



February 28, 2024

Dear House Committee on Judiciary,

**I am writing to express our strong support of the recreational immunity provisions in Senate Bill 1576A**, which would extend protections for local governments preventing frivolous litigation connected to activity at trails and parks within county jurisdiction.

As you know, Washington County is the second largest county in the state of Oregon by population, with over 600,000 people residing within the County. Since 1990, the county's population has nearly doubled in size, most recently our population has grown at a rate equivalent to 19 people moving in every day. This growth has made us one of the most rapidly growing and most diverse counties in the state. Part of our work is to create communities where people want to live, work and play. This includes work on creating trails and parks that connect communities together and connect people to recreate throughout the county both in urban and rural areas.

**Washington County endeavors to be an excellent steward of public land and resources, providing safe and enjoyable parks for all to enjoy.** We are proud of our three parks that encompass over 2,500 acres of parkland where the community can recreate by paddling the Tualatin River, fish and explore the trails at Hagg Lake, and play tennis and basketball at Metzger Park. We believe that deepening connection with nature and wildlife deepens connection within the community.

**Yet, the recent *Fields v. City of Newport* ruling significantly jeopardizes local government's ability to keep our recreational spaces open to the public, and trails across Oregon have already closed following the ruling.**

**Of specific concern to Washington County is the unknown liability of the connected trail system throughout the county that has been developed and maintained in partnership with the cities, the Tualatin Hills Park and Recreation District (THPRD), and other entities.** We have worked to develop the Salmonberry Trail section within Washington County, connect neighborhoods to schools through the Safe Routes to Schools Program, and are currently developing a connection between Hillsboro and Forest Grove that will protect walkers and bikers by providing a route away from Tualatin Valley Highway. **These projects have been developed for the public good, thanks to significant public investment, and are maintained to the best of our ability.**

Local governments have been afforded recreational immunity protections to create free access to recreation opportunities. **Outdoor recreation has inherent risks, and it would be extremely costly and burdensome to expect recreational land to be managed in a way to prevent all foreseeable injuries. Nor can local governments anticipate if an individual is using land to engage in recreation activities versus using the land as a means of transportation.**

Limitations on our liabilities is necessary for us to leave these areas accessible without fees or other cost recovery options.

**We welcome your partnership in ensuring that recreational facilities and spaces remain open to the public and free of charge for all users.** We urge your strong support in passing Senate Bill 1576A to keep these intrinsically Oregon spaces accessible and enjoyable for all.

Thank you for your consideration,

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Government Relations Manager  
Washington County