



**SUPPLEMENTAL
INVESTIGATIVE REPORT**

**RE: DEPARTMENT OF
CORRECTIONS – EARLY
RELEASE OF OFFENDERS**

**RESPONSE TO SUE SCHULER’S
CHALLENGES TO FACTUAL
FINDINGS**

MEMORANDUM

T 206.516.3800
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TO: The Honorable Jay Inslee
Governor, State of Washington

FROM: Carl Blackstone
Robert Westinghouse

DATE: March 1, 2016

RE: Department of Corrections – Early Release of Offenders
Response to Sue Schuler’s Challenges to Factual Findings

At the request of the Governor’s Office we have undertaken further investigation of the issues raised in the response of Sue Schuler, an Information Technology Business Analyst for Prisons, to the Investigative Report Re: Department of Corrections – Early Release of Offenders.

I. BACKGROUND

On February 19, 2016, we provided the Governor’s Office with a report detailing our findings, conclusions and recommendations regarding the early release of offenders’ problem. In that report we identified a number of DOC officials who bore responsibility for failing to address the problem in a timely manner. One of the officials we identified was Sue Schuler, who served as an Information Technology Business Analyst for Prisons during the critical period while the King fix remained unaddressed. We found that Ms. Schuler, who was responsible for shepherding the early release programming error fix to completion, “failed to identify the importance of the change request or to effectively manage its progress. She did not provide adequate interface between the business user, Ms. Stigall, and the IT group.” (Report at 5).

We further found that Ms. Schuler:

- A. Failed to grasp the severity of the problem because it took her over three months to complete the IT consultation;
- B. Failed to ensure that, once the item was logged in Clearquest, it would get fixed promptly; and
- C. Failed to adequately represent the business user’s interest during the twice weekly OMNI meetings to ensure that the OMNI team promptly addressed the early release problem.

(Report at 44-45).

II. MS. SCHULER'S RESPONSE TO THE REPORT

On February 25, 2015, Ms. Schuler provided the Governor's Office with a written response challenging several of our findings. (Response attached hereto as Exhibit 1). She also provided several documents in support of her response. We address each of her challenges.

A. Ms. Schuler was informed as to the "true impact" of the early release problem.

Ms. Schuler claims that Wendy Stigall did not inform her of the true impact of the early release problem in that Ms. Stigall did not advise her that as many as 2,700 offenders might be subject to early release. While it is correct that Ms. Schuler was not advised that the problem potentially affected thousands of offenders, there is considerable evidence that she understood, or should have understood, the seriousness of the problem. Nevertheless, Ms. Schuler failed to promptly address the King fix as it deserved.

Ms. Schuler was provided with ample evidence demonstrating the seriousness of the problem. On December 7, 2012, Ms. Stigall forwarded Ronda Larson's memo to Ms. Schuler. (Exhibit 13). Ms. Larson's memo clearly stated that, because of the programming flaw, "hundreds" of inmates could be released early. Ms. Larson's memo further made quite clear that if DOC released even one offender earlier than the law allowed this could potentially cause harm to a victim and significant liability to the taxpayers. (Exhibit 13). Thus, Ms. Schuler should have been aware of the seriousness of the early release problem and the great danger it posed to public safety.

Ms. Stigall also provided Ms. Schuler with an IT Change Request that stated the problem had to be corrected ASAP as "all current ERD's (earned release dates) when there is a mandatory/enhancement are in error." (Exhibit 22). Ms. Stigall also told Ms. Schuler that the problem was serious and needed to be fixed as soon as possible. This information coupled with the fact that, at the very least, Ms. Schuler knew that "hundreds" of inmates might be release early should have caused her to address the matter much more promptly than she did.

Finally, Ms. Schuler was an experienced IT business analyst with years of experience in her position. She had previously been a records manager at the Stafford Creek facility. She certainly should have understood the impact of releasing even one offender early.

B. Ms. Schuler's claim that the delay in completing the IT consultation was the result of the business user's failure to provide information is not supported by the evidence.

IT consultations typically take one to two weeks to complete. It took Sue Schuler over three months to complete the IT consultation for the King fix. Ms. Schuler claimed that this delay was because Wendy Stigall had failed to provide her with the necessary business requirements. We expressed doubt about this explanation in our report because Ms. Stigall denied that she had been asked for specifications and we found no e-mails between Ms. Stigall and Ms. Schuler supporting Ms. Schuler's claim. (Report at 24).

Ms. Schuler has provided the Governor's Office with a document dated February 20, 2013, which contains various calculations relating to the early release problem. (Attached hereto

as Exhibit 2). She does not say who provided this document to her. However, we note that Ms. Schuler failed to complete her IT consultation until March 25, 2013 – more than one month after she received this document. (Exhibit 35). Even if she had been waiting for the calculations from Ms. Stigall, she had them in her possession for more than four weeks before submitting the consultation. Ms. Schuler has offered no explanation for this delay and we stand by our earlier finding that she did not complete her IT consultation promptly.

