Automated Decision Systems (ADS) Workgroup

Meeting Notes

Meeting Date: Thursday, July 15, 2021
Meeting Time: 2:30 pm PT – 4:30 pm PT

I. Welcome – Katy Ruckle

- Meeting called to order at 2:33 pm PT.
- Meeting guidelines, meeting schedule and rules of engagement were reviewed.

II. Introductions – All Members

(See Attendance Roster on p. 9)

III. Overview Scope of Work and Timeline – Katy Ruckle

- The ADS Workgroup was established as part of the 21-23 biennial budget process, which laid out clear deliverables of the Workgroup, as well as processes and definitions.
- The Workgroup is primarily tasked with the following activities:
    i. Develop recommendations for changes in state law and policy regarding the development, procurement, and use of automated decision systems by public agencies.
    ii. Assess the impact of those recommendations by evaluating existing system in use by an agency as described within the bill.
    iii. Produce a final report to the legislature and governor no later than December 1, 2021.
- The Workgroup must also examine specific use cases relative to ADS technology. Ranked choice voting will be used to select one of the systems discussed during today's Workgroup meeting.
    - Task 01.01 – Katy Ruckle will provide the Workgroup with a description of how the ADS systems described in the budget proviso were selected.
    - Task 01.02 – Workgroup members should complete survey ranking systems presented during today's meeting. Katy Ruckle will send survey.

- A compressed timeline is required to meet the mandated report deadline.

| Jul 15 WG Kick-off | → | Aug - Oct Draft Report | → | Nov 10 Draft Due To Governor | → | Thru End of Nov Finalize Report with Gov Office | → | Dec 1 Final Report Due To Governor |

IV. System Presentation – DSHS, State Hospital Admissions

Presented by Jenise Gogan, Behavioral Health Administration, Director Community Transitions.

Automated Date Systems Review is a partially automated, partially manual Forensic Services (RCW 10.77) system used for hospital admissions, developed in response to the Trueblood settlement.   Points related to legal authority, current location of an individual, and days waiting are used to prioritize hospital admission.

(See presentation attached.)

- ## Discussion Points

    Q1. Are points assigned based on factors or subjective?
    A1. There are set scores or ceilings per criteria.

    Q2. How was the algorithm developed?
    A2. The specific factors were described in the Trueblood Settlement. A workgroup comprising DSHS members and potentially others was convened to develop the new admissions process, including the automated process.

    Q3. Are there other criteria in this algorithm?
    A3. No, these are all.

    Q4. Is this information available to the public?
    A4. Uncertain.

    - Task 01.03 – Jenise Gogan will provide the Workgroup with what information is made available to the public regarding the DSHS hospital admissions system.

    Q5. How long did it take to pull together this presentation?
    A5. A couple of hours.

V. System Presentation – DCYF, Family Child Welfare System Assessments

Presented by Vickie Ybarra, Director Office of Innovation Alignment and Accountability

DCYF uses two (2) partially automated assessments to determine risk in the family child welfare system. Both assessments are used to inform professional decisions by caseworkers and supervisors.

- **Safety Assessment** – Questions that assess 17 safety threats in six (6) areas of family life that assess nature and threats of child maltreatment and ongoing threats to child safety. Safety Assessment informs placement recommendations and safety planning.
- **Structured Decision Making (SDM) Assessment** – Structure tool to assess risk factors in child and family functioning, to consider risk for future maltreatment. SDM informs service referrals.

(See presentation attached.)

- Discussion Points

Q1. When looking at system bias was disability considered?
A1. Disparity in outcomes, not bias, was the focus of evaluation and oversight. However, there may be other initiatives that looked at bias in these systems.

  - Task 01.04 – Vickie Ybarra will research whether disability status was considered in examination of bias in either DCYF system.

Q2. What is the source of data for these systems?
A2. Both systems involve discussions with the family. However, the Safety Assessment additionally includes review of "collateral information" (medical records, interviews with neighbors, home visits, etc.).

