time. When court was over, she would reverse the process—often not getting home until after dark.

Many individuals are ineligible to expunge their criminal records because they have multiple convictions for non-payment of fare (violations). Under ORS 137.225(7)(b), this makes them unable to set aside their criminal records until it has been 10 years from the date they were convicted of the second most recent violation. Thus, fare violations prevent many of our clients from expunging their felony and misdemeanor convictions and dismissed cases. This has a profound effect on their lives—from preventing them from securing safe and affordable housing to often creating a nearly impossible barrier to employment.

While we agree that people should pay their fare to ride public transportation, using police officers to enforce fare regulations places the needs of the public transportation authority over the needs of the vulnerable people they so often serve. **OCDLA urges you to support HB 4097.**

Respectfully submitted by,
DeAnna Horne, Attorney at Law
On Behalf of OCDLA