MEMORANDUM

To: WA Senate Investigation File
From: Max Hensley
Date: February 21, 2016
Subject: Peter Jekel Interview

Monty Gray and I interviewed Peter Jekel, former employee of the Washington Department of Corrections (DOC) at the DOC headquarters in Tumwater, Washington on Thursday, February 18, 2016. The following memo summarizes our discussion.

We explained that we have been hired by the Washington State Senate to investigate the issues surrounding DOC's administration of the sentencing changes caused by the Washington Supreme Court's *King* decision, and told him that we would draft this memo that set forth his comments for his signature. We explained that he would have the opportunity to edit or revise the memo to ensure that it correctly represented his statements, and further encouraged him upon reviewing this memo to add any additional statements or details that he wished to include, even if he had not mentioned them to us in person.

Jekel stated that during his tenure at DOC, he was unaware of the *King* fix. He explained that for most of his career at DOC he was the Chief Information Security Officer, a position he held for 9 years. This involved data handling issues, such as classification, storage, encryption, and transportation of data, and meeting regulatory requirements. Jekel did not have any role in making changes to OMNI or prioritizing that workflow; his only interface with that area was ensuring that the group and the contractors were using sound practices from a security perspective. Before his promotion to Chief Information Security Officer, Jekel spent 5 years as a security analyst at DOC.

Jekel was promoted to acting CIO after previous CIO Doug Hoffer left the DOC. His understanding was that management intended to rotate the position between three qualified internal candidates: himself, Jibu Jacob, and Jeanette Sevedge-App. He initially agreed to serve for only four weeks. Two weeks into his acting CIO role, he accepted a position at DOR. DOC Secretary Bernie Warner contacted his new bosses at DOR and convinced them to allow him to stay on as acting CIO for an additional two weeks. During his time as acting CIO, Jekel attended 5-6 executive meetings with the Secretary and other top leaders, and he does not remember the *King* issue ever coming up. Similarly, he did not get any reports from his staff about this issue. He noted that at that time, his staff was generally fatigued and under pressure because of new work that had come down from Warner.

Jekel described the new work as related to Warner's priority. Jekel believed that an inordinate amount of resources were moved to that area, which focused on risk assessments for

offenders and was used to determine the DOC's rehabilitative approach and offenders' eligibility for certain programming, and also controlled the way in which they were monitored in the community. Jekel believed that this work was essential to the DOC's mission and impacted everything that they did, down to the assignment of offenders to certain cell blocks. We asked whether this priority area was related to the "Advance Corrections initiative," and Jekel was not familiar with that term. He said that the priority area was known as both "STRONG-R" and "STAR" (Substance Tracking and Reporting), but the STRONG-R term was specific to a particular vendor, a company known as Assessments.com.

We asked Jekel if he was familiar with a company called Assessments.com. Jekel stated that during his tenure as acting CIO, there was an RFP in process that became a sole-source contract for Assessments.com; he said that the sole-source nature of the contract was under challenge through the Department of Enterprise Services procurement process at the time Jekel left DOC in April of 2014. Jekel said that he was not aware of any relationship between Assessments.com CEO Sean Hosman and Warner, but that Jekel was not in favor of continuing a working relationship with Hosman. He was aware of Hosman's past substance abuse problems, but those were not the reason for Jekel's objection to working with him. Rather, Jekel said that Assessments.com had repeated quality issues and provided software fixes that did not work. Jekel said he was told by staff that in one instance, although the contract required Assessments.com to maintain the software, a DOC employee had to show an Assessments.com employee how to perform the work. Jekel said that he wondered why they were being considered for future work; he doesn't have any particular knowledge why they were considered, but "It didn't smell right. If you were in a fish market, you wouldn't buy that fish."

Jekel had a limited role in procurement, and only had that role during his 6 weeks as acting CIO. During that time, he expressed his belief that the Assessments.com contract did not qualify for award on a sole-source basis, but had been told that Warner wanted it submitted as a sole-source contract. Jekel did not provide sole-source contract justification language. Jekel is not sure of the size of the contract and does not know how the challenge turned out.

We asked why former CIO Doug Hoffer left DOC. Jekel said that Hoffer was "one of the finest people I ever worked for" and "an exemplary CIO," but that he was very stressed at the end of his tenure. "Doug had burned his candle to the end." Jekel believes that under Hoffer, IT governance was very good and among the best of all state agencies. He stated that DOC had a team that determined priorities by working with business units, the team put those priorities into a system called ClearQuest which contained good tracking documentation, and the department had an organized release plan, known as the M-release schedule. Jekel views this as a rigorous process that was built to industry standards. His question is why the *King* fix didn't go into the proper release, and thinks that it is possible that there was pressure from above that forced employees to do certain tasks instead of necessary maintenance items; he noted that pressure would not necessarily be documented. Jekel was "shocked" when he saw news reports on this issue.

Jekel stated that he was aware that the IT department had a "landslide of work"; he said that he believed the ClearQuest queue went out as much as 18 months and contained mostly OMNI issues. His knowledge, however, is mostly hearsay. He noted that even if DOC had the

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most basic prioritization process, first-in-first-out, that would not explain why it took 3 years to fix the issue. Jekel believes that someone must have made a decision to put this project off. He thinks that employees who had been dedicated to OMNI work were shifted to priorities other than the ClearQuest queue during his time as acting CIO. He noted that if someone with sufficient political capital had a pet project, or was in a position to say "this is what Bernie wants," it's possible that project might obtain priority when push came to shove.

