

February 20, 2023

Senator Floyd Prozanski
Senate Committee on Judiciary
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

Re: Support for SB 787

Chair Prozanski and Members of the Committee:

TriMet is Oregon's largest regional transit provider, serving more than 1.6 million people across our 533-square mile service district in the tri-county Portland metro area. We write today to express our support for SB 787, which would help protect transit operators across Oregon. TriMet's operators are an essential part of our transit system, which many Oregonians depend on for their transportation needs. Their safety is of paramount importance to TriMet.

The converging crises of behavioral health, addiction, and homelessness that we are seeing across Oregon are also manifesting themselves on our state's transit systems. In recent years, TriMet has seen a marked increase in problematic behavior on our system that includes violence, harassment, vandalism and open drug use on our buses and trains. TriMet employees (operators are TriMet's largest group of frontline employees) were the victims of over 200 physical assaults and attempted physical assaults in 2021 alone. We don't have data on incidents of spitting because instances of operators being spat on were so rare for most of TriMet's history, but we have also seen a huge increase in reports of spitting in the last 5 years and particularly since 2019.

In recognition of the hostility and dangers that transit operators sometimes face, it is already a Class C felony to intentionally, knowingly, or recklessly cause physical injury to a transit operator when they are in control of or operating a vehicle. It is also already a Class C felony to knowingly propel bodily fluids and other dangerous substances at a transit operator when they are in control of or operating a vehicle. The driver's compartment of our MAX trains is separated from the passenger cabin, and due to increases in violence against operators in recent years, our bus operators now have a Plexiglas shield separating the driver's seat from the rest of the vehicle. However, the protection provided by these shields, separated cabins, and the enhanced assault penalties in our legal system disappear when our operators exit their vehicles.

Our operators begin shifts before it gets light in the morning, and they work late into the night. They are often the only TriMet employees aboard their vehicles, and their routes sometimes take them to remote parts of our service territory. Operators often need to exit their vehicles in such circumstances for layovers, to use the restroom, or to investigate a mechanical issue, but the enhanced assault penalties that apply when they are behind the wheel do not protect them in these kinds of vulnerable situations. As should be the expectation for any job, our operators deserve to feel safe when they're at work. Senate Bill 787 would simply expand the application of existing state law by making it a Class C felony to intentionally, knowingly, or recklessly cause physical injury to transit operators in all circumstances when they are on the job.

TriMet and transit agencies around the state are currently experiencing a historic operator shortage. Experienced operators are retiring and quitting as fast as we can hire new ones, and many identify the harassment and threat of physical violence they experience as one of the primary reasons why. Transit operators have challenging jobs, and the work they do is essential to the people who depend on them to get to work, to school, to the doctor and the grocery store. Please help protect our operators by passing Senate Bill 787.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Myles Pengilly', written over a light-colored rectangular background.

Myles Pengilly
State Government Affairs Manager
TriMet