

SENATE BILL REPORT

HB 2602

As Reported by Senate Committee On:
Law & Justice, February 20, 2020

Title: An act relating to hair discrimination.

Brief Description: Concerning hair discrimination.

Sponsors: Representatives Morgan, Thai, Pettigrew, Entenman, Lovick, Slatter, Santos, Ryu, Duerr, Appleton, Bergquist, Stonier, Ramos, Leavitt, Corry, Orwall, Dolan, Frame, Valdez, Gregerson, Ortiz-Self, Peterson, Davis, Riccelli, Callan, J. Johnson, Fey, Ramel, Hudgins, Kilduff, Robinson, Irwin, Doglio, Ormsby, Pollet and Macri.

Brief History: Passed House: 2/12/20, 87-10.

Committee Activity: Law & Justice: 2/19/20, 2/20/20 [DP, w/oRec].

Brief Summary of Bill

- Amends the Washington Law Against Discrimination.
- Defines race as inclusive of traits historically associated with race including hair texture and protective hairstyles.
- Defines protective hairstyles to include afros, braids, locks, and twists.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

Minority Report: That it be referred without recommendation.

Signed by Senators Padden, Ranking Member; Holy and Wilson, L..

Staff: Tim Ford (786-7423)

Background: The Washington Law Against Discrimination (WLAD) establishes that it is a civil right to be free from discrimination based on race; creed; color; national origin; families with children; sex; marital status; sexual orientation; age; the presence of any sensory, mental, or physical disability; or the use of a trained guide dog or service animal by a

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disabled person. The right against discrimination applies to employment; places of public accommodation; commerce; and real estate, credit, and insurance transactions. WLAD does not define race.

Summary of Bill: WLAD is amended to provide a definition for race. Race includes traits historically associated or perceived to be associated with race including, but not limited to, hair texture and protective hairstyles. Protective hairstyles includes, but is not limited to afros, braids, locks, and twists.

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: PRO: Messy, distracting, unprofessional and unsanitary - these are the words to describe hairstyles by African American women, men and children. They are psychologically abusive words that leave behind a lifetime of scares. This bill amends the Washington law against discrimination so that race includes characteristics synonymous with race. When white women come to work in dread-locks or purple hair, people say how cute. They are not shamed or threatened with the loss of employment. It is shameful that we have to pass a bill to stop discrimination based on how someone wears their hair. These codes limit the freedom of identity and cultural expression that have been in place since enslavement. Join California, New York, and New Jersey in passing hair discrimination laws.

Governor Inslee is in strong support of bill. Diversity is one of the state's priorities. No one should be discriminated against because of their hair. I watched in horror as high school wrestler was forced to cut his dreadlocks. Just this year another student in Texas forced to cut his hair. Hair is core to my identity. A judge this last year found that criticism of woman's hair was not sufficient to constitute discrimination. I strongly disagree.

As a black woman, hair is part of identity. It is about being able to wear hair naturally without having to conform to some society standard. I have anxiety about wearing braids in Olympia because it looked different. This is a protective hairstyle. Acknowledgment of personal rights.

A core part of my work is to dismantle systems of oppression. This bill does that. Hair discrimination is oppression and supports white norms. Causes lasting trauma. Everyone deserves to be free of discrimination.

Bill is much needed step forward to ending racial discrimination based on hair. Culture is displayed in the way that wear hair. From time of child, ingrained that straight was the most professional way to wear hair. Widespread belief that black hairstyles are messy, non-hygienic, and unprofessional. Rooted in white standards of beauty. Hair discrimination is racial discrimination. Black hair is beautiful and versatile and professional in all its forms.

OTHER: This is an important amendment to the law on discrimination. The manner in which one wears hair is an individual right. Societal pressures prevent individual freedom and expression. The way one wears hair should not determine whether they obtain or keep a job. How I groom my hair is my choice, not someone else's decision about how they think I should look.

Persons Testifying: PRO: Representative Melanie Morgan, Prime Sponsor; Leslie Cushman, Justice and Witness Ministry Pacific Northwest Conference United Church of Christ; RaShelle Davis, Governor's Office; Brittany Gregory, Deputy Legislative Director, Attorney General's Office; Joyce Bruce, Attorney General's Office.

OTHER: Cheryl Strobert, Human Rights Commission.

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