

SB 1553 (Drug-Free Transit) FAQ

Q: What does SB 1553 do?

A: SB 1553 would apply the crime of Interfering with Public Transportation (IPT)—a Class A misdemeanor—to the use of illicit drugs on public transit. The bill would also classify drug use on transit as a drug-designated misdemeanor, allowing individuals convicted of the crime to access state-funded treatment in many instances.

Q: Why does SB 1553 propose a higher class of misdemeanor charge for using drugs on transit than the misdemeanor charge that HB 4002 proposes for drug possession?

A: Transit is a vital public resource and a unique type of public space. Transit riders and employees often don't have the option to move away from illicit drug use, and many Oregonians depend on public transportation as a lifeline to work, education, and essential services. For these reasons, drug use on transit creates more harm than it does in other public spaces. The Class A Misdemeanor charge reflects that greater harm and would enable law enforcement to prioritize response to illicit drug use that occurs on transit.

Q: What will the consequences be for someone convicted of using drugs on transit under SB 1553?

A: Because the bill makes drug use on transit a drug-designated misdemeanor, supervision and treatment would be paid for by the state. Individuals convicted of the charge would be assigned a probation officer and receive a risk assessment. If the assessment determines that the individual requires treatment, that treatment would be funded by the state. A typical outcome for a conviction would be probation and outpatient treatment.

Individuals who receive jail time for the drug use on transit would typically be only those with more extensive and/or serious criminal histories. While Class A Misdemeanors carry a maximum sentence of up to 364 days in jail,

a \$6,250 fine, or both, receiving 364 days in jail for a Class A Misdemeanor is exceedingly rare. In Multnomah County, for example, 30 days of jail time is on the high side of penalties assigned for a Class A Misdemeanor.

The charge would become eligible for expungement 3 years after completing the term of probation, provided the individual does not commit additional crimes over that 3-year period.

Q: What is being done to ensure that SB 1553 doesn't disproportionately impact BIPOC transit riders and other marginalized communities?

A: An important distinction between the proposed charge in SB 1553 and the misdemeanor charge proposed by HB 4002 is that SB 1553 only applies to illicit drug use on transit and does NOT apply to drug possession.

Focusing the bill on drug *use* is intended to minimize profiling of transit riders and limit law enforcement engagement to individuals who are actively using illicit drugs on transit. Oregon's transit systems are overwhelmingly patrolled by unarmed security personnel rather than sworn officers, and law enforcement response is generally limited to situations where it is deemed absolutely necessary.

Q: Would SB 1553 apply to all bus stops on public sidewalks and roadways?

A: No. SB 1553 is confined to illicit drug use on transit vehicles and at transit stations, facilities and structures. While it would apply to drug use in covered bus shelters, it would not apply to bus stops marked by poles along sidewalks and roads.

Q: Does SB 1553 apply to cannabis use on transit?

A: No.