We noted that Hoffer had had issues with the DOC's business units providing him with sufficient and consistent prioritization information. Jekel said that could be true, but believed that another problem was that people with political pull were able to get their priorities done while pushing other work out. He said that while he was not here during the entire *King* process, that type of activity happened during his brief tenure: "when push came to shove, what Bernie wanted, Bernie got."

We asked why Jekel left DOC. He said that he had accepted the job at DOR in January of 2014, but that Hoffer talked him out of leaving on the grounds that Hoffer was planning to leave, which would open up the CIO position. Jekel stayed at DOC, but DOR remained in contact through this period. Prior to accepting the acting CIO position, Jekel had informed DOC that he wanted a salary increase in the Chief Information Security Officer position, and DOC did not agree; in fact, its HR department informed Jekel that he was overpaid for his position. In contrast, DOR was able to offer a reasonable salary increase.

In addition, once Jekel got into the acting CIO position, it was "among the worst professional experiences I ever had." He characterized Warner's involvement in the IT department as "indifferent neglect; benign neglect is too nice." As an example, Jekel said that he had a key group of employees who did web development. He had a brief conversation with Warner regarding moving that group to DOC's communications division, and advised Warner against making that move, because he did not believe the communications group had the technical knowledge to supervise this work. Ten days later, Jekel found out from a junior member of that team that the move had been made without informing either Jekel or the team leader. Jekel was required to do a substantial amount of work to work with that team leader (who was a valued employee that had just lost his team), as well as to re-do position descriptions and duties for other areas that had previously interacted with the web group.

As another example, Jekel stated that the decision to make the Assessments.com contract a sole-source contract was done above him (although Jekel did not remember precisely who gave the instruction); Jekel did not feel that the contract was permissibly sole-source, and as a result gave only technical assistance while others wrote the RFP. These conflicts with Warner lead Jekel to realize that the writing was on the wall, and within two weeks of assuming the acting CIO position he informed DOR that he was interested in accepting their offer.

We asked Jekel about the professional credentials of employees working at DOC and noted that some of the staff did not appear to have professional qualifications or appeared to be unsophisticated specifically in the area of I.T. business requirements. Jekel noted that many DOC employees rose up through the DOC ranks. He said that many are excellent leaders and have professional credentials, including former Secretary Eldon Vail, Anmarie Aylward, and

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many of the superintendents. However, many people in the department have only worked at DOC and lack academic credentials. Many of them are excellent at what they do, but are limited in the scope of their duties within IT.

We asked about Jekel's background, and he said that he moved to IT as mid-career change. He originally obtained a BA in philosophy and languages from Evergreen State College, and later got a bachelor of science degree in computer science from Evergreen.

We asked about the transitional period after Hoffer left and asked him whether he thought it was a lengthy transition. Jekel said he thought it was a lengthy transition, and that spoke to Warner's indifference to the IT group. We asked what Warner would say about the IT group, and Jekel predicted that he would characterize it as poor. Jekel thinks that Warner saw Assessments.com as the "A" team, and saw DOC employees as the "B" team. Assessments.com wanted DOC to make radical shifts in workstyle to accommodate them. Jekel described DOC as using a "hybrid agile-waterfall" methodology, which is an interactive process during business requirements and design combined with a structured process in coding. Assessments.com, in contrast, uses a strict "agile" methodology which allows them to move much faster but does not allow for the same amount of quality control. Jekel said that this was a conflict in drafting their contract, as they informed DOC that they did not want business requirements included in the contract, but DOC insisted on them so that DOC could keep tabs on what they were paying for. Jekel added that he believed that Warner may have thought more highly of him as a security officer than as a CIO.

We asked whether Jekel had any view on other departures from DOC's IT staff at approximately the same time. Jekel said that he saw "heavy migration" out of DOC during the 6-8 month period around the time he left, and thought it may have been attributed that to the turmoil and pressure in the department due to the lack of leadership because of the lack of a permanent CIO.

We asked whether Jekel had a view as to the desirability of implementing a charge-back system to improve visibility into the limited resources of the IT department and the need to prioritize the use of those resources. Jekel said that it would be feasible, but does not believe that it was needed, or that it would necessarily be effective. He thinks that "it comes down to good management"; he described the team of Secretary Vail and CIOs Kit Bail and Doug Hoffer as highly effective.
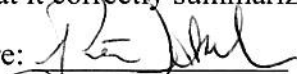
We asked whether Jekel had met his replacement Doug Switzer; Jekel said that he had only met him once. After being hired, Switzer had wanted to speak with both Jekel and Bail as former CIOs, and Jekel met with him at that point. He did not make a favorable impression.

We closed by asking whether Jekel had any further comments that he wanted to share with us. Jekel said that he was "completely floored" when this came out, and that his initial reaction (which he now believes to be at least partly mistaken) was that it had to have been caused by someone outside of IT based on his very high opinion of that group. He also added some context to his relationship with Warner, noting that he had had a good working relationship with Warner when Warner was director of prisons for DOC, and that Warner had apologized for

the incident with the web group and had personally come down to wish Jekel well when Jekel was preparing to leave DOC for the Department of Revenue.

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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: _Peter Jekel (handwritten signature)_

Name: PETER JEKEL

Date: 2-22-16