

Response to Grand Jury Report, 2002/2003

Respondent: El Dorado County District Attorney

July 2003

Report: "Information Systems Committee"

Required Responses

Finding #F8: "In January 2001 and again in 2003, the BOS and the District Attorney's Office (DA) together signed the DAMION Software License and Maintenance Agreement contracts without the endorsement of IS through the ITSC."

Response: b) Respondent disagrees wholly with finding

In January 2001 the DAMION contract was submitted to the BOS **with IS approval** – please see copy of Agenda Transmittal form attached. The Chief Administrator's Office (CAO) would not accept nor send to the BOS this item without IS sign off.

The 2003 submission to the BOS was Amendment I to the 2001 DAMION contract. The amendment provided for purchasing upgrades to the existing DAMION system provided for under the 2001 contract, language which had been unintentionally left out of the 2001 contract.

Since the language of County Policy A-10, 2, b. refers to IS approval of "new systems development projects..." we concluded, as apparently the CAO and BOS did, that the policy applied only to the original contract.

Finding #F9: "The DAMION contract was signed in 2001 by the BOS and the DA with full knowledge of a potential security breach for the County."

Response: b) Respondent disagrees wholly with finding.

The finding implies that we had no concern for a 'potential security breach.' We find this finding a very unfair characterization. We have always taken security seriously. That is why we have alarm systems in our offices and after hours access controls on all exterior doors. That is why we conduct background investigations on all potential new employees. That is why each personal computer user must use a password to access our office network. That is why access is denied to a DAMION user without the proper password.

As part of our conversion to the DAMION system, IS authorized and set-up the ability of DAMION support staff to dial-in to our DAMION server. The dial-up point of entry into the county is via a (Remote Access Server) RAS located in IS. Access has occurred since at least June 2001.

We assume that if IS had a security problem with this dial-in method - - either via the RAS server or within the D.A.'s portion of the county network - - they would have brought it to our attention during the last two years.

Finding #F10: "The DA signed the contract for the DAMION Software License and Maintenance Agreement, and scheduled its submission to the BOS before giving it to IS for their approval."

Response: b) Respondent disagrees wholly with finding.

Please read our response to Finding #F11.

Finding #F11: "IS was given insufficient time (6 hrs) to review the DAMION Contract."

Response: b) Respondent disagrees wholly with finding.

The time required to do a job is not rigid, but flexible to meet real world events.

In the case of the DAMION contract, time was critical!

Funding available for the DAMION contract needed to be spent by June 30, 2001 or be returned to the state. That required a successful conversion from the JALAN system to the DAMION system by June 30, 2001.

We appreciate the speed with which IS was able to review and sign off on the contract in January 2001, enabling us to present it to the board of supervisors on January 23, 2001, convert to DAMION by June 30, 2001, and ultimately save the county thousands of dollars.

With IS approval of the contract in January, just enough time remained for our office to work with the DAMION system staff for conversion analysis, required program modifications to meet our needs, installation of hardware, installation of Oracle and DAMION software, and training of our staff.

A successful conversion to DAMION occurred in mid-June 2001:

- Funding needs were met; all hardware and software were funded by grants,
- No money from the SLESF/COPS grant was returned to the state,
- This office upgraded to a state-of-the-art case management system.

Please note that in July 2000 a Request for Proposal (RFP #915-009) was sent out by the Purchasing Office of El Dorado County for a Prosecutor's Case Management System. Due date was August 18, 2000. DAMION (Constellation Justice Systems) was one of the responders to the RFP. An August 18 due date was consistent with our time-table to convert to a new system by June 2001. Unfortunately, review and agreement of a draft contract for the DAMION system, between county counsel and the legal staff at Constellation, took longer than planned. Contract review was requested of IS in January rather than December.

The RFP - - containing 15 pages of functional requirements - - was developed by this office and reviewed by IS (with suggested changes) prior to the publication of the RFP in July 2000.

Those same functional requirements were included in the DAMION contract. Thus, IS had already reviewed a large portion of the DAMION contract before January 2001.

Recommendation #R6: "The District Attorney's Office and the Board of Supervisors should work with IS to ensure the DAMION system is equipped with the proper security tools for protecting the County's IT data."

Response: b) (3) The recommendation requires further analysis....

This office has discussed this recommendation with IS and both departments agree that an evaluation is necessary to determine if any security issues exist. An IS specialist has already visited our office and spent time with our IT person. I expect that we can issue a report of our joint finding about September 1.

Voluntary Responses:

Finding #F1: “Some departments encourage employees to cross-train into the field of Information Technology (IT) to avoid the costs associated with the Information Services (IS) department’s programming, training, and PC support services.”

Response:

Cost avoidance may be one reason, and a valid business reason, departments employ their own IT staff. But there is a more fundamental reason which the Grand Jury failed to grasp clearly. And that has to do with the evolution, over the last 10 years, of decentralizing computer operations in many departments.

