
From: Costantino, Keith (DOT)
Sent: Monday, July 15, 2019 12:04 PM
To: Costantino, Keith (DOT)
Subject: Meeting Notes / July 12, 2019
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Meeting Notes – Personal Recollection of Questions and Answers

July 12, 2019

1:00pm Meeting / Grant Thornton & MassDot Legal / Quincy Headquarters / 3rd Floor – Conf. Room E

Meeting Participants: Keith Costantino (Driver Control Unit – State Director); Marie Breen (MassDot Legal); Eileen Fenton (MassDot Legal); Jimmy Pappas (Grant Thornton); Stephanie Bernard (Grant Thornton)

Meeting Invitation at the request of Marie Breen (MassDot Legal) – official invitation not sent via email, Ms. Breen stopped by my cubicle at approximately 11:45am and requested my presence at 1:00pm. I inquired as to the nature of the meeting, to which Ms. Breen replied some basic background information on the Driver Control Unit and potentially conversation on the Out-of-State (OOS) reporting of citations. I agreed to the meeting and met all parties at the scheduled 1:00pm time slot.

TOPICS OF CONVERSATION

1. Following a brief introduction with all parties, Ms. Breen set the meeting in motion. Ms. Breen indicated that she represents MassDot and that this conversation should be considered confidential and privileged. I requested clarification on the nature of her statement, to which she responded that she was not acting as my personal counsel in the matter at hand. I thanked Ms. Breen for her clarification and we proceeded with the meeting.
2. Ms. Breen started with a question asking me to describe the structure at the Driver Control Unit (DCU). I described that the DCU conducts administrative license suspension hearings on behalf of the RMV. I indicated that we have a staff of approximately 50 workers, divided amongst three distinct groups, with offices in nine locations throughout the Commonwealth. The three groups identified were Hearing Officers, Court Records and the Ignition Interlock Department (I also mentioned there were some administrative support staff). I estimated that conservatively we process 75,000 to 100,000 administrative suspension hearings annually. I was asked approximately how many suspensions actions are taken against the Commonwealth's 5.2 million licensed drivers annually, I could not say with certainty but indicated the number is probably in the category of 250,000 to 300,000. Mr. Pappas inquired as to whether this percentage was representative of the hearings performed against such suspension actions, to which I answered yes.
3. Ms. Breen asked me to provide details of my background and my start with the RMV. I indicated that I returned to the RMV in June 2015 and was hired as the Director of the Driver Control Unit for the RMV, working out of the Boston (Haymarket) location. Ms. Breen inquired further as to when I had previously worked for the RMV. I responded that I worked in the capacity of legal counsel for the agency during the years 2001 – 2007. Ms. Breen asked who was the General Counsel at that time, to which I replied Erin Deveney. Ms. Breen further inquired if I had worked exclusively for Ms. Deveney, to which I replied both Ms. Deveney and Ms. Jean Berke. Ms. Breen inquired if I had knowledge of the OOS conviction process when I previously worked for the agency, to which I replied no, I was working in a different role and different capacity.

infraction (OUI/Fatality), the entry of the OOS conviction would be added to the customer record via the ALARS database (SOC Screen). I also noted (with emphasis) that it was more often the case that the Hearing Officer would be adding a missing Massachusetts conviction (for motor vehicle offenses) as uncovered in the Massachusetts BOP/CJIS check.

