Key takeaways from the Senate DOC investigation

The problems started at the top. The executive branch needs to acknowledge its responsibility for the early release of some 3,000 of the state's most violent and dangerous prison inmates – armed robbers, rapists, murderers and others. Department of Corrections executives and those who supervised them in the governor's office lost sight of the department's mission to protect public safety. This was an executive-level management failure, and executives should not be allowed to excuse themselves.

We *still* don't know how much damage was done. Two deaths have been linked to the early releases, as well as numerous crimes. But DOC has only partially analyzed the criminal impacts of its mistake –- it hasn't considered arrest records, and either it has made very little effort to assess harm done by prisoners released between 2002 and 2011, or it has not released those findings. *We don't even know the exact number of early releases.* Unless DOC finishes its work, we cannot properly estimate the state's multimillion-dollar liability.

This wasn't a computer problem. The early releases started in 2002, when officials in the Department of Corrections misinterpreted a ruling from the state Supreme Court. The ruling had to do with prisoners who received sentence "enhancements" and earned time off for good behavior. DOC provided erroneous instructions to its computer programmers and got bad results. This was not a "software glitch" or a problem with computer equipment. It was a people problem.

The worst part is the way DOC officials responded. Ten years after the early releases began, DOC officials learned their computers were giving them the wrong results. They should have dealt with the problem by calculating sentences by hand until the software was fixed. They should have had redundant systems in place to test their assumptions. They should have reviewed legal advice they received and recognized its shortcomings. Instead, they decided to keep releasing prisoners early – then, due to their mismanagement, the software fix was delayed three full years.

Former Corrections Secretary Bernie Warner deserves particular blame. Warner was a prime cause of the debacle, for his inattention to the day-to-day affairs of his agency, his lack of curiosity when he learned of the early-release problem, a management style that created chaos, and a misplaced emphasis on a grandiose computer project ("STRONG-R") that diverted time, energy and resources from software maintenance and defect correction.

Governor's office shares blame. The governor's office failed to effectively supervise DOC, despite its statutory responsibility to do so. It should have recognized red flags that offered ample warning of agency management problems, and it knew enough about the early-release issue to start making inquiries. It failed to effectively address a personal relationship between Warner and a senior member of the governor's staff that could only have discouraged tough questions from being asked.

Awareness existed at highest levels. Sufficient awareness existed within DOC's executive team for the agency to take appropriate action – and it did not. Some implausibly claim ignorance, particularly former Risk Manager Kathy Gastreich, whose responsibility it was to manage risk. Even if their claims were true, it would not excuse their behavior – it was their duty to ask questions and follow through.

Midlevel managers should not be scapegoated. The governor disciplined three midlevel managers closest to the problem, yet the record shows all acted in accordance with agency procedures. They had a right to expect agency management to be functional. For the governor's office to single out these individuals for disproportionate blame sends the message that the front line and mid-level staff will be sacrificed in order to protect their superiors.