

DAVIS WRIGHT TREMAINE LLP

MEMORANDUM

To: WA Senate Investigation File
From: Ross Siler
Date: February 12, 2016
Subject: David Dunnington Interview

Monty Gray and I conducted an interview with Mr. David Dunnington today at Department of Corrections ("DOC") headquarters. The following summarizes Mr. Dunnington'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 Mr. Dunnington and explaining that we were lawyers with Davis Wright Tremaine, which has been 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 why the problem was not identified and corrected earlier, but also to discuss what conditions at DOC contributed to the situation and what corrective action should be considered.

Mr. Dunnington has worked for DOC for nearly 25 years, beginning as a corrections officer. He has held the jobs of sergeant, correctional counselor, classification counselor, lieutenant, correctional unit supervisor, correctional program manager, and administrative segregation hearing officer at DOC facilities. He came to headquarters in late 2003 to work as a corrections specialist. He has worked in the IT department since 2004 or 2005 as the business unit manager. Mr. Dunnington was named temporary deputy chief information officer on January 4, 2016.

We discussed the typical process for an IT request concerning a system defect. Mr. Dunnington said it usually starts with a ticket turned into the help desk. If the help desk cannot resolve the issue, it forwards the ticket to the IT business unit. A business analyst examines the ticket request to determine whether it involves a system defect, data issue, user error, etc.

We then reviewed the Information Technology Service Request form that Wendy Stigall submitted on December 27, 2012. Mr. Dunnington clarified that this request would have been classified as an enhancement and gone through a slightly different process than a defect, though it still was considered part of the overall help system.

Mr. Dunnington said the next steps after receiving a service request form would be to analyze and size the scope of the requested enhancement and obtain approval. After receiving approval, the request would be entered in the ClearQuest system to track development.

Mr. Dunnington said the review and approval process was typically conducted by a member of the Technical Review Board or a supervisor. The request also would have been reviewed during an IT triage team meeting. Mr. Dunnington said members of the triage team included himself, Michael Pearson, Mark Quimby, Marshelle Casano, Luann Kuwata, Mary-Jane Arnold, Rob Baird, and a member of the IT security team.

He explained the triage team did not approve requests so much as ensure they were directed to the right place, such as determining whether it involved hardware, software, installation, etc.

There was a governance group in the past, but Mr. Dunnington did not participate in that group. He believed the governance group consisted of division executives or their designees.

The IT gatekeeper would take requests that typically arrived in paper or soft copy form and enter them into the help system. The gatekeeper would correspond with the submitter of a given request to bring the request together for development.

Mr. Dunnington clarified that the help system he described was the Service Desk Express system. DOC began using the Easy Vista system about a year ago as a replacement for Service Desk Express.

Mr. Dunnington was not familiar with an approval document [IF_000400] produced in Service Desk Express in response to Ms. Stigall's request. The document featured an approval number (Approval # 5737). He believed the Project Number (Change # 6307) was automatically generated when the ticket was first created.

Mr. Dunnington stated that the IT Consultation Form that Sue Schuler created on March 25, 2013, was the document created when the business analyst was estimating the sizing of the project and development/testing time. After submitting the IT Consultation Form, the request would return to the triage team, Mr. Dunnington recalled.

Not all requests were entered into the ClearQuest system because not all IT requests involved system development. Some requests involved obtaining a new laptop or installing specific software for an employee. But system changes were entered into ClearQuest with few exceptions.

Mr. Dunnington said there is usually a backlog of items in ClearQuest. He said it was "fair" to believe that the original sense of urgency for the *King* fix request eventually was lost over time for unknown reasons.

We asked Mr. Dunnington about how priorities are set for which updates will be included in a particular OMNI release. Mr. Dunnington said it was up to the business analyst to communicate with the submitter and advocate for the inclusion of a particular update. The business analyst was expected to take into account factors such as the number of staff or offenders affected, or any security threats, in determining the importance of a given update. He agreed this sounded like a bottom-up process rather than a top-down one in setting priorities for releases.