Q3. Regarding the Structured Decision Making Assessment, what does the risk assessment formula look like?
A3. Refer to DCYF Policy 2541.[1] No numeric score; refers to range (lo, med, hi), and the required actions for each range.

Q4. How long did it take for you to pull together this presentation?
A4. A couple of hours but relied heavily on previously conducted analysis. The amount of time it took to conduct that analysis is unknown.

VI. System Presentation – DOC, WA ONE

Presented by David Luxton, Director of Research and Data Analytics.

WA ONE is an evidence-based tool that helps DOC determine risk classification levels, supervision levels, and criminogenic needs to guide appropriate interventions and services. Although the system is not used to determine risk for purposes of evaluating early release and/or sentencing, WA ONE uses this information as an input for its weighted prediction models.

(See presentation attached.)

- Discussion Points

Q1. Most information is gathered through interviews with the offender. Is there a lot of interpretation from the caseworker?
A1. Caseworkers are provided with guidance and training on how to complete WA ONE Assessments, including the specific questions to be asked. However, caseworkers may rephrase or ask exploratory questions, which may introduce unintentional bias.

Q2. What is WSIPP[2]?

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[1] https://www.dcyf.wa.gov/practices-and-procedures/2541-structured-decision-making-risk-assessmentrsdmra
[2] https://www.wsipp.wa.gov

A2. The Washington State Institute of Public Policy is an independent, nonpartisan group housed at The Evergreen State College. WSIPP is currently under contract to evaluate bias associated with WA ONE.

Q3. Any changes since the Blake Decision[3]?
A3. No changes have been made to WA ONE yet; however, reviews are ongoing to determine what changes will be appropriate.

Q4. What is the impact of the Blake Decision?
A4. In February 2021, the Washington State Supreme Court declared RCW 69.50.4013, the state's simple possession of a controlled substance statute, as unconstitutional. As such, drug possession crimes that are no longer to be prosecuted and individuals in possession of controlled substances must be referred to drug-help resources on two occasions before criminal charges can be brought against them for possession. This may have an impact on the factors considered in WA ONE Assessments.

Q5. Can individuals challenge decisions resulting from the tool?
A5. There may be a process to challenge decisions for which the tool's determination was the basis. However, only limited information on the tool is made publicly available due to intellectual property agreements.

- Task 01.05 – David Luxton will identify a POC who can provide additional information about redress associated with WA ONE.

Q6. The basis for the weightings is proprietary. Does WSIPP have access as part of their work?
A6. The weights are not necessary for WSIPP's work.

- Task 01.06 – David Luxton will seek clarification on the level of access WSIPP may have to the WA ONE weights and algorithm in their evaluation of bias.

Q.7 Are the weights the regression coefficients?
A7. No. WA ONE uses a summed approach.

Q8. When looking at validity was disability status considered?
A8. Disability is not specifically being evaluated under the current WSIPP contract, but this topic could be assessed internally or as a secondary analysis.

- Task 01.07 – A Workgroup discussion around the meaning, context and evaluation of 'bias' was proposed.

VII. Review of Charter Draft and Workgroup Operation – Katy Ruckle

- ### Key Decisions
  - Operations of the Workgroup

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[3] https://www.doc.wa.gov/news/2021/spotlight/state-v-blake.htm

- Workgroup meeting agendas, notes, and recordings will be posted to the Workgroup webpage on the OPDP website.
- Workgroup members will use a Teams channel to share documents and drafts, including relevant resources.
- OPDP will review Workgroup meeting recordings, and high-level notes before posting these documents publicly, but a formal review process by the Workgroup of these items will not take place.
- A quorum of 60% will be required to make decisions.
- Majority/minority opinions will be documented in the final report, where appropriate.
- Workgroup members may volunteer to co-chair the Workgroup by contacting Katy Ruckle.
  - Workgroup Charter
    - The Charter is representative of the budget proviso.
    - The four meetings required by the proviso are not sufficient therefore every other week meeting cadence (up to 11 meetings) is scheduled.
    - One university/research institution representative is still needed for the Workgroup membership. Workgroup members may send recommendations to Katy Ruckle.

