



## LatinoNetwork

**Testimony of Ricardo Lujan-Valerio, Director of Advocacy  
In Support of HB 4097  
House Committee on Judiciary  
February 5th, 2020**

Chair Sanchez and Members of the Committee,

Latino Network strongly supports HB 4097, which seeks to prohibit police officers from conducting activities intended to determine whether a person has paid certain user charges, fees or tolls imposed by a mass transit district. We are proud to join partner organizations, such as the ACLU of Oregon and the Coalition of Communities of Color, on this much-needed reform.

**HB 4097 addresses an ongoing issue that low-income Latino riders constantly face.** As a direct-service organization, we have the opportunity to closely connect with the Latino community on issues that matter to them the most. The recent legal matter addressing TriMet's fare enforcement has community members concerned about the collateral consequences that interactions with police officers may have for something as similar as a parking ticket. The fact that a fare inspection conversation could lead to being detained for a prolonged amount of time and potentially lead to an arrest is frightening.

**Not only is this approach alienating public commuters that are historically affected by law enforcement interactions, it continues to create ambiguity and fear within the community rather than safety (one of TriMet's ultimate goals).**

TriMet has committed in the past to reducing criminal consequences for those that may lack the financial stability to afford general fare costs. In order for this commitment to be true, TriMet must begin to take action on decoupling its law enforcement-centered approach with commuter interactions. HB 4097, although not addressing all the mechanisms to create a more accessible and affordable commuting system, will begin to create an atmosphere that welcomes all riders.

**HB 4097 would not prohibit police officers from addressing any activity that may cause a public safety issue.** It also does not remove TriMet's efforts to increase non-law enforcement fare inspectors. While we understand that there may be instances where repeated failure to pay transit fare may be accompanied by other problematic

behavior that transit agencies, law enforcement, or district attorneys would like to address through criminal penalties, we believe that law enforcement officers may be able to respond to such activities without the need to be involved in fare inspection. Under HB 4097, TriMet and the Portland Police Bureau may still coordinate to make TriMet commuting safe while removing an enforcement component that has proven to be ambiguous to the public and problematic.

**Lastly, low-income fare programs continue to be inaccessible to those that may qualify.** It is true that TriMet has increased their membership in the low-income fare program; however, there are significant barriers that many low-income communities face. For instance, in order to receive the benefits of this program, one must first be physically present at a designated location within operating hours to receive a card. Again, this may not seem like such a big issue for folks that have flexibility in their schedule, but it may mean potential citations for a parent that may not have the means to travel to a designated office or the time flexibility to meet the office hours and rely on TriMet services.

**For the reasons stated above, we respectfully request that you support HB 4097.** We look forward to working closely with all stakeholders, including TriMet, in order to make this reform a reality. Please feel free to contact me should you have any questions.