

**REPORT TO THE TWENTY- FIFTH LEGISLATURE  
REGULAR SESSION OF 2010 INTERIM  
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

October 2010

## SECURITY BREACH OF PERSONAL INFORMATION

### I. NATURE OF THE BREACH:

In October 2009, during the course of a lawsuit against the State of Hawaii and the Department of Land and Natural Resources (Department), State Historic Preservation Division (SHPD), it was learned that various documents with Social Security Numbers such as the Application for Civil Service Position, Student I.D.s, Application for Exempt Employee, and Resumes for eleven former SHPD employees were in the possession of the plaintiff, David Brown, without the authorization of SHPD. Some of these documents were used by the Mr. Brown during the lawsuit.

The SHPD Administrator notified the Chairperson of the Department of the security breach. The Department then notified the former employees of the unauthorized disclosure of personal information in compliance with Section 487N, Hawaii Revised Statutes - Security Breach of Personal Information. In addition, the Department notified Mr. Brown that he had no authority to access or take those records and needed to return them immediately. The Department continues to work the Department of the Attorney General in defending the baseless claims of Mr. Brown and seeking the return of the documents.

### II. NUMBER OF INDIVIDUALS AFFECTED BY THE BREACH:

Eleven (11) individuals.

### III. COPY OF THE NOTICE OF SECURITY BREACH

Attached are copies of the notification letters sent to the affected parties.

### IV. LAW ENFORCEMENT CONSIDERATIONS

None.

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

To prevent unauthorized disclosure of personal information in the future, SHPD has secured access to all personnel files and related documents under a locked file cabinet. It has also assigned the key to a single file custodian whose routine job description requires that staff position to have access to the files for daily work requirements. In addition, staff meetings were held review current statutory requirements regarding the protection of personal information and related SHPD policies and procedures to enforce these requirements.

As staff turnover occurs or new employees are hired, SHPD administration continues to review current statutory requirements regarding the protection of personal information and related policies and procedures to enforce these requirements.

LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

LAURA H. THIELER  
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BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
  
RUSSELL V. TSUJI  
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KEN C. KAWAHARA  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAOLOA WE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

December 2, 2009

Ronald Barboza  
858A Kupulau Road  
Hilo, HI 96720

Reference: Notice of Unauthorized Release of Personal Information or  
Inadvertent Disclosure of Personal Information

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To protect yourself from the possibility of identity theft, you may want to consider placing a fraud alert on your credit files. A fraud alert lets creditors know to contact you before they open any new accounts or change your existing accounts. Call any one of the three major credit reporting agencies at a number below. As soon as one agency confirms your fraud alert, the others will be notified to place similar fraud alerts. You will then be eligible to receive free credit reports from each of the credit reporting agencies.

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When you receive your credit reports, review them carefully. Look for accounts you did not open. Look for inquiries from creditors that you did not initiate. And look for personal information such as home address and Social Security number that is not accurate. If you see anything that you do not understand, call the credit reporting agency at the telephone number on the report.

**Notice of Unauthorized Release of Personal Information**

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We also suggest that you close compromised credit card accounts immediately. Consult with your financial institutions about whether to close bank or brokerage accounts immediately, or first change your passwords and have the institutions monitor for possible fraud. Place passwords on any new accounts that you open. Avoid using your mother's maiden name, your birth date, the last four digits of your Social Security number, your telephone number, or a series of consecutive numbers.

If you are a victim of identity theft, you also have the option of placing a free security freeze on your credit reports. A security freeze prohibits consumer credit reporting agencies from releasing any information to unauthorized parties without your express authorization. To request that a security freeze be placed on your credit reports, you must submit your request in writing by certified mail to all three credit reporting agencies at the addresses below along with a copy of a police report, or complaint that you have filed with a law enforcement agency about the unlawful use of your personal information. The agencies will then send you a written confirmation of the security freeze along with a unique personal identification number or password to be used by you to lift the freeze.

