



March 15, 2021

Chair Power, Vice-Chair Wallan, and Members of the House Judiciary Committee Subcommittee on Civil Law,

We, as leaders of environmental justice and allied organizations, ask you to support transit justice and equity for BIPOC and low-income Oregonians.

We believe that all Oregonians have the right to safe, accessible, and equitable public transportation. For Oregonians of Color and low-income Oregonians, such a right is yet to be attained. We are regularly subjected to racial profiling while utilizing the public good of transit. We are regularly subjected to over-policing while utilizing the public good of transit. We are regularly overly criminalized while utilizing the public good of transit.

HB 2482 accomplishes three simple tasks that can greatly improve the experience of marginalized Oregonians on public transit. It prohibits police officers from acting as fare enforcement. It protects individuals who use a name different than the one on their government-issued ID. It ensures that police officers cannot charge an individual with the crime of interfering with public transit just because they do not have proof of fare payment.

Safety on public transit includes the protection of our constitutional rights to utilize public goods and spaces without the fear that if we forget our fare at home or lose it somewhere on the platform because it's simply that kind of day, we may find ourselves facing criminalization because of systemic racism and classism.

Public safety needs to be multifaceted. As it exists, public safety on transit leaves out the experiences of and realities faced by marginalized Oregonians. Our safety and incidents where it is exploited and harmed are then often leveraged in supporting systems where our input is nonexistent.

If you are a low-income Oregonian of Color who lives in the Portland metro area, the odds are that you don't have equitable access to a public transit line and or station in the first place because of historical environmental and land use planning racism. It is anathema to equity that the burdens of racial profiling, over-policing, and over-criminalization are added onto our already burdened shoulders.

One morning, you forget your transit fare pass because you are running late and don't realize that has happened in time. A police officer asks to see your fare, you search for it before

realizing what happened, and the officer may or may not believe you. If you are a person of color, a low-income individual, and or a houseless individual, the system of policing is already stacked against you.

The police in that moment have the discretion of believing you or not, issuing you a citation, and or escalating the situation by charging you with interfering with public transit. Not having fare that is roughly around \$2 for whatever reason is not a valid rationale to harm marginalized Oregonians by throwing into the hands of our racist and classist criminal justice system.

Perhaps you, like me, use a different name than the one on your government-issued ID. You may use a different name for cultural reasons. Maybe you shortened it so you could fit better into the dominant culture. Because you were tired of people mispronouncing it all the time. Regardless of the reasoning, your instinct likely is to use that name, and if a police officer believes that you are providing them with the wrong name on purpose, you can be charged with the crime of providing false information to a police officer.

This bill has an extremely narrow focus. It does not remove the ability of transit agencies to enforce fare through their employees. It does not prohibit police officers from being on transit or being called by transit agency employees for any incidence of public safety. It does not impede the ability of police officers to engage in acts of public safety because checking for fare is not an act of public safety. We posit that police acting as fare enforcement officers is a waste of their resources and time.

HB 2482 simply serves to help make our transit spaces safe for marginalized Oregonians. Everyone in our state deserves to have access to and safely use the public good of transit without the fear of racial profiling, over policing, and over criminalization. We, the signers below, ask you to stand with us in preserving and protecting that right.

Sincerely,

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