



**SUPPLEMENTAL
INVESTIGATIVE REPORT**

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

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

MEMORANDUM

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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.