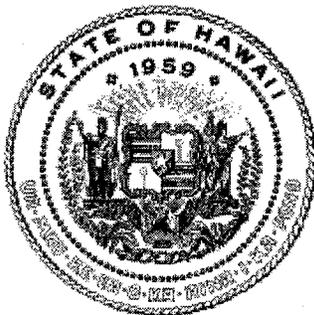


REPORT TO THE TWENTY- FIFTH LEGISLATURE
REGULAR SESSION OF 2009
SECURITY BREACH OF PERSONAL INFORMATION



Prepared by

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

In response to Section 487N-4, Hawaii Revised Statutes

December 29, 2008

REPORT TO THE TWENTY- FIFTH LEGISLATURE
REGULAR SESSION OF 2009

SECURITY BREACH OF PERSONAL INFORMATION

Section 487N-4, Hawaii Revised Statutes (HRS), Reporting requirements, states as follows: A government agency shall submit a written report to the legislature within twenty days after discovery of a security breach at the government agency that details information relating to the nature of the breach, the number of individuals affected by the breach, a copy of the notice of security breach that was issued, the number of individuals to whom the notice was sent, whether the notice was delayed due to law enforcement considerations, and any procedures that have been implemented to prevent the breach from reoccurring. In the event that a law enforcement agency informs the government agency that notification may impede a criminal investigation or jeopardize national security, the report to the legislature may be delayed until twenty days after the law enforcement agency has determined that notice will no longer impede the investigation or jeopardize national security. [L 2006, c 135, pt of §2]

I. NATURE OF THE BREACH:

Lahaina Yacht Club ("LYC") is a non-profit organization whose purpose is to promote activities relative to ships, harbors and marine affairs in Lahaina, Maui. LYC has had a grant of easement with the Department of Land and Natural Resources ("DLNR") for the maintenance and repair of existing concrete pillars and improvements since February 12, 1988 that was originally set to expire on February 12, 2008.

On January 25, 2008, the Board of Land and Natural Resources (Land Board) approved the issuance of a new Term, Non-Exclusive Easement to LYC and also granted LYC a one-year holdover tenancy under the existing grant of easement until February 12, 2009 to complete the issuance of the new easement. Rent under the new easement was a one-time payment of \$135,000 plus a \$30 documentation fee. On April 22, 2008 the Legislature approved the issuance of the new easement by adopting Senate Concurrent Resolution No. 4.

On July 12, 2008, LYC requested the one-time payment be amended to ten annual payments. LYC's request for installment payments originated in part from their non-profit status, the contraction of the economy and the diminishing availability of funds. To substantiate their request, LYC generated an information package containing testimonials attesting to some of their charitable services, specifically financial aid scholarships for college students. LYC requested their package be distributed to the Land Board members at the Land Board's December 12, 2008 meeting.

On December 12, 2008, DLNR's Land Division Administrator discovered that LYC's information package, intended for Land Board members only, had been inadvertently posted on the DLNR website on December 5, 2008. The package included scholarship letters to eight (8) recipients with their social security numbers. Personal information (social security numbers) had not been redacted. Upon discovery of this erroneous posting, Land Division staff immediately notified DLNR's Data Processing to remove the

information from the DLNR website. The Land Division Administrator notified the Chairperson. LYC representatives were immediately notified of the unauthorized disclosure of personal information and were provided with a copy of Section 487N Security Breach of Personal Information, HRS.

II. NUMBER OF INDIVIDUALS AFFECTED BY THE BREACH:

Eight individuals.

III. COPY OF THE NOTICE OF SECURITY BREACH

Attached are copies of the notification letters sent on December 24, 2008.

IV. NUMBER OF INDIVIDUALS TO WHOM THE NOTICE WAS SENT

Land Division mailed notification letters to eight individuals.

V. LAW ENFORCEMENT CONSIDERATIONS

None.