C. Ms. Schuler’s role at OMNI team meetings should have been as an advocate for the business user.

Ms. Schuler claims that her role at OMNI meetings was to “act as a resource and communicate questions for clarification to the business owner and documenting those clarifications for the developer to continue their work.” We certainly do not disagree with this statement. However, we concluded that Ms. Schuler should have taken a more active role in advocating for the business users. Ms. Stigall had told her that the King fix was serious and that it needed to be addressed as soon as possible. Ms. Schuler was at the OMNI meeting in part to represent the interest of the business users. As such, she had an obligation to push the OMNI team to address the early release problem. She failed to do that. Without her active intervention, there was no one to speak to the urgency of this change request.

D. There is no evidence that Ms. Schuler corrected her erroneous entry in Easy Vista closing the King fix.

On May 26, 2015, Ms. Schuler made an entry into Easy Vista, the DOC tracking system that replaced the Service Desk Express (“SDE”), and allowed business users to track the status of IT Change Requests. Her entry reflects that she is “closing this incident [the King Fix] as the fix has been implemented in OMNI.” (Exhibit 57). This was not true and Ms. Schuler told us that she had mistakenly closed this item. It is noteworthy that, although we found this erroneous entry to be somewhat ironic in light of the troubled history of the King change request, we did not find it to be otherwise significant in explaining the three-year delay in completing the King fix.

Nevertheless, Ms. Schuler presented a document to the Governor’s Office that she claimed indicated that she had in fact corrected this mistake in Easy Vista on May 26, 2015. (Attached hereto as Exhibit 3). The document provided by Ms. Schuler is somewhat misleading and certainly can be read to support her position. When this document is compared to the actual print-out from Easy Vista (Exhibit 57), however, it is clear that Ms. Schuler did not correct this mistake on May 26, 2015. Exhibit 57 reflects that on May 26, 2015, at 3:07:26 p.m., Sue Schuler enters the Easy Vista system. One second later, at 3:07:27 p.m., Easy Vista reflects that she is entering the system to “update comments.” Then at 3:07:28 p.m., Ms Schuler makes the following entry into Easy Vista: “Closing this incident as the fix has been implemented.” There are no other entries on May 26, 2015. The next entry in Easy Vista is not until January 21, 2016. The entry is made by Sue Schuler and it states, “This has been implemented in OMNI.” (Exhibit 57). Thus, we find no evidence to support Ms. Schuler’s claim that she corrected her erroneous entry in Easy Vista on May 26, 2015.

STATEMENT OF SUE SCHULER

I was not informed by the business that the true impact of this change was 2,700 offenders which I feel is a critical piece of information that should have been shared with me. There is some question as to my honesty when I stated in that I was requesting confirmation on what the calculations should be in various sentencing scenarios. I have included documentation that indicates that the creation date of the document for calculations in question was on 2/20/2013 which would support what I said. I do not have confirmation of when I actually received the document for completion of the consultation. I routed the consultation for work estimate on March 25.

I entered it into our tracking system and did continue to advise the business owner of the lack of progress. Business owner was given release notes for every Maintenance release prior to the deployment of each release. The Records Administrator and I have a standing monthly meeting, admittedly we did not always meet based on other priorities but we did meet whenever possible and at each meeting I let her know what was being worked on.

My role in IT is not a member of executive staff, management or supervisor. My role is to gather the business requirements and document and get them into the system and then start work on the next consultation. In fact it is not unusual to have three or four consultations at different statuses. I did place the CQ item into each M release progression after M38. I have also included some documentation as to the other work that was completed during this same time frame. I was also away from the office for 6 days in February.

- Completion of analysis on 13 other CQ items
- Analysis and work completed to close 162 tier two help tickets
- IT bill analysis for 5 Legislative bills
- Consultations for 3 IT Enhancement Requests

This does not include day to day activities of responding to developers, technical analysts, testers and users, and the numerous meetings that occur.

My role in the OMNI meeting is to act as a resource and communicate question for clarification to the business owner and documenting those clarifications for the developer to continue their work. I did inform the business as to the status of this IT Request.

It was always my belief that all work being done by myself and other in my unit as well as all pending work was shared with IT executive management who in turn shared with the DOC executive management and those reports were being considered when management was setting their priorities. As I know now, that was not correct. In hindsight, yes, everyone who touched this issue would have done something different.

I have included some responsive documentation that I would like to have included in the record as it pertains to the investigation conducted by Yarmouth Wilsdon, PLLC.



