

Feb. 20, 2023

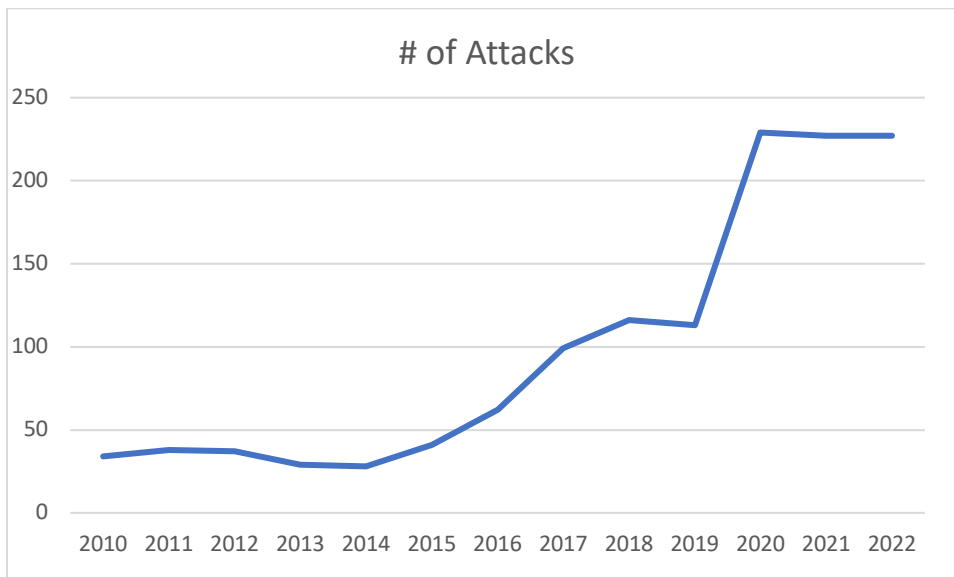
From: Bill Bradley, ATU 757 Public Policy Coordinator

Re: Senate Bill 787

Dear Chair Prozanski, Vice-Chair Thatcher, and members of the Senate Judiciary Committee,

Transit workers are facing an increasingly stressful environment. Workforce shortages, increased traffic congestion, and now rising attacks while performing their duties are leading to burnout, mental health struggles, and retention issues that are making it difficult to keep the vital transit services that move our communities running at peak performance.

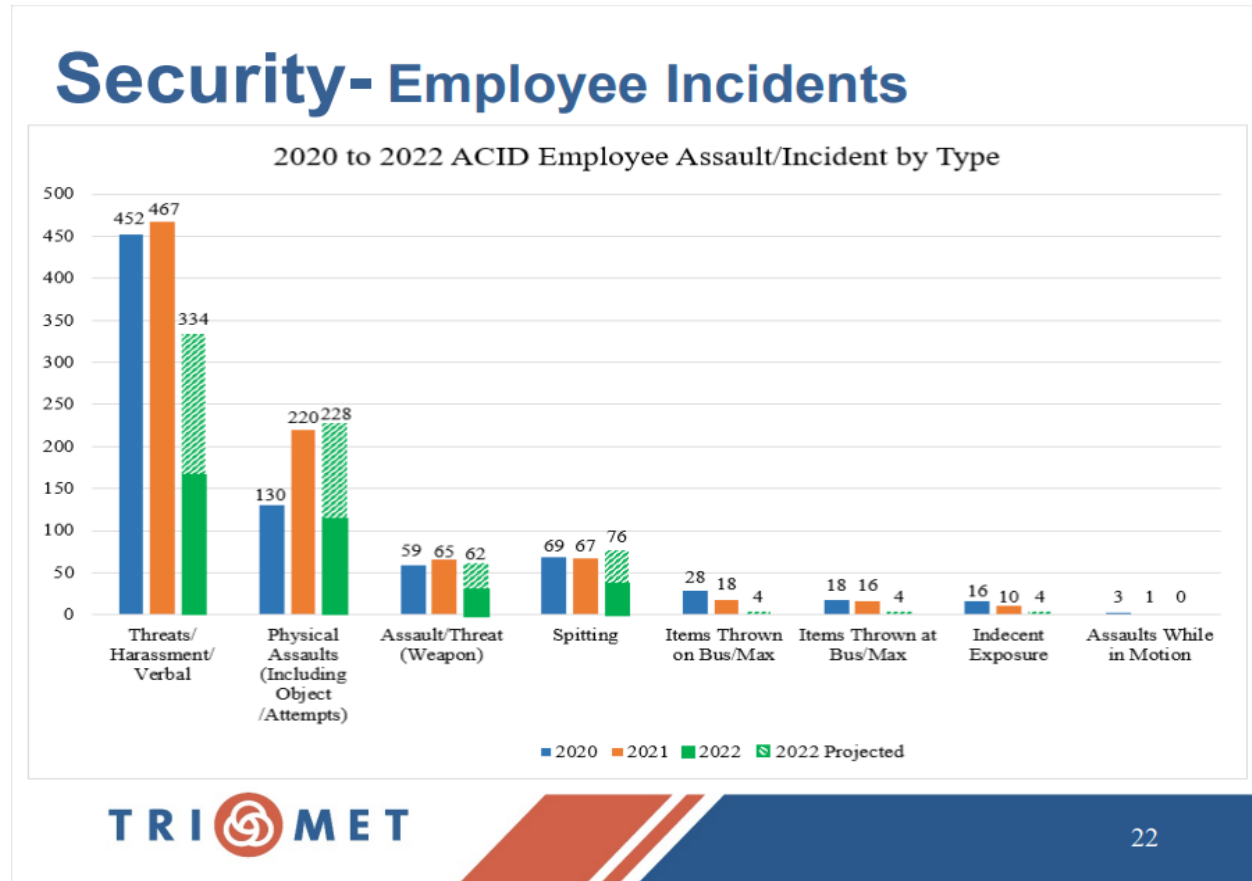
Senate Bill 787 seeks to clarify when a Transit Operator would be protected under ORS 163.165 (d) *from in control of or operating the vehicle to acting in the course of official duty*. This clarification is necessary as we have seen a steep increase in assaults on Transit Operators since 2015, the vast majority of which occur not when the vehicle is moving. Numbers gathered by ATU 757 activists show that increase quite clearly in the chart below.