7. **Identification & Escalation.** In the process of describing the OOS impediment at DCU, I stated that my objective was to properly scope the issue and then escalate to the appropriate management personnel. In the early spring of 2016, the RMV had introduced a new process to aid business unit leads with raising operational impediments or introducing new business process improvements. I was asked by Ms. Breen and Mr. Pappas when I first escalated my findings to management. I answered that in late April or early May that I presented my OOS citation migration process improvement at an off-site team building exercise (UMass Club / 1 Beacón Street, Boston, MA). Following that presentation I further submitted a process improvement project (POP) in the suggested format (Excel Spreadsheet) to management in late June or early July. This submission was clearly labelled as the DCU to MRB Citation Mitigation project.
8. **Progress on this specific raised operational impediment** took a small hiatus for middle of July of 2016, as staff involved in the Atlas software modernization project (including myself/team) were participating in software mini-labs exercises. In late August and early September, I worked with my colleague in the MRB to set the transitioning of OOS data entry and conviction processing from DCU to MRB. We collectively worked on a transition plan, detailing the projected timelines and operational hurdles. Ms. Breen inquired if there was any training that DCU provided in this transfer, to which I replied I would have to look back at documentation. I stated that there may have been a meeting or conversation regarding the entry of OOS conviction data to the ALARS database. In early October of 2016, I sent along a memorandum to Registrar Deveney detailing the request for transfer of process to MRB and awaited further approval from senior management and administration officials. In middle of October, a meeting was scheduled with the Division of Insurance (DOI) to discuss the impact of posting OOS convictions to the Massachusetts driving record and the surchargeability component. I believe that the MRB started processing OOS conviction data in early November.
9. **Transfer of OOS Convictions.** Mr. Pappas inquired what happened to the backlog of information that was discovered at DCU. I indicated that DCU sorted the OOS conviction data by state and date, placing the information into storage boxes that were clearly labelled. This information was then scheduled for pick-up by RMV personnel who then transported the documentation to an approved state archive facility. Ms. Breen inquired who at DCU had authorization to send information to the archives, to which I replied my manager or myself. I noted that the manager often requested pick-up of documentation to the state archives as we produce a significant amount of paper when processing and batching suspension hearing paperwork. Mr. Pappas asked if the shipment of 72 boxes to the warehouse was the OOS conviction data, to which I replied I could not recall the actual number, but that I was fairly certain it was not 5 storage boxes....but not 300 either. I did further mention that I included a "tear sheet" with the storage boxes for whomever might be picking up this materials. This tear sheet simply contained the state and number of storage boxes associated with the state. Mr. Pappas asked if I continued to

have involvement with the project up and through the tragic NH fatality in June of 2109, to which I replied no. Mr. Pappas asked if there was any follow-up with the MRB once the transition took place, and I answered if there was any, it was only for a very brief period following the transition. I mentioned that for questions surrounding the process following transfer, he would need to speak directly to the person in that business unit.

10. Ms. Breen inquired if I was familiar with the mail room in the Haymarket facility, to which I responded yes. I was asked if I knew of any other mail facility, to which I replied only the one located on the 4th floor in the Quincy Headquarters. I was asked if "Mario" worked under my direction, to which I replied no. Ms. Breen further asked if I knew who was Mario's boss and what department he reported to, to which I replied I did not know, and suggested that a conversation with that individual would more than likely provide the information being requested.
11. Ms. Breen asked me to provide detail, if possible, to the process for noting suspension actions on the driving record. I asked for more clarification and specificity, as this was an overly broad question. Ms. Breen tailored her question to if I was familiar with the process of Commercial Driver's License (CDL) suspensions and how they are added to the record. I again asked for more specificity, to which the conversation pointed towards the CDLIS communications. I answered that I was not responsible for how information is transmitted to the CDLIS electronic interface. Ms. Breen asked if I could provide any detail as to how traffic violations and offenses are mapped to this interface. I answered that in both ALARS/Atlas the offenses are mapped in a certain fashion, and that questions on mapping and coding/programming should be directed to another group more capable of answering these specific questions. I was asked if our unit could see suspension actions on the databases (ALARS/Atlas), to which I replied yes. Ms. Breen inquired further on where in the Atlas database the suspension action would be visible, to which I noted on the customer account screen under the "passenger status" or "enforcement" tabs. I mentioned that the system was programmed to reflect disqualifications or suspensions in this field. I was asked if there was any additional suspension messaging that would be placed on the customer record, to which I indicated there are "banners" or alerts that are posted to the customer account in certain circumstances (ie; "Ignition Interlock Required"). When asked if our unit was responsible for the coding and transmission of certain CDL messaging, I indicated that was handled by the interface team and not our unit. I provided clarification that our unit was involved with writing certain business scenarios that tested CDL adjudication logic, to ensure that suspension actions and corresponding notices would generate properly. I further noted that there are other business units involved with the CDL/CLP process on the licensing and compliance side, and that information about business specific processes should be directed to their attention.
12. Atlas Software & Business Functionality. The conversation shifted away from the OOS citation transfer to the role of DCU in the lead-up to the software implementation on March 26, 2108. Mr. Pappas/Ms. Breen asked if I could provide some detail with respect to the new software project, to which I replied I would do my best to answer questions related to the project. I noted that the software product purchased by the Commonwealth/MassDot was labelled a "COTS" product, which stands for "Commercial Off-The-Shelf" product. Mr. Pappas asked if our