Q1. The Workgroup scope references 'procurement'. This could take many forms, e.g., direct line of state procurement, contracted partners' procurement of AI or healthcare use (e.g., retinal imaging algorithm coded for payment)
A1. The Workgroup will adhere to the scope of the proviso requirement to "develop recommendations for changes in state law and policy regarding the development, procurement, and use of automated decision systems by public agencies". Other areas may be identified in the report for future discussion or consideration.

VIII. Open Discussion

- Meeting opened for comment from public. None received.
- At any time, questions may be emailed to privacy@ocio.wa.gov.

IX. Adjourn

Meeting adjourned at 4:12 pm PT.

X.   Action Items

Action Item*	Description	Person Responsible	Deadline
01.01	Provide the Workgroup with a description of how the ADS systems described in the budget proviso were selected.	Katy Ruckle	07/29/21
01.02	Complete survey ranking presentations	All WG Members	07/23/21
01.03	Provide the Workgroup with what information is made available to the public regarding the DSHS hospital admissions system.	Jenise Gogan	07/29/21
01.04	Research whether disability status was considered in examination of bias in either DCYF system.	Vickie Ybarra	07/29/21
01.05	Identify the POC who can provide additional information about redress associated with WA ONE.	David Luxton	07/29/21
01.06	Seek clarification on the level of access WSIPP may have to the WA ONE weights and algorithm in their evaluation of bias.	David Luxton	07/29/21
01.07	Add future Workgroup agenda item for discussion of methodologies and approaches for evaluating bias. For example, bias as an input, weight, output, or other influence.	Katy Ruckle	07/29/21

* Action Item number designated by ADS Workgroup Meeting number (1-11) and the sequential order each was discussed during the meeting.

XI.   Remaining ADS Workgroup Meetings

July 29, 2021	2:30 pm PT - 4:30 pm. PT
August 12, 2021	2:30 pm PT - 4:30 pm. PT
August 26, 2021	2:30 pm PT - 4:30 pm. PT
Sept. 9, 2021	2:30 pm PT - 4:30 pm. PT
Sept. 23, 2021	2:30 pm PT - 4:30 pm. PT
Oct. 7, 2021	2:30 pm PT - 4:30 pm. PT
Oct. 21, 2021	2:30 pm PT - 4:30 pm. PT
Nov. 4, 2021	2:30 pm PT - 4:30 pm. PT
Nov. 18, 2021	2:30 pm PT - 4:30 pm. PT
Dec. 2, 2021	2:30 pm PT - 4:30 pm. PT

Attendance Roster for July 15, 2021

Last Name	First Name	Organization	Present (X)
Lee	Jennifer	ACLU	X
Gonzalez	Eric	ACLU	
Block	Bill	ACLU	
Aguilar	Nancy	CHA	X
Krustsinger	Allison	DCFY	
Mason	Aaron	DCYF	
Ybarra	Vickie	DCYF	X
McGrew	Elena	DES	
Japhet	Robin	DES	X
Fischer	Greg	DOC	X
Luxton	David	DOC	X
Hanneman	Barbara	DSHS/ALTSA	X
Gogan	Jenise	DSHS/BHA	X
Mancuso	David	DSHS/RDA	X
Allred	Robert	ESD	X
Gordon	Elizabeth	Governor's Committee for Disability Issues and Employment	X
Chen	Christopher	HCA	X
Ott	Cathie	HCA	X
Del Villar	Ashley	La Resistencia and Mijente	X
Glen	Kirsta	LNI	Alternate
Ruckle	Katy	OCIO	X
Angel	Maria	UW Law	X
Puckett	Derek	WaTech	X