Transit agencies statewide have taken steps within their capacity to respond to this growing and persistent issue. Many have used Federal COVID relief funds to purchase Bus Operator barriers, tapped their general funds to increase security presence, reached out to community partners to coordinate efforts, encouraged agency staff to be more present on the Transit System and changed their Ordinances/Codes to allow for increased penalties for members of the public that cause disruption on the system.

The Federal Transit Administration (FTA) has also tasked transit agencies to collect better data and report it consistently to the National Transit Database (NTD) to fully understand the scope of the violence issue facing the transit workforce. The FTA also has required transit agencies to provide de-escalation training to ALL frontline workers, including Transit Operators.

According to data compiled by TriMet, they too have seen a persistent increase in the level of violence being directed toward these workers. The numbers between TriMet and ATU follow the same trajectory, although admittedly TriMet has more specificity. **What is clear is attacks are at unacceptable levels.** We are hearing from ATU members that attacks are degrading the working conditions, affecting their mental health, and causing them to reevaluate Transit as a career path.



I also want to relay an example that makes clear the lack of protection under the current statute and how it can affect not just the worker that was attacked, but bleeds into the fabric of the workplace. In late June 2022, a female Bus Operator at Lane Transit District (LTD) in Eugene was at a Bus Rapid Transit stop, bus was not moving, where a male passenger boarded. After making the male passenger aware of LTD's Ordinance 36, the standards and rules for riding the bus, the male passenger quickly became agitated. The passenger abruptly ran up the bus aisle, was able to work his way passed the Bus Operator protective barrier and began assaulting the female Bus Operator. The Operator was stuck in her seat, unable to escape the physical attack, and had to block and shield herself until the assailant tired himself out and left the bus. The male passenger was found by Eugene Police, charged with Interfering with Public Transportation and spent just 23 hours in the Lane County jail. The female operator gathered herself together and was back driving the bus a couple days later.

The male assailant, not facing any serious consequences, attempted to board her bus again July 4th weekend, causing the female operator to suffer from PTSD, and she hasn't driven a bus since. A career has been derailed because the current statute provided little accountability. The male assailant has been in and out of jail 14 times since that incident and LTD's Public Safety Department has needed to interact

with him 11 times since June 2022. Bus Operators are a tight-knit community, and they know these individuals face little accountability. It has them constantly looking over their shoulders, looking for danger, distracting their focus, because the current statute does not encompass the full scope of their job. We need to protect these workers and allow them to focus on providing the best level of public service possible.

As the example above demonstrates, many of these assaults on Transit Operators end up being charged as Interfering with Public Transportation (IPT), a misdemeanor. Misdemeanors are often not prosecuted across our state for a variety of reasons, including in Lane County due to lack of staff.

If we are going to be able to achieve our transportation goals, we need a growing workforce in transit to help make that happen. That has been an issue, because word has gotten out that the environment facing bus operators is not safe. Not due to lack of investment from transit agencies, but due to lack of accountability for bad actors.

I strongly encourage you to support SB 787 and protect these vital workers in our state.