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Identity Theft Resource Center

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Jay Foley, Executive Director

Presents:

Privacy: Pre- and Post-Breach

The Privacy Symposium – Summer 2008

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Points of Discussion

- Current Breach Statistics
- Self Assessment
- Pre-Breach
- During Breach
- Post-Breach
- Breach Remediation

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UPDATE
Data Breaches

- ITRC Breach Data as of 6/30/08: 342 breaches affecting nearly 17 million individual records
  - **Financial Institutions: 9.9% of breaches and 42.7% of total records**
  - **Business: 36.8% of breaches and 30.3% of total records**
  - **Education: 21.3% of breaches and only 3.2% of records**
  - **Government: 17.0% of breaches and 4.0% of records**
  - **Medical/Healthcare: 14.9% of breaches and 19.7% of records**
- Financial institutions and Medical/Healthcare have relatively small percentage of breaches, despite handling a high volume of records

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History and Teamwork

- Over the past several years, more than 1,200 businesses, educational facilities, medical and health care entities, government and military agencies, and financial institutions have had to deal with the aftermath of compromised personal information of their customers, students, constituents or employees.
- The ITRC believes it is important for businesses, law enforcement, governmental agencies, legislators and consumers to combine their efforts to stem the growth of identity theft and the ever growing number of breaches.
- The ITRC maintains an ongoing relationship with organizations and law enforcement agencies from around the country to promote such cooperation.

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Self-Assessment

- How do you deal with paper and/or electronic data:
  - Intake
  - Handling Process
  - Store
  - Disposal
- IT security
  - Hardware
  - Software
  - Firewalls

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Pre-Breach

- Create an organizational ethic where all employees realize the importance of protecting PII
- Commit to writing the policy on PII protection and advertise this policy to the community (optional)
- Use best practices in information handling
  - If you don't need it, don't collect it
  - Encrypt
  - Monitor
  - Audit

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Pre-Breach Planning

- In case of a breach:
  - Who will you notify?
  - How will you notify?
  - When will you notify?
  - What will you reveal?
  - Who will have input?
  - What will you do?
- Build a plan to eliminate chaos in dealing with the breach

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Case Study – Bad Breach Letters

- “We are contacting you about a violation of your privacy.”
- “As a first step, we encourage you to obtain credit monitoring”
- “You may obtain a free copy of your credit report from each of the credit bureaus once a year by going to www.annualcreditreport.com”
- Other Missteps in Breach Letters
  - No instructions to place a fraud alert
  - Burying important steps deep in the body of the letter
  - Misdirecting individuals to take unnecessary steps

Data Breaches

- Law enforcement must be notified when you suspect a data breach of PII
- Prepare a comprehensive, intelligent, and timely breach notification for the affected parties
  - A bad notification is worse than no notification
  - Not communicating is unacceptable
  - Lack of timely information will create panic – media will speculate
- Follow your plan

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Post-Breach

- Continue to follow your plan
- Provide clear and concise information to those whose PII was exposed
- Actively support the investigation
- Consult breach experts for guidance
- Notify the media, if necessary

Breach Remediation

- After information has been compromised, but before consumers are notified, there are crucial steps which need to be followed.
  - Situational Evaluation
  - Needs Assessment
  - Strategy Assessment and Development
  - Implementation of Required Actions
  - Remediation Services

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Contact Information

Identity Theft Resource Center

(858) 693-7935

www.idtheftcenter.org

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Questions