

Submitter: James Origliosso  
On Behalf Of:  
Committee: Senate Committee On Judiciary  
Measure: SB1576

TESTIMONY IN SUPPORT OF AMENDMENT TO SENATE BILL 1576 TO  
RESTORE AND STRENGTHEN RECREATIONAL IMMUNITY FOR PUBLIC  
ENTITIES

My name is James Origliosso, residing at 85419 Jasper Park Road, Pleasant Hill Oregon. I am a daily user of Howard Buford/Mt. Pisgah Recreation Area (Mt. Pisgah) as well as Jasper State Park. Both facilities are now closed due to recent ice storm damage. I have been advised by Lane County that no portion of Mt. Pisgah will be open to park users until all storm damage throughout the entire park has been repaired. County officials have cited the need for “an abundance of caution” made necessary by recent litigation involving the City of Newport.

Access to these parks is important to me. I see them as being essential to my mental and physical well-being. I have encouraged Lane County to open at least some of the trails as safety hazards are removed. To that end I have participated in volunteer work parties organized by the Friends of Mt. Pisgah to remove hazards to trail use.

All human activity, including recreational activity, comes with some degree of risk. Any physical movement (such as getting out of bed) carries with it the possibility of injury. Risk cannot be completely removed and can only be managed. Ultimately some risk must be accepted by the individual. There are many, such as myself, who are willing to accept some amount of risk so that we may obtain the benefits of our tax supported public facilities. In my view, it is not reasonable to make public facilities unavailable to all because one person in one location may have incurred at one time-an injury.

Mental and physical health is a major public policy concern. I encourage you to consider the tradeoffs involved when access to recreation and other public facilities is restricted due to liability concerns. The parks and my canine companion are as much (if not more) a part of my health team as my doctor and dentist.

We are fortunate to live in a State resplendent in natural beauty. What good comes from restricting access to this beauty? A museum may have the most spectacular artifacts in the world, yet be of no real value if they are kept locked away in the basement for safekeeping.

In closing I encourage you to restore “recreational immunity” to public entities that own and/or operate our tax supported facilities.

