

DAVIS WRIGHT TREMAINE LLP

MEMORANDUM

To: WA Senate Investigation File
From: Ross Siler
Date: February 11, 2016
Subject: Sue Schuler Interview

Monty Gray and I conducted an interview with Ms. Sue Schuler today at Department of Corrections ("DOC") headquarters. The following summarizes Ms. Schuler's statements on the *King* fix and prisoner release problem, as well as other discussions about DOC and IT department operations:

We began the interview by introducing ourselves to Ms. Schuler and explaining that we work for Davis Wright Tremaine and were retained by the Washington State Senate to assist in its investigation of the prisoner release problem. We noted that we were hired to determine what happened and when the problem was identified, but also to discuss contributing problems at DOC and solicit input on possible reforms that could be implemented.

Ms. Schuler works as an IT specialist/business analyst for DOC. She described her job as coordinating requests from the business side of DOC for changes to the OMNI computer system. Ms. Schuler focuses on requests related to sentencing ("Sentencing Structure Time Accounting" or "SSTA"), grievances, the indeterminate sentence review board, OMNI notifications, the security threat group, and segregation management.

There are 12 individuals in the IT department with similar roles as Ms. Schuler who handle different components of OMNI. She described having to speak "both languages" as far as translating the business side's requests to the IT developers.

Ms. Schuler started in IT in 2006 just before OMNI went into effect. She has been with DOC since 1983 and worked in Walla Walla for almost 20 years. She attended some college and has taken some technical courses but does not have a college degree.

Ms. Schuler described the typical process for a request from the business side. First, the business owner would help create an IT service request. This request would then go to the IT Gatekeeper, who would enter the request into the Service Desk Express or now Easy Vista system. The request then would be assigned an identifying number.

She wasn't sure if the request went through a triage team or governance team first for review, but she said the request would be reviewed by both. Ms. Schuler said the governance team was responsible for prioritizing competing requests for OMNI updates.

Ms. Schuler said David Dunnington would communicate priorities to her. Mr. Dunnington was on the triage team, but Ms. Schuler is not sure if he was on the governance team. Ms. Schuler said “somehow my bosses found out” what the department’s priorities were.

After entering the request in Service Desk Express, Ms. Schuler would create an IT consultation form to clarify the request, along with estimates for cost, development, and testing time. Ms. Schuler completed such a form on March 25, 2013, in connection with the OMNI request (Change No. 6307) that Wendy Stigall requested in late December 2012. Ms. Schuler noted that between January 2012 and April 2013, she closed 164 other requests.

Ms. Schuler discussed the departure of technical analyst Steve Collins from DOC around this time in 2013. Mr. Collins analyzed many of the OMNI sentencing calculations. Mr. Collins also was responsible at this time for a project called Consumable Inventory Services, which Ms. Schuler remembered as analyzing tax formulas for DOC purchases. She described Mr. Collins as “knee-deep” in that project around this time. She was not able to get much assistance with the request as a result, plus Mr. Collins soon retired.

After completing the consultation form, Ms. Schuler would email the form back to Mr. Dunnington. Mr. Dunnington would log the form and determine if it was acceptable. Ms. Schuler said the request would return to the IT Gatekeeper to log as complete, and then to the triage team to determine whether the request should go to developers (as opposed to a hardware request, for example), and if so, to which developers, Sierra or DOC’s in-house developers.

Once the request was approved, Ms. Schuler said she would receive an email confirmation. She then would create a ClearQuest entry corresponding to the request. In the case of Ms. Stigall’s request, the ClearQuest number assigned was CR00024910.

Ms. Schuler said she would “monitor” progress on the update. We discussed document SS_00001, the timeline of progress on CR00024910 that Ms. Schuler produced. Ms. Schuler said she created this document following discovery of the early release problem at the request of Mr. Dunnington as a “quick synopsis” of what had happened to the requested fix over time.

Ms. Schuler noted that even though she created the CR00024910 entry on April 3, 2013, she originally scheduled the fix to be included with the M34 release scheduled for September 2013. Even though two or three releases were likely scheduled in the interim, one was being coded and the next more than likely already had its scope set. Ms. Schuler felt that it would usually take that many releases to complete the request. The September 2013 release was the most realistic time frame.