VI. PROCEDURES THAT HAVE BEEN IMPLEMENTED TO PREVENT THE BREACH FROM REOCCURRING

To prevent unauthorized disclosure of personal information in the future, the Land Division conducted retraining sessions for its staff on December 15-16, 2008. These sessions reviewed current statutory requirements regarding the protection of personal information and related Land Division policies and procedures to enforce these requirements.

The Department of the Attorney General was consulted to determine whether additional procedures should have been in place to prevent personal information from being posted on the Department's website as happened on December 5, 2008. The recommendation was made to have other staff specifically tasked with reviewing the completed work of Central Processing staff before it leaves the Land Division. Therefore, as an added precaution, procedures have been established to have additional staff conduct a review of board submittals, specifically for screening of personal information, prior to their release for BLNR consideration.

The Office of Information Practices was also contacted to provide training for Land Division staff; a workshop has been scheduled for January 20, 2009.

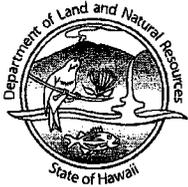
Land Division staff continues to review, and if necessary redact all incoming and outgoing documents for personal information. Staff redacts personal information before filing into public files maintained in the vault. Staff audits public records/documents before releasing them to the public. Staff reviews requests for public notices to be posted

on the DLNR's website. The Land Division continues to provide training updates and refreshers for its staff regarding statutory protection of personal information.

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 24, 2008

Ms. Lana Carter
Pacific University
2043 College Way UC 3418
Forest Grove, OR 97116-1756

Dear Ms. Carter,

SUBJECT: Notice of Unauthorized Release of Personal Information

Lahaina Yacht Club recently requested our office consider an item regarding their leased premises in Lahaina, Maui. In support of their request, and as evidence of their role in providing valuable community services, Lahaina Yacht Club provided us with an information package that included a copy of your scholarship award letter which contained some of your personal information, specifically your name and social security number.

A Land Board submittal addressing Lahaina Yacht Club's request and supporting documents were posted on the DLNR website on December 5, 2008. On December 12, 2008, when it was discovered that an unredacted copy of your scholarship letter had been inadvertently included in the supporting documents, these were immediately removed from the website and Lahaina Yacht Club was notified. We also requested your contact information, subsequently provided to us on December 17, 2008, so that we could directly notify you of this inadvertent security breach of your personal information, pursuant to section 487N-2, Hawaii Revised Statutes.

In recognition of this temporary security breach of your personal information, we recommend you remain vigilant in reviewing your account statements and monitoring your credit rating via free credit reporting services such as are provided by Experian, Equifax and TransUnion.

To prevent unauthorized release of personal information in the future, our office is reviewing all incoming and outgoing documents for personal information, redacting any personal information in documents released to the public, and continuing to provide training of our staff regarding statutory protection of personal information.

We apologize for this inadvertent release, and have advised Lahaina Yacht Club of the statutory protection of personal information currently in place. Should you have any questions regarding this matter, please do not hesitate to contact Darlene K. Ariola, Land Agent, at (808) 587-0449.

Sincerely,

A handwritten signature in black ink, appearing to read "Morris M. Atta".

Morris M. Atta
Administrator

cc: Lahaina Yacht Club
Central and District Files

LINDA LINGLE
GOVERNOR OF HAWAII



Laura H. Thielen
Chairperson
Board of Land and Natural Resources
Commission on Water Resource Management



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 24, 2008

Mr. Zachary Horiuchi
914 Hokeo Pl
Lahaina, HI 96761-2115

Dear Mr. Horiuchi,

SUBJECT: Notice of Unauthorized Release of Personal Information

Lahaina Yacht Club recently requested our office consider an item regarding their leased premises in Lahaina, Maui. In support of their request, and as evidence of their role in providing valuable community services, Lahaina Yacht Club provided us with an information package that included a copy of your scholarship award letter which contained some of your personal information, specifically your name and social security number.

