

SB 787 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Patricia Pascone, LPRO Analyst

Meeting Dates: 4/25

WHAT THE MEASURE DOES:

Expands crime of assault in the third degree for intentionally, knowingly, or recklessly causing physical injury to a transit operator to apply when the transit operator is acting in the course of official duty. Expands crime of aggravated harassment, a Class C felony, to include when a person knowingly propels saliva, blood, urine, semen, feces, or other dangerous substances at an operator of a public transit vehicle who is acting in the course of official duty.

REVENUE: Has minimal revenue impact

FISCAL: Fiscal statement issued

SENATE VOTE: Ayes, 27; Nays, 2

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In ORS 163.165, the crime of assault in the third degree on an operator of a public transit vehicle is limited to when the operator is "in control of or operating the vehicle." Data collected by some transit agencies showed 2020-2022 levels to be four or more times what they were in 2015 and prior years, and that most assaults on transit workers happen while the vehicle is not in active operation. Incidents charged as interference with public transportation are a Class C misdemeanor.

Senate Bill 787 makes it a Class C felony to assault a transit operator acting in the course of official duty, or to propel bodily fluids or excretions or other dangerous substances at a transit operator acting in the course of official duty.