

December 4, 2023

Senator Kate Lieber  
Representative Jason Kropf  
Joint Interim Committee On Addiction and Community Safety Response  
Oregon State Legislature  
900 Court St. NE  
Salem, OR 97301

Co-Chair Lieber, Co-Chair Kropf, and Members of the Committee:

TriMet is Oregon's largest transit agency, providing more than 1.2 million trips per week to Oregonians across the tri-county Portland metro region. The impacts of the addiction crisis that is ravaging communities across the state are spilling onto Oregon's public transportation systems, including TriMet's. Despite a significant expansion of security presence on our vehicles and property, open drug use has become commonplace throughout our system. In 2023, TriMet has received an average of over 150 reports per month of drug smoke and fumes on our buses and trains.

Public transit must be safe and comfortable for everyone, and particularly for those most vulnerable members of our community—many of whom rely on TriMet as a lifeline to jobs and essential services. Our operators and other employees must be able to do their jobs without worrying about the health risks of long-term exposure from drug fumes. Open drug use on our system is creating a perception that transit is unsafe, and it disrupts service for our riders every time that we have to delay a transit vehicle to air it out after someone has smoked drugs on board. TriMet's annual attitude and awareness survey demonstrates that people in our communities feel much less safe using our transit system today than they did just a few years ago, and drug use is a significant reason for that: 53% of people surveyed in 2023 feel safe riding TriMet buses and 44% feel safe riding our MAX light rail trains, compared to 76% (bus) and 73% (MAX) of people surveyed in 2017. Many respondents identified the open drug use they were exposed to as the primary reason they felt vulnerable and uncomfortable using TriMet.

The safety of our riders and operators is of paramount importance to TriMet, and we have been working hard to keep our buses and trains safe amidst the rising incidences of drug use, violence and other crime that we are seeing in our communities. This includes an enormous investment in our unarmed safety and security teams: TriMet's FY 2024 safety and security budget is twice the size of our FY 2020 budget, and we have doubled the size of our security workforce since the start of 2022. We now have 315 people spread across our various safety and security teams and will be hiring additional folks in the coming year. We've also created a new security operations center that allows riders to report concerning behavior and interact with our security teams 24/7. Additionally, TriMet contracts with law enforcement agencies in the jurisdictions it serves to assign officers to the Transit Police Division, which is led by the Multnomah County Sheriff's Office. Transit Police respond to emergencies, investigate crimes, and partner with other law enforcement agencies to conduct safety missions at public safety hot spots on TriMet's system.

A transit system is a unique type of public spaces because people are confined—unlike sidewalks and other open public spaces, transit riders often can't cross the street or move away from the drug use and smoke they're being exposed to. Smoking any substance on TriMet vehicles or stations is already a

violation of the TriMet Code, punishable by a citation or exclusion, but under current law, even law enforcement officers are unable to remove drug users from transit vehicles or compel them to cease using drugs on TriMet property. In our ongoing efforts to address this problem, one potential solution that TriMet has proposed is an amendment to the interfering with public transit (IPT) statute that would create a new offense when a person smokes, ignites, injects or consumes illicit drugs—except cannabis—on a transit vehicle or at a transit station. Violating this provision would be a Class A Misdemeanor, and escalate to a Class C felony for three or more offenses.

TriMet recognizes the importance of a health-centered approach to addressing substance use disorders. Our security teams are comprised of unarmed personnel trained in de-escalation, and our Safety Response Team is specifically focused on identifying riders in crisis and connecting them with addiction, counseling and housing resources. At the same time, everyone has a right to use public transit without being exposed to the use of controlled substances. We believe a more significant consequence for using drugs on transit is necessary to send a clear message that the behavior will not be tolerated and enable law enforcement intervention when necessary.

TriMet understands that the addiction crisis facing our state is a complex problem that requires a myriad of long-term solutions. In the near term, we and the communities we serve need help from the state to reclaim our public spaces, including transit systems, for the collective benefit of all. We are grateful that the Joint Addiction and Community Safety Response Committee is working to ensure that our state is a safe and welcoming place for everyone, and TriMet looks forward to our continued partnership with you on this effort.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Myles Pengilly', is positioned above the typed name.

Myles Pengilly  
State Government Affairs Manager  
TriMet