The OMNI team met twice weekly to discuss change requests scheduled for the release being coded. These meetings were facilitated by Deepak Sadanandan, test lead. At the table were other staff including representatives from the business unit, of which Ms. Schuler was a part. Ms. Schuler described these meetings as “really informal” and offering the chance for her to check in quickly with developers.

The OMNI team might decide to delay particular change requests until a later release for a variety of reasons, including: not enough time to complete the coding; lack of resources for coding; not enough time to complete testing; and in some cases insufficiently clear business

requirements. In addition, there were “code freeze” dates where the code for a particular release would need to be finalized to be deployed. If an update wasn’t complete by that “code freeze” date, it would have to be delayed as a result. Ms. Schuler said generally there was no documentation why particular requests that had been scheduled were delayed to future releases.

We discussed the terminology in CR00024910 ClearQuest report to understand the progress of code development. An update typically would be classified as DevCode, then CodeComplete, then Migration, and then Testing Required. The testing would consist of running the code in one of four testing environments as the release moved forward to deployment.

The code developer for CR00024910 was Mark Ardiel from Sierra-Cedar. Mr. Ardiel was on parental leave from approximately February to November 2015. Ms. Schuler described Mr. Ardiel as essentially the exclusive developer on any OMNI fixes involving sentencing calculations. She worked “a little” with another Sierra contractor named Kyle Woulle. Ms. Schuler said no in-house DOC developer wanted to work on sentencing fixes because of the “significant” implications of a mistake affecting prison-wide populations.

We asked Ms. Schuler about the fact that Ms. Stigall’s original IT service request from December 27, 2012, identified the request as time sensitive, adding that it needed to be completed “ASAP” as a Records/SSTA “priority.” Ms. Schuler agreed that sense of urgency was somehow eventually lost. “It did,” she said. “Other priorities came up,” set by the department for new projects.

Ms. Schuler added that “no one knew it was going to be that many offenders affected.” She believed when Ms. Stigall made the initial request that the update would only affect inmates whose jail credits and jail good time credits exceeded their base sentences, which she described as a “very small number of offenders” in the DOC population. Ms. Schuler said she believed the request had limited implications from talking with Ms. Stigall.

Ms. Schuler emphasized that the problem is not the result of a “computer glitch,” as it has been described, but rather with the underlying sentencing calculations designed into the system as the business side outlined. In her words, “the system was doing exactly what it was designed to do.” She believed that a “records guide” existed from around the time of the *King* decision which reflected how DOC understood the decision should be applied, and that the design of OMNI was consistent with that understanding. When OMNI was released in 2008 the system was calculating the jail credits as per requirements – day for day credit from the enhancement and the jail good time from the base sentence, if no enhancement the system deducted both the day for day and good time from the base sentence.

Ms. Schuler said Ms. Stigall’s office was right down the hall from where the OMNI meetings were held, and she would update Ms. Stigall on the status of requests. Asked if Ms. Stigall ever pushed back on delays in implementing CR00024910, Ms. Schuler said: “If she had, everybody would have said she’s getting pissed off, Dave and I would have said, ‘Let’s do this right now.’ If Ms. Stigall or any upper management had stated that this CQ takes priority over any other enhancement request all other work would have stopped for this one to be completed. Same if anyone had indicated the number of affected offenders, thousands of them.”

We asked about the CR00024910 request, which notes a severity level. This level eventually was classified as 3-Moderate Impact for CR00024910. Ms. Schuler explained that severity ranges from 1 to 4, with 1 being the most severe such that OMNI is no longer functioning and essentially “everything stops.” Ms. Shuler said that she had not seen a Sev-1 item in a long time.

Ms. Schuler initially classified CR00024910 as a Sev-2 item. This was changed to Sev-3 on February 4, 2014. Ms. Schuler said all requests concerning OMNI enhancements were changed to Sev-3 for reasons she did not know.

On September 30, 2013, CR00024910 was noted as “must fix” in the ClearQuest audit trail. Ms. Schuler explained that if a request is not moved out of DevCode after missing several releases, it becomes classified as “must fix” so that IT is better able to track these fixes “at a glance.” But she added that CR00024910 still did not get fixed.