<b>Equifax Security Freeze</b>	<b>Experian Security Freeze</b>	<b>TransUnion Security Freeze</b>
<b>P.O. Box 105788 Atlanta, GA 30348</b>	<b>P.O. Box 9554 Allen, TX 75013</b>	<b>To request a Security Freeze Form, Call 888-909-8872</b>

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For further information on how to protect yourself from identity theft, please call 808-586-1500 or visit <http://hawaii.gov/ag/hitec/main/Identity%20Theft/> . You may also want to visit the Federal Trade Commission's identity theft website at <http://www.ftc.gov/bcp/edu/microsites/idtheft/> .

In addition, we are reviewing the Division's current privacy and security policies and procedures to identify areas where improvements are warranted. Once the security assessment is completed, we will immediately commence corrective actions.

We very much regret that this incident occurred and the impact it may have on those involved. Should you have any questions regarding this matter, please do not hesitate to contact me at 808-692-8015.

Respectfully yours,



**Puanaokalani D. Aiu, PhD**  
**Administrator**

cc: DLNR Personnel Office

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GOVERNOR OF HAWAII



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December 2, 2009

Keith Colvin  
P.O. Box 2532  
Kealahou, Hawaii 96750

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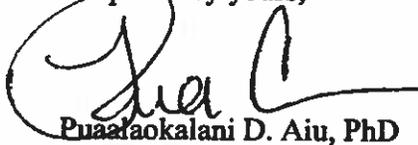
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Puaafoakalani D. Aiu, PhD  
Administrator

cc: DLNR Personnel Office

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601 KAMOKILA BOULEVARD, ROOM 555  
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Christopher Descantes  
430 Keoniana Street, #1201  
Honolulu, Hawaii 96815

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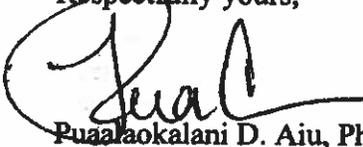
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Puaalaokalani D. Aiu, PhD  
Administrator

cc: DLNR Personnel Office

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Adam Johnson  
408 Na Street  
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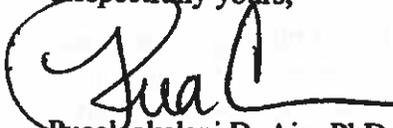
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**Administrator**

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Sandra Yee Lee  
P.O. Box 22621  
Barrigada GMF, Guam 96921

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**December 2, 2009**

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**Puaaloakalani D. Aiu, PhD  
Administrator**

cc: DLNR Personnel Office

LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

Laura R. Thielien  
Chairperson  
Board of Land and Natural Resources  
Commission on Water Resource Management  
  
Russell Y. Tsuiji  
First Deputy  
  
Ken C. Kawahara  
Deputy Director - Water  
  
Aquatic Resources  
Boating and Ocean Recreation  
Bureau of Conveyances  
Commission on Water Resource Management  
Conservation and Coastal Lands  
Conservation and Resources Enforcement  
Erosion Control  
Forestry and Wildlife  
Historic Preservation  
Kahoolawe Island Reserve Commission  
Land  
State Parks

December 2, 2009

Mary Ann Maignet  
P.O. Box 1654  
Kealahou, Hawaii 96750

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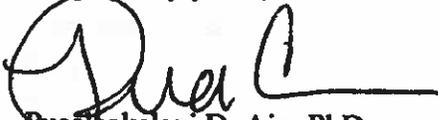
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**Puuālokalani D. Aiu, PhD**  
**Administrator**

cc: DLNR Personnel Office

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STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

December 2, 2009

LAURA H. THEILEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
  
RUSSELL Y. TSUIJ  
FIRST DEPUTY  
  
KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER  
  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Mark McCoy  
Archaeological Research Facility  
University of California, Berkeley  
2251 College Avenue  
Berkeley, CA 94729