Mr. Dunnington said it was a “collaborative” process to determine what updates were included in a release. He said there were some limitations as to maximum percentages of updates that could be related to a single area, such as sentencing/SSTA.

He explained that he would inform Ms. Schuler that an upcoming release, for example, could include 10 SSTA fixes. The decision of what 10 fixes to include would be left to Ms. Schuler to identify.

After the prisoner release problem was discovered, Mr. Dunnington said DOC created a Tiger Team to review all ClearQuest items and enhancements and set priorities based on a point system. The point system takes into account factors like the potential effect of a request on safety interests, liberty interests, protection of the vulnerable, etc. The Tiger Team is a group of approximately eight people who perform individual analyses of these factors to reach a consensus. Clela Steelhammer, Wendy Stigall, Diane Ashlock, and Josh Phelps are part of the Tiger Team.

Mr. Dunnington expected the Tiger Team would become a permanent review component.

With respect to the *King* fix, Mr. Dunnington said there was probably some awareness of the request in 2013 on his part, but he doesn’t recall. He became very aware of the request once testing on the fix occurred in late 2015 and the population-wide ramifications were realized. He does not believe the magnitude of the fix was understood when the request was first made.

Mr. Dunnington said the request might have gotten lost in the volume of other requests to the IT department. “There were a number of other projects and priorities that demanded attention. Unfortunately, that’s probably part of that. There was always something new and something that needed to be fixed or someone wanted their [project] done next. The work kept piling up.”

Mr. Dunnington said the entries bearing his name in the ClearQuest audit trail in 2013 and 2014 likely were for moving the update to future releases. There is no documentation for those decisions to delay the update. Mr. Dunnington said documentation might be worse in some respects for the IT department now than six years ago, but it might be better in others.

Mr. Dunnington said: “I don’t think IT ever said no to anybody. The faucet would just keep filling the bucket and we kept working and working to get the job done.” The IT department has lost several key people in recent years. Mr. Dunnington said that resources are a struggle, whether in losing people, dealing with an increased workload, or both factors.

There is no trigger or notification that occurs when a request has been repeatedly rescheduled for future releases.

Mr. Dunnington had not worked with Ms. Stigall until recently when the prisoner release problem came to light. He said there was no pushback or follow up from the records department that he was aware of regarding the repeated delays, despite the fact that Ms. Stigall’s original request said that the issue needed to be addressed ASAP.

We asked about the length of time it took between when Ms. Stigall completed the IT service request (December 27, 2012) and Ms. Schuler completed the IT consultation report and gained ClearQuest approval (April 3, 2013). Mr. Dunnington said a number of factors could contribute to such a delay, including the complexity of the request and the availability of both the submitter and the business analyst to discuss. He did not remember the factors for this specific instance. "Obviously, in hindsight it should have been all hands on deck."

Mr. Dunnington said he did not know how many times Ms. Schuler met with Ms. Stigall to discuss the requested fix. He added that ideally the request should have been entered and approved in a couple of weeks.

We asked about Ms. Schuler's statement about scheduling the update for a September 2013 release even though it was entered in ClearQuest in April 2013. Mr. Dunnington said he didn't believe the initial requirements were complete from all parties in April. In addition, although the original estimates for development and testing were less than 40 hours, Mr. Dunnington said recent work on the *King* fix has revealed those estimates were far too low.

Mr. Dunnington said that often 300 updates (defects and enhancements) were included in a particular release, but with the knowledge that not all targeted would be completed. The remaining updates would then be rescheduled for a future release. He remembered there was a backlog of updates in 2013 but he did not recall exactly how many updates there were.

All enhancements, including the *King* fix, which originally was a severity level 2 when the ClearQuest entry was created, were downgraded to severity level 3 as the result of an architecture meeting decision. Mr. Dunnington said he conceived this change as a way to create a consistent severity level for enhancements and to separate severity definition on defects rather than enhancements.