We changed subjects to discuss Mr. Ardiel’s performance. Ms. Schuler said she was not told why Mr. Ardiel’s parental leave continued through November 2015 when he originally expected to return to work July 1. Ms. Schuler said she was told only that it was extended.

Ms. Schuler praised Mr. Ardiel’s work and said his absence “was a huge loss for the work I do.” She would call Mr. Ardiel to discuss whether certain glitches were the product of an OMNI defect or a user error. Mr. Ardiel was “extremely efficient.” In her words, “[s]omebody else could have mucked with the [sentencing] code but I had confidence Mark could do it. He knows if I do this, I might break that.”

Ms. Schuler said the IT department additionally had lost a key analyst for sentencing calculation fixes in Mr. Collins. Mr. Collins was one of three technical analysts who were lost and not replaced. She also said DOC had gone through numerous CIOs in a short period. There has been a lot of staff turnover as well. IT’s budget has been cut “to the bone.” This increases the stress levels, and leads to a loss of continuity and institutional memory. David Switzer was a particularly poor CIO, in Ms. Schuler’s opinion. Among other things, he pushed the business unit of which Ms. Schuler was a part, out of IT altogether. Ms. Schuler believes that Mr. Switzer was forced to resign.

Between the time Ms. Schuler began processing Ms. Stigall’s request in approximately January 2013 until she entered CR00024910 in mid-April, Ms. Schuler said she closed 164 defects. Some of these were basic complaints that did not require software fixes. But she does not know why Ms. Stigall’s request was so difficult to resolve compared to others.

With respect to OMNI, Ms. Schuler said: “It felt like we spent our first year dealing with the defects of OMNI as a new system. Once the Department figured out they can ask for changes, it felt like the floodgates opened.”

Ms. Schuler said she cannot estimate how many defects exist in OMNI and must rely on users to bring them to her. At any one time, there are typically about 100 items pending for SSTA. She noted there was another fix in the works to give jail credits to juvenile inmates whose former life without parole sentences were ruled unconstitutional.

We discussed a July 10, 2013, email [PRR.000210] in which Ms. Stigall sent Ms. Schuler a list of 10 defects that she requested to prioritize for a future release. Ms. Stigall included CR00024910 in the list. Ms. Schuler said she reached out to Ms. Stigall for this list after Mr. Dunnington indicated 10 SSTA defects could be included in an upcoming release. She felt it was proper to defer to Ms. Stigall and the business side to prioritize what defects to include, and noted that she had potentially “100 and something” defects and enhancements at the time she would have had to choose from.

Ms. Schuler added that with this email being sent in July 2013, the CR00024910 fix already had likely been delayed beyond the original September 2013 release that she targeted in her original ClearQuest entry in April 2013.

Ms. Schuler said she was “confident” that OMNI was properly functioning with respect to the King decision so long as it was being correctly used. She added that she believed staffers had become overly reliant on the computer system and cannot identify what’s wrong as easily. Ms. Schuler also hoped that DOC would work to develop staff who can assist with sentencing calculations on its own, rather than “rely on a vendor to tell us what the calculations should be.”

She said that the IT department had lost some “continuity in processes” as a result of staff turnover and said a departed CIO had seen less value in the business unit than his predecessors, which Ms. Schuler said hurt her group’s work.

Although Ms. Schuler described Mr. Ardiel as an “amazing” developer, she noted that there were three “single points of failure” with respect to OMNI’s sentencing calculations in herself, Ms. Stigall, and Mr. Ardiel, none of whom have trained backups. She suggested that DOC work to increase shared SSTA knowledge to ensure that there are backup checks at all of these single failure points.

Ms. Schuler said that although IT is working on stoppage time fixes to OMNI, she does not believe there are “huge glitches” in the system. The *King* fix has created three derivative defects that IT is working to resolve.

We thanked Ms. Schuler for meeting with us and told her that we would produce a memorandum of her interview for her review and approval. We also told Ms. Schuler that she could clarify any points in her review of the memorandum.

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I have reviewed this memorandum, have been given the opportunity to revise it for accuracy, and agree that it correctly summarizes my statements to investigators.

Signature: Sue Schuler

Name: Sue Schuler

Date: 2/16/14