

SENATE BILL REPORT

SHB 2057

As Passed Senate - Amended, March 2, 2022

Title: An act relating to strengthening diversity, equity, and inclusion in the state patrol workforce.

Brief Description: Strengthening diversity, equity, and inclusion in the state patrol workforce.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Valdez, Ramos, Senn, Morgan, Johnson, J. and Pollet).

Brief History: Passed House: 2/8/22, 82-14.

Committee Activity: Transportation: 2/17/22, 2/22/22 [DPA, DNP, w/oRec].

Floor Activity: Passed Senate - Amended: 3/2/22, 36-12.

Brief Summary of Bill (As Amended by Senate)

- Requires the Governor's Office of Equity to provide oversight of the Washington State Patrol's (WSP) development and ongoing implementation of its Diversity, Equity, and Inclusion Strategic Recruitment and Retention plan (strategic plan).
- Directs the Office of Equity to work with the Department of Enterprise Services to contract for an independent, expert consultant to assist with the oversight.
- Requires the consultant to establish benchmark goals for the demographic composition of the WSP workforce, develop agency-specific process and outcome measures of performance, recommend effective agency programs and services to reduce disparities, evaluate progress in the implementation of the strategic plan, annually update the strategic plan in coordination with the WSP, report biannually on the composition of the WSP workforce and otherwise assist the Office of Equity.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

- Requires the Office of Equity to provide technical assistance to the WSP, publish the strategic plan on its performance dashboard, report performance on the dashboard, establish accountability procedures for the WSP, report annually to the Governor and Legislature on the WSP's compliance with the strategic plan and progress towards meeting performance goals.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Lias, Chair; Saldaña, Vice Chair; Cleveland, Das, Lovelett, Lovick, Nguyen, Nobles, Randall and Wilson, C.

Minority Report: Do not pass.

Signed by Senators Fortunato, Holy, Padden and Wilson, J.

Minority Report: That it be referred without recommendation.

Signed by Senators King, Ranking Member; Hawkins and Sheldon.

Staff: Bryon Moore (786-7726)

Background: Beginning with the 2019-21 biennial transportation budget, the Washington State Patrol (WSP) is required to report to the Governor and Legislature on the demographic composition of the WSP workforce. The most recent report showed that the total WSP workforce was 84 percent white and 67 percent male. The field force workforce was 86 percent white and 86 percent male.

The 2020 supplemental transportation budget included a requirement that the WSP work with the Department of Enterprise Services (DES) and the Office of Minority and Women's Business Enterprises to contract for a workforce diversity strategic action plan. That report was delivered to the WSP in April 2021, and provided a comprehensive strategy for improving diversity, equity, and inclusion at the WSP, with a particular focus on workforce recruitment, retention, and training.

Summary of Amended Bill: The Governor's Office of Equity (Office) is required to provide oversight of the WSP's ongoing implementation of its strategic plan. The Office is required to work with DES, which will run and oversee a competitive procurement to contract for an independent, expert consultant. The consultant's duties are to:

- collect benchmark data on the demographic composition of the WSP workforce, applicants in the recruitment process, including trooper academy classes and new hires across positions in the agency, and collect comparative demographic data for other law enforcement training classes within the state;

- conduct a study of the labor force available for the commissioned and non-commissioned staff of the WSP, with a focus on the availability of Black, Indigenous, Latino, Asian, and other groups currently underrepresented in the WSP workforce;
- establish benchmark goals for the demographic composition of the WSP workforce and a plan for reaching the goals using the results of the labor force availability study;
- develop agency-specific process and outcome measures of performance, taking into consideration community feedback;
- recommend effective agency programs and services to reduce disparities across the agency;
- evaluate progress in the implementation of the strategic plan developed for the WSP in 2021;
- annually update the strategic plan to reflect activities completed, new strategies, and next steps in coordination with the WSP;
- report biannually to the Governor and appropriate committees of the Legislature on the composition of the current workforce compared to established benchmarks and goals; and
- otherwise assist the Office of Equity in monitoring and reporting the WSP's implementation of its strategic plan.

The Office is directed to:

- provide technical assistance to the WSP regarding best practices to effectively foster a diverse workforce;
- publish the WSP's strategic plan on the Office's performance dashboard;
- report the WSP's performance on the Office's performance dashboard;
- establish accountability procedures for the WSP consistent with the Office's authorizing statutes; and
- report annually to the Governor and appropriate committees of the Legislature on the WSP's compliance with developing its strategic plan.

The Office oversight of the implementation of the WSP strategic plan will end on June 30, 2032.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The State Patrol workforce does not reflect the diversity of the state of Washington and this has been the case for far too long. As one of the most public facing state agencies, this needs to change.

This bill is the latest in a longer term effort to attract and recruit a more diverse workforce, particularly women and people of color. It will utilize an expert consultant for performance and accountability. This also makes the change to an external psychological evaluation process used in hiring permanent. This was one of the greatest barriers identified by the independent Deloitte report in April 2021.

The State Patrol is making progress in increasing diversity. We take this very seriously and intend to implement these strategies with the urgency they deserve. It has been tough, and we remain committed to making the necessary improvements. In 1995, Chief Annette Sandberg was the first woman to head the WSP and the first woman in the United States to lead a state police agency. In 2005, Chief John Batiste became the first African American to lead the WSP and continues to this day. The State Patrol has become one of the most premier law enforcement agencies in the nation. This bill allows the workforce to better represent the people we serve. The huge number of hires provides an opportunity to increase the diversity of the workforce. The agency needs more applicants from the places that the State Patrol doesn't typically recruit from. The competition for new hires is extremely high, particularly women and people of color. This is true in both the commissioned and non-commissioned side of the State Patrol.

We are concerned about the outside consultant and some of the other agency oversight may delay this work. We welcome the partnership and are willing to add any necessary reporting requirements and accountability. The State Patrol has a plan and coordinator position already on board that will allow us to make these improvements. It is essential that the bill is adequately funded.

Persons Testifying: PRO: Representative Javier Valdez, Prime Sponsor; Davor Gjurasic, WSP Troopers Association; Jeff DeVere, Washington State Patrol Lieutenants and Captains Association; Chief John Batiste, Washington State Patrol; Captain Jason Ashley, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: No one.