Sue Schuler, February 25, 2016

Response to page 34 - Paragraphs 4
and page 44 para 2

Exhibit 2

King Decision - Excel

Info

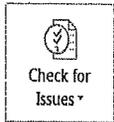
King Decision

C:\Users\SMSCHU-1\AppData\Local\Temp



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Created 2/20/2013 9:12 AM
Last Printed 2/20/2013 10:16 AM

Related People

Author sacollins
Add an author
Last Modified By smschuler

Related Documents

Open File Location
Show All Properties

Step 1

Enter Jail Credit and GT

Credit	GT
150	75

Step 2

Enter Count Base, Mandatory

Base	Mand.
120 D	12 M

80	40
<hr/>	<hr/>
70	35

Step 3

System - If the count has a mandatoy (flat time), then do a special calc. Compute the ER Credit for the base and subtract the the amount from the jail credit and GT. If the remainders are both positive, apply the days to the mandatory and GT days are not applied. Credit and GT are applied to the base.

70

Step 1

Enter Jail Credit and GT

Credit	GT
150	20

Step 2

Enter Count Base, Mandatory

Base	Mand.
120 D	12 M

80	40
<hr/>	<hr/>
70	-20

Step 3

System - If the count has a mandatoy (flat time), then do a special calc. Compute the ER Credit for the base and subtract the the amount from the jail credit and GT. If the credit remainder is positive, use the days as on the base and apply any unused the days to the mandatory and GT days are not applied. Credit and GT are applied to the base.

70

-20

50 to mand

Step 1

Credit	GT
--------	----

Department of Corrections

Whole company Schuler, Sue M

OPERATION HOME | TRANSITION | EXTENDED CMDB | CONTINUAL IMPROVEMENT Quick Call

SEARCH Update Request Detail SR017814 Request Number Search

Service Requests Request Number Search

NEW MY FAVORITES

Actions for My Groups Business Analysts (T) Incidents for my Group OMNI* (SR Catalog it) My Actions Both My Actions IN My Actions (To Do (S))

MY HISTORY Empty

- SR017814
- IN075593
- SR055543
- IN063017
- SR053860

DETAILS | Questions/Responses (4) | Attachments (0) | Equipment (0) | Discussions (0) | Related Incidents (0) | History of Changes (0) | Charged Back Services (1) | Related Problems (0) | Related Services (0) | Related Changes (0)

Request Number: SR017814 Status: Closed

Sub Status: Is this a Work Stoppage?

Urgency: 0 - Low OSN:

Service Requested: Service Request/SOFTWARE SUPPORT/OMNI*/Sentence St Network:

Comments/Justification: The current programming is allowing more than the maximum amount of good time to be applied to the base sentences. ...

Questionnaire Comments: The current programming is allowing more than the maximum amount of good time to be applied to the base sentences. Current programming applies the jail time to the mandatory/enhancement and the jail good time to the base sentence. Programming needs to be changed to apply the jail time and jail good time to the base sentence. If the number of jail days exceeds the base sentence, the remainder would then be applied to the mandatory/enhancement. The mandatory/enhancement would still run first in the system. Any jail good time in excess of the base sentence would not ...

Solution: Closing this incident as the fix has been implemented in OMNI This has been implemented in OMNI

Recipient: Stigall, Wendy S Requestor: Schuler, Sue M

Cubicle: Requestor Phone Number:

Department: Administrative Operations Clearquest #: 24910

Do Not Notify: Equipment: N/A

Documents (0)

Filter: Detailed View Compact View [+/-] Display All [-] Hide All

Created On	Assigned To	Action	Time Spent
1/26/2016 10:56:57 am	Pearson, Michael J	Send Email	0:00
<p>From: Pearson, Michael J To: mjpearson@doc1.wa.gov Subject:</p>			
1/22/2016 6:36:00 am		Notify Request is Completed	0:00
<p>From: svcEVDONOTREPLYDOC1@doc1.wa.gov To: wsstigall@DOC1.WA.GOV Cc: Subject: SR017814 has been closed</p> <p>Open Date: 5/26/2015 3:07:28 pm (UTC - 7) Closed Date: Recipient: Stigall, Wendy S Service Topic: Service Request/SOFTWARE SUPPORT/OMNI*/Sentence Structure (SSTA) Service Request Details: The current programming is allowing more than the maximum amount of good time to be applied to the base sentences. Service Request Solution: #[WF_TAGS.SOLUTION]# Click Here to View Request</p>			
1/21/2016 9:16:06 am	Schuler, Sue M	Support Group Processing -> Closed	0:00
This has been implemented in OMNI			
5/26/2015 3:07:28 pm	Schuler, Sue M	Support Group Approval -> Accepted	1798:08
Closing this incident as the fix has been implemented in OMNI			
5/26/2015 3:07:27 pm	Schuler, Sue M	Update Comments	0:00

Number of Records 5

easyvista What's the Difference between a Service Reque...