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Sincerely,

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Morris M. Atta
Administrator

cc: Lahaina Yacht Club
Central and District Files

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 24, 2008

Ms. Yan Ling Liu
1221 Honoapiilani Hwy J1
Lahaina, HI 96761

Dear Ms. Liu,

SUBJECT: Notice of Unauthorized Release of Personal Information

Lahaina Yacht Club recently requested our office consider an item regarding their leased premises in Lahaina, Maui. In support of their request, and as evidence of their role in providing valuable community services, Lahaina Yacht Club provided us with an information package that included a copy of your scholarship award letter which contained some of your personal information, specifically your name and social security number.

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Morris M. Atta
Administrator

cc: Lahaina Yacht Club
Central and District Files

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GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 24, 2008

Ms. Joy Manning
1130 University Rd
Mail Box 567
Las Vegas, NV 89119-6603

Dear Ms. Manning,

SUBJECT: Notice of Unauthorized Release of Personal Information

Lahaina Yacht Club recently requested our office consider an item regarding their leased premises in Lahaina, Maui. In support of their request, and as evidence of their role in providing valuable community services, Lahaina Yacht Club provided us with an information package that included a copy of your scholarship award letter which contained some of your personal information, specifically your name and social security number.

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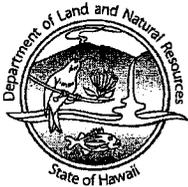
Morris M. Atta
Administrator

cc: Lahaina Yacht Club
Central and District Files

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 24, 2008

Ms. Karmen McGhee
PO Box 595
Naalehu, HI 96772-0595

Dear Ms. McGhee,

SUBJECT: Notice of Unauthorized Release of Personal Information

Lahaina Yacht Club recently requested our office consider an item regarding their leased premises in Lahaina, Maui. In support of their request, and as evidence of their role in providing valuable community services, Lahaina Yacht Club provided us with an information package that included a copy of your scholarship award letter which contained some of your personal information, specifically your name and social security number.

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Sincerely,

Morris M. Atta
Administrator

cc: Lahaina Yacht Club
Central and District Files

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 24, 2008

Mr. John Pope
62 Puakukui Pl Apt 2
Lahaina, HI 96761-3222

Dear Mr. Pope,

SUBJECT: Notice of Unauthorized Release of Personal Information

Lahaina Yacht Club recently requested our office consider an item regarding their leased premises in Lahaina, Maui. In support of their request, and as evidence of their role in providing valuable community services, Lahaina Yacht Club provided us with an information package that included a copy of your scholarship award letter which contained some of your personal information, specifically your name and social security number.

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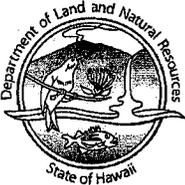
Morris M. Atta
Administrator

cc: Lahaina Yacht Club
Central and District Files

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COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 24, 2008

Mr. Blaze Rogers
1564 Malo St
Lahaina, HI 96761-1843

Dear Mr. Rogers,

SUBJECT: Notice of Unauthorized Release of Personal Information

Lahaina Yacht Club recently requested our office consider an item regarding their leased premises in Lahaina, Maui. In support of their request, and as evidence of their role in providing valuable community services, Lahaina Yacht Club provided us with an information package that included a copy of your scholarship award letter which contained some of your personal information, specifically your name and social security number.

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Administrator

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Central and District Files

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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 24, 2008

Ms. Trina Ueno
7350 Lindell Blvd Apt 102
Saint Louis, MO 63130-4410

Dear Ms. Ueno,

SUBJECT: Notice of Unauthorized Release of Personal Information

Lahaina Yacht Club recently requested our office consider an item regarding their leased premises in Lahaina, Maui. In support of their request, and as evidence of their role in providing valuable community services, Lahaina Yacht Club provided us with an information package that included a copy of your scholarship award letter which contained some of your personal information, specifically your name and social security number.

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Central and District Files