In the second paragraph of **Background** the Grand Jury reports reads:

However, because some departments provide a unique and specialized public service it is not cost efficient for IS to design, create, and service this type of database software. In these cases the utilization of an outside vendor is encouraged.

Here the Grand Jury recognizes that decentralization is important. But decentralization does not end with the specialized hardware and software – it only begins there.

Typically, the specialized systems mentioned operate on a data base server or servers located in the department. The server connects to individual personal computers of all departmental employees. All these components function to provide the information needed by department staff to respond to customers accurately and quickly. Servicing these department systems requires an on-site IT person - - because there are minute-by-minute, hourly, and weekly issues that department staff have with the systems that must be resolved immediately.

The point is that obtaining the specialized software, and successfully integrating with department personal computers, are one-half the requirement; keeping the systems running 24/7 is just as important. This can only be done by a local IT person working under the direction and within the mission of said department and fully trained on supporting the systems in use.

Osborne and Gaebler, in their book *Reinventing Government*, support this very point when they say at page 252:

Decentralized institutions have a number of advantages. First, they are far more flexible than centralized institutions; they can respond quickly to changing circumstances and customers’ needs.

Recommendation R1: “Since IS is in a position to provide the County with improved promotional decisions of IT workers, and provide ongoing testing and training of current technologies, departmental IT staff throughout the County should be trained and under the jurisdiction of the IS.”

Response:

That is like saying that every department Fiscal Tech in the county should report to the El Dorado County Auditor/Controller because Fiscal Tech’s do fiscal work and the auditor’s office does fiscal work.

The logic of the above recommendation R1 is clearly flawed, and again, contradicts the Grand Jury’s recognition that decentralization is necessary (as noted above in the comments to Finding #1):

- A. IS can’t provide ongoing testing and training of local department specialized software developed by outside vendors. They have limited knowledge and no training in this area.
- B. This concept violates practical management principles of effective supervision. Imagine a person working for the Grand Jury being supervised by the Assistant Auditor/Controller, or Undersheriff.

EL DORADO COUNTY
BOARDS OF SUPERVISORS
AGENDA TRANSMITTAL
MEETING OF JANUARY 23, 2001

AGENDA TITLE: RFP #01-915-009 - CASE MANAGEMENT SYSTEM

AGREEMENT #317-S0111 - CONSTELLATION JUSTICE SYSTEMS

GENERAL SERVICES
G.F. Martin, Director

DATE: January 10, 2001

CAO USE ONLY

CONTACT: Denae Bennett

PHONE: 5833

AD *orp*

FAM *not*

Suzanne 1/16/01

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION: General Services recommending the Board: 1) award RFP #01-915-009 for an application software product for case management and tracking within the District Attorney's Office; 2) make findings that it is more economical and feasible to "contract out" the services in accordance with County Ordinance 3.13, Section 3.13.030; 3) approve Agreement #317-S0111 with Constellation Justice Systems to provide an application software for case management and tracking for the District Attorney's Office; and 4) authorize the Chairman to execute Agreement #317-S0111.

CAO RECOMMENDATION: Concur. The source of funding for the DA's Case Management project is the State Supplemental Law Enforcement Services Fund (SLESF), as approved by the Board of Supervisors on September 26, 2000 (58#). It is the District Attorney's (DA) intent to fund the system's future annual operating costs (eg annual software license) with the DA's annual State SLESF allocation.

Financial impact? (X) Yes () No

Funding Source: (X) Gen Fund () Other

Index/Subobject: 220400/4262 & 4300

BUDGET SUMMARY

Total Est. Cost

FY 2000-01: \$121,525

Funding

\$138,370.00

Budgeted

\$138,370.00 / 121,525

New Funding

\$ -0-

Savings*

\$ -0-

Other

\$ -0-

Total Funding Available

121,525

Change in Net County

\$138,370.00

Cost

\$ -0-

*Explain: *FY 2001-02 \$14,865. Total 2 yrs \$138,370*

CAO Office Use Only:

4/5's Vote Req'd

() Yes (X) No

Change in Policy

() Yes (X) No

New Personnel

() Yes (X) No

CONCURRENCES:

Risk Management

County Counsel

Other

IS

JAN 17 8 30 AM '01
EL DORADO COUNTY

BOARD ACTIONS:

JAN 23 2001 - CHAIRMAN AUTHORIZED TO EXECUTE AGREEMENT NO. 317-S0111 IN AN AMOUNT NOT TO EXCEED \$138,370 FOR SAME.

Vote: Unanimous _____ or _____

I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors.

Ayes: DUPRAY, SOLARO, BORELLI, BAUMANN, HUMPHREYS

Noes: NONE

Date: _____

Abstentions: NONE

Attest: DIXIE L. FOOTE, Board of Supervisors Clerk

Absent: NONE

By: _____

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SR