AN ACT Relating to strengthening diversity, equity, and inclusion in the state patrol workforce; adding a new section to chapter 43.06D RCW; creating a new section; making appropriations; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) In 2021, the total Washington state patrol workforce was 84 percent white and 67 percent male, the field force workforce was 86 percent white and 86 percent male, and the managerial staff was as high as 93 percent white;
(b) A strong diversity, equity, and inclusion strategic recruitment and retention plan is necessary to:
   (i) Provide the state patrol with the benefits of a diverse workforce, improving service to the public, increasing employee productivity, and providing new perspectives and innovative approaches to achieving the agency's mission of enhancing the safety and security of all people and communities; and
   (ii) Fill vacancies with those who are from historically and currently marginalized communities;
(c) Public employment opportunities at the Washington state patrol should provide all commissioned and noncommissioned staff full
access to the opportunities, power, and resources each needs in the staff person's career; and

(d) The transition to a culture that fosters workforce diversity, equity, and inclusion requires steadfast commitment over the long term.

Therefore, the legislature intends to:

(a) Challenge the state patrol to change and adapt its culture to attract and retain a diverse workforce representative of those who have been historically and currently marginalized and is representative of the labor force as a whole;

(b) Establish effective legislative and executive oversight mechanisms to increase workforce parity by eliminating disparities in the state patrol's workforce;

(c) Increase accountability and transparency relating to the state patrol's progress in achieving equity in its workforce; and

(d) Provide technical assistance and support for the state patrol's diversity, equity, and inclusion efforts over the long term.

NEW SECTION. Sec. 2. A new section is added to chapter 43.06D RCW to read as follows:

(1) Consistent with its purpose of promoting access to equitable opportunities and resources to reduce disparities, the Washington state office of equity shall provide oversight for the development and ongoing implementation of the Washington state patrol's diversity, equity, and inclusion strategic recruitment and retention plan.

(2) To accomplish this purpose, the office of equity shall work with the department of enterprise services, which will run and oversee a competitive procurement process to select and hire an independent, expert consultant to:

(a) Collect benchmark demographic data on the composition of the current Washington state patrol workforce, including applicants in the recruitment process, people in trooper academy classes, and new hires across positions in the agency including, and not limited to, applicants referred for interview; applicants referred for hire; applicant to hire ratios; applicants referred for psychological testing; applicant pass to fail ratios; and turnover rate. In addition, this task must include comparative demographic data for other law enforcement training classes within the state;
(b) Conduct a study of the labor force available for the commissioned and noncommissioned staff of the state patrol, with a focus on the availability of black, indigenous, Latino, Asian, and other groups currently underrepresented in the state patrol workforce;

(c) Using the results of the labor force availability study and Washington state patrol recruitment and retention demographic benchmark data, establish goals for the demographic composition of the state patrol workforce and a plan for reaching the goals;

(d) Develop agency-specific process and outcome measures of performance, taking into consideration community feedback on whether the performance measures established accurately measure the effectiveness of agency programs and services in the communities served;

(e) Recommend effective agency programs and services to reduce disparities across the agency;

(f) Evaluate and report on progress in the implementation of the diversity, equity, and inclusion strategic recruitment and retention plan developed for the Washington state patrol in 2021;

(g) In coordination with the Washington state patrol, annually update the diversity, equity, and inclusion strategic recruitment and retention plan to reflect activities completed, new strategies, and next steps;

(h) Report biannually to the governor and appropriate committees of the legislature on the composition of the current Washington state patrol workforce compared to established benchmarks and goals; and

(i) Otherwise assist the office of equity in monitoring and reporting the Washington state patrol's implementation of the diversity, equity, and inclusion strategic recruitment and retention plan.

(3) The office is directed to complete the following work in accordance with RCW 43.06D.040:

(a) Provide technical assistance to the Washington state patrol regarding best practices to effectively foster an equitable, just, diverse workforce;

(b) Publish the Washington state patrol's diversity, equity, and inclusion strategic recruitment and retention plan on its performance dashboard;
(c) Report the Washington state patrol's performance on the office's performance dashboard, providing for a process for the Washington state patrol to respond to the report;

(d) Establish accountability procedures for the Washington state patrol, which may include conducting performance reviews related to state patrol compliance with office performance measures consistent with RCW 43.06D.040;

(e) Report annually to the governor and appropriate committees of the legislature on the Washington state patrol's compliance with developing its diversity, equity, and inclusion strategic recruitment and retention plan in accordance with the office of equity standards and the state patrol's progress made toward performance measures in its diversity, equity, and inclusion strategic recruitment and retention plan.

(4) This section expires June 30, 2032.

NEW SECTION. Sec. 3. (1) The sum of $650,000, or as much thereof as may be necessary, is appropriated for the fiscal biennium ending June 30, 2023, from the state patrol highway account—state to the office of the governor.

(2) The appropriation in this section is subject to the following conditions and limitations:

(a) $350,000 of the state patrol highway account—state appropriation is provided to the state office of equity solely for a contract with an independent consultant to conduct the studies, evaluations, and reporting functions required in section 2 of this act. The state office of equity shall work with the department of enterprise services to conduct broad outreach for the consultant to ensure that the pool of potential consultants demonstrates familiarity with diversity, equity, and inclusion recruitment and retention efforts in law enforcement.

(b) $100,000 of the state patrol highway account—state appropriation is provided to the state office of equity solely for a study to analyze existing state barriers to hiring commissioned officers. The study shall make recommendations to amend current state patrol hiring practices and underlying statutes that may need revision. Recommendations are due to the governor and appropriate committees of the legislature by December 1, 2022.
(c) $200,000 of the state patrol highway account—state appropriation is provided to the state office of equity solely for facilitating long-term policy and system change to achieve equity in Washington state patrol hiring practices, including assisting Washington state patrol in applying an equity lens in all aspects of agency decision making, including program development, policy development, budgeting, and hiring. Activities to support this purpose may include an engagement plan with the communities served by the Washington state patrol and technical assistance to the Washington state patrol to build its internal capacity to sustain meaningful engagement with communities in all aspects of agency decision making.

NEW SECTION. Sec. 4. (1) The sum of $331,000, or as much thereof as may be necessary, is appropriated for the fiscal biennium ending June 30, 2023, from the state patrol highway account—state to the Washington state patrol.

(2) The appropriation in this section is subject to the following conditions and limitations:

(a) $300,000 of the state patrol highway account—state appropriation is provided solely for the state patrol's diversity, equity, and inclusion program.

(b) $31,000 of the state patrol highway account—state appropriation is provided solely for a contract with an external psychologist to perform exams.

(c) In coordination with the state office of equity, the Washington state patrol must annually update the diversity, equity, and inclusion strategic recruitment and retention plan to reflect activities completed, new strategies, and next steps.

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