unit was involved in the first phase of the software implementation, to which I replied yes. Ms. Breen/Mr. Pappas inquired to what extent we were involved in the project, to which I replied our unit was asked to dedicate (temporarily) a team that would be involved with the definition, configuration and testing sessions. I was asked if our unit was also involved in the second phase of the software implementation, to which I replied yes. Mr. Pappas asked how many employees were involved, to which I replied a handful, one on which is temporarily located in the Quincy headquarters. Mr. Pappas asked if I could provide some clarification with respect to the two phases, to which I answered yes. I mentioned that the two software phases consisted of "Driver Services" and "Vehicle Services". I noted that due to the nature of license suspensions, actions were attached more to the individual, which led to our greater involvement in the first phase of the project. I further stated that we are still actively involved with the second phase, which is scheduled for implementation November 12, 2019.

13. Atlas Software Impediments and Escalation. The conversation around the Atlas software continued with a request from Ms. Breen/ Mr. Pappas as to whether there was any official guide for escalating system impediments. I answered there was an agreed upon methodology that the FAST company and MassDot agreed to prior to project kick-off. This methodology stipulated very specific timelines and check-points for the business and vendor to meet. More specifically, there was an established escalation process to follow surrounding business impediments created by software glitches. I indicated that we followed the process for reporting and escalating system issues. Mr. Pappas asked if there was a certain number of impediments relating to our unit that we could point to, to which my reply was there have been hundreds submitted by my unit and other business units involved with the first phase of the project. Ms. Breen further inquired if there was some name for this escalation process, to which I replied the "Solution Request" or "SQR Submission" process. Ms. Breen/Mr. Pappas asked if these SQR's were charted or tracked in any manner by either the vendor or agency. I replied that there was a tool provided by the vendor where SQR related details could be managed and tracked. I was further asked if there was a specific name to this too, to which I replied the "Workbench". Mr. Pappas/Ms. Breen inquired who was responsible for reviewing these SQR's, to which I replied a dedicated Project Management group titled the "PMO", which consisted of agency personnel, vendor personnel and outside third-party personnel (Accelare). I noted that this process was in place up and through August of 2018.
14. Atlas Software Impediments and the "New Escalation Path". In August of 2018, the agency and vendor agreed to shift the escalation path for business to a new model titled "SLRPEE". Ms. Breen/Mr. Pappas asked if I could provide additional detail with respect to this new process. I noted that the agency recently hired a new Deputy Registrar/Chief Operating Officer who ushered in this new SLRPEE process. All business impediments related to the software functioning improperly or not as designed, would be delivered to a new review committee, titled "SLRPEE Committee" comprised of agency personnel, vendor personnel and outside third-party personnel (Accelare). All business units were asked to re-submit open and pending SQR actions through a newly established template. At the time of this request in August of 2018, DCU had approximately 125-135 open SQR's and system impediments. Presentation on submissions sent to this committee by the various business units resulted in a vote of approval

to proceed with the request or rejection of the request. The submissions were returned to the business owners who would then assign a priority and return the results to this committee. From this point forward, the assignment of resources (FAST/MassDot Technical) by the SLRPEE committee would be determined and work on the impediment would begin. Mr. Pappas asked at what frequency business would submit these SLRPEE requests, to which I replied we would submit weekly and maintained an open/running list of system impediments (with risk) for processing. I mentioned that DCU again has quickly amassed a backlog of system impediments.