We asked about the ASD Open Change Reports document. Mr. Dunnington was not familiar with the document. He believed the numbers were Service Desk Express numbers. There likely was some overlap between the open requests on the ASD report and open ClearQuest updates.

The must-fix category of updates in ClearQuest is used "to tell the developers we want this fixed in a release." Mr. Dunnington described it as a "message to the developers that we expect to get it done." He could not explain why the *King* fix remained unresolved even after it was classified as must fix in September 2013, according to the audit trail.

The IT department held OMNI meetings twice a week to monitor progress and discuss defects and enhancements set for the next release. Mr. Dunnington said it was an opportunity for developers to seek clarifications from the business analysts. The OMNI meetings only discussed updates set for the next release, not backlogged updates scheduled for future releases. The meetings lasted an hour and no records were kept.

Mr. Dunnington said the Sierra developers and DOC developers would typically decide themselves what updates would be developed in-house.

Mr. Dunnington said Sierra does a "good job" compared with other contractors DOC has used. He said he has a good working relationship with Sierra and praised Mark Ardiel as "very good."

Mr. Ardiel only worked on updates that were scheduled for release, he did not attempt to address any backlogged updates. Mr. Dunnington said it was the Department's responsibility to set the order in which issues were worked, to monitor requested updates, and to ensure they were scheduled for release and completed. He believed the urgency of the *King* fix was not communicated to Mr. Ardiel until recently when the scope of the problem came to light.

Mr. Dunnington answered "yes and yes" to the question of whether large- or small-scale projects hampered the IT Department's ability to clear the backlog of updates. Even a small-scale project could be a diversion if it was requested to be completed immediately.

The IT Department was negatively affected in DOC Secretary Bernie Warner's tenure; "no doubt in my mind," according to Mr. Dunnington. He described having heard of a time when Mr. Warner requested a meeting in his office with an employee (not Mr. Dunnington) and proceeded to play with his cell phone throughout the meeting, without looking at the employee or acknowledging his presence. Mr. Dunnington said there were multiple inefficiencies in the decision-making process under Mr. Warner, and that sometimes he would not show up to meetings.

Mr. Warner hired a chief of staff, which left him an additional level removed from staff. He was "the secretary that no one heard from." He advocated for the Advance Corrections Initiative, but portrayed it as a never-ending project. He said that Mr. Warner said it might be "years" before the requirements for the initiative were fully developed. He suggested talking to Doug Hoffer, Peter Jekel, or Jibu Jacob for more information.

Current DOC Secretary Dan Pacholke is an improvement over Warner and was always a supporter of IT; he was "by no means a hindrance."

Mr. Dunnington said that he did not know who made the decision not to replace the technical analysts who left. He said that this decision occurred while Doug Hoffer was CIO.

Former CIO David Switzer moved Mr. Dunnington's business unit, as well as the project management office, out of the IT Department. Mr. Dunnington said this resulted in a lot of missed communications for the business unit. The business unit still was considered part of the administrative services division even during this period.

Mr. Dunnington is now deputy CIO and said he thinks the department is "going in the right direction now." That includes the business unit being "completely in the room" and with processes to ensure it is exposed to the full scope of changes to DOC's systems.

Mr. Dunnington said his initiatives with new CIO Ira Feuer are to create an IT business plan and roadmap. They are working to identify all critical systems and to better share defects and enhancements that affect those critical systems. That would include, for example, ensuring that "everybody gets a look" at a potential enhancement created as a result of a legislative change

so everybody knows what issues have been raised. The Tiger Team is another important initiative.

Mr. Dunnington also described DOC's IT systems beyond OMNI. These include systems that coordinate medical care, roster management for staffing, time and accounting systems for payroll, and a host of others.

On an unrelated question, Mr. Dunnington said he believed the practice of restoring good time for offenders was being used more often now than it was 10 years ago.

We thanked Mr. Dunnington for meeting with us and told him that we would produce a memorandum of his interview for his review and correction as needed. We also told Mr. Dunnington that he could clarify any points in his 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: David Dunnington

Name: David Dunnington

Date: 2/18/16