15. **Atlas Software Impediments and Resourcing.** In January of 2019, the SLRPEE committee informed business units submitting SQR's, and those groups already in the process of working certain SQR's, that due to limited resourcing and operational challenges ahead (Sync-Pac Updates/Operational Freeze-July 1, 2019), that the committee was asking business to resubmit and re-rank business SQR's. The committee indicated that there was not enough resourcing to remedy outstanding system impediments before the operational freeze and second phase software release in November 2019. As such, this committee was going to take "60" submission requests and attempt to have the impediments resolved by the operational freeze. Ms. Breen/Mr. Pappas inquired what would happen with the outstanding system impediments, to which I replied that they were on-hold until after the second phase software implementation in November 2019. I noted that on behalf of our unit, I resubmitted our higher priority SQR's (25) in late January or early February of 2019, with mention of deferring to senior management how public safety and system critical impediments would be treated after the July 1, 2019 operations freeze. I emphasized that through both escalation paths (March 2018 – August 2018, August 2018 – Present) that business (in particular DCU) has always identified, escalated to senior leadership and stayed vigilant with open and public safety critical SQR's and system impediments.
16. **Public Safety Risks.** Ms. Breen inquired if I was aware of any other outstanding business unit specific public safety risks within the agency that needed attention. I answered that all of our business operations in some manner impact public safety. Ms. Breen inquired further if I could provide an example, to which I mentioned the "Record Merge" process. Ms. Breen/Mr. Pappas asked if I could expand on the issues surrounding mergers. I answered that record mergers in the new Atlas software have been challenging since go-live. I noted that this merge process impacts many business units and there is a group assembled to mitigate these issues. I stressed the importance of having one accurate customer record and the potential negative impacts improper or multiple records can have on consumers. Mr. Pappas asked if there was any reason to keep an older record, to which I replied in some circumstances, it was necessary. Mr. Pappas asked if I could expand, to which I offered the example of multiple customer records and suspension activity. I explained that in the course of certain criminal proceedings, the RMV is asked to provide detail and notice of the customer record and offenses contained within. I quickly defined the agency's process for certifying that suspension notices (due process) are sent to the customer's last known address on file with the agency (Parenteau/USPS). I again stressed that the accuracy of the record is critical, and incomplete or inaccurate records can negatively impact the customer (law enforcement purposes, employability, license suspension).

17. **Next Steps.** Ms. Breen and Mr. Pappas ended the questioning and provided what will be happening over the next several weeks. Ms. Breen stated that if I could retrieve and provide any documentation (if available) with respect to the OOS process, it would be helpful to the audit. I inquired of Ms. Breen that many of the documents requested may be stamped/labeled private and/or confidential, is it proper to release this information to the independent auditing group (Grant Thornton)? Ms. Breen replied that she did not think that the release of this information would pose any problems or create any privacy law issues. I asked Ms. Breen how she would like this information to be delivered, to which she stated either in-hand or electronically. I responded that for transparency purposes I would prefer to submit the documentation electronically (via email) and that MassDot legal could then inspect and redact/shield any privileged or confidential information submitted (if necessary) before sending to the independent auditor. Ms. Breen agreed to the method of delivery and asked that given the short nature of this audit and review, if and when documentation is retrieved, please submit to MassDot legal. Ms. Breen/Mr. Pappas ended by noting that there may be further conversations (if necessary) as this process continues to move forward, and my cooperation would be appreciated.
18. **Meeting Adjourned – 3:30pm. (Total Meeting Length – 2 ½ Hours) (No Breaks).**