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**Administrator**

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December 2, 2009

Michael McGuirt  
15310 Abierto Drive  
Rancho Murieta, CA 95683-9192

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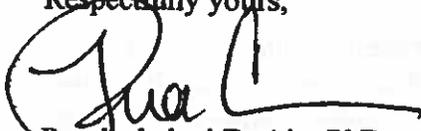
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**Puaafookalani D. Aiu, PhD**  
**Administrator**

cc: DLNR Personnel Office

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Julie Taomia  
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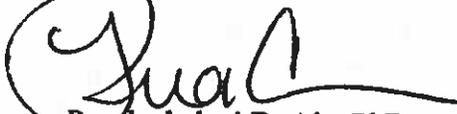
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If you are a victim of identity theft, you also have the option of placing a free security freeze on your credit reports. A security freeze prohibits consumer credit reporting agencies from releasing any information to unauthorized parties without your express authorization. To request that a security freeze be placed on your credit reports, you must submit your request in writing by certified mail to all three credit reporting agencies at the addresses below along with a copy of a police report, or complaint that you have filed with a law enforcement agency about the unlawful use of your personal information. The agencies will then send you a written confirmation of the security freeze along with a unique personal identification number or password to be used by you to lift the freeze.

<b>Equifax Security Freeze</b>	<b>Experian Security Freeze</b>	<b>TransUnion Security Freeze</b>
<b>P.O. Box 105788 Atlanta, GA 30348</b>	<b>P.O. Box 9554 Allen, TX 75013</b>	<b>To request a Security Freeze Form, Call 888-909-8872</b>

Even if you do not find any suspicious activity on your initial credit report, we recommend that you continue checking your credit reports periodically. Federal law entitles you to one free credit report (at your request) once every 12 months from the three nationwide credit reporting agencies listed above. Therefore, we recommend that you request a free copy of your credit report from a different agency every four months. This will provide you with three opportunities in a 12-month period to review your credit report free-of-charge.

The unauthorized access of your personal information may not result in any harm to your credit reputation or to your personal finances. However, it could be used by identity thieves, and that could compromise your finances. To protect against that possibility, we advise you to take the steps outlined above.

**Notice of Unauthorized Release of Personal Information**

**December 2, 2009**

**Page 3**

For further information on how to protect yourself from identity theft, please call 808-586-1500 or visit <http://hawaii.gov/ag/hitec/main/Identity%20Theft/> . You may also want to visit the Federal Trade Commission's identity theft website at <http://www.ftc.gov/bcp/edu/microsites/idtheft/> .

In addition, we are reviewing the Division's current privacy and security policies and procedures to identify areas where improvements are warranted. Once the security assessment is completed, we will immediately commence corrective actions.

We very much regret that this incident occurred and the impact it may have on those involved. Should you have any questions regarding this matter, please do not hesitate to contact me at 808-692-8015.

Respectfully yours,



**Puaaokalani D. Aiu, PhD**  
**Administrator**

cc: DLNR Personnel Office

LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

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

RUSSELL Y. TIBUTI  
FIRST DEPUTY

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

December 2, 2009

Janel Works  
P.O. Box 71  
Avalon, CA 90704

Reference: Notice of Unauthorized Release of Personal Information or  
Inadvertent Disclosure of Personal Information

We are contacting you because of a recent security incident at our office. During the course of a lawsuit against the State of Hawaii and State Historic Preservation Division (SHPD) it was learned that various documents with Social Security numbers such as the Application for Civil Service Position, Student I.D.s, Application for Exempt Employee, and Resumes for eleven former SHPD employees, including you, were in the possession of David Brown, the plaintiff, without the authorization of SHPD. Some of these documents were used by Mr. Brown during the lawsuit.

To protect yourself from the possibility of identity theft, you may want to consider placing a fraud alert on your credit files. A fraud alert lets creditors know to contact you before they open any new accounts or change your existing accounts. Call any one of the three major credit reporting agencies at a number below. As soon as one agency confirms your fraud alert, the others will be notified to place similar fraud alerts. You will then be eligible to receive free credit reports from each of the credit reporting agencies.

Equifax	Experian	TransUnion
800-525-6285	888-397-3742	800-680-7289
www.equifax.com	www.experian.com	www.transunion.com

When you receive your credit reports, review them carefully. Look for accounts you did not open. Look for inquiries from creditors that you did not initiate. And look for personal information such as home address and Social Security number that is not accurate. If you see anything that you do not understand, call the credit reporting agency at the telephone number on the report.

**Notice of Unauthorized Release of Personal Information**

**December 2, 2009**

**Page 2**

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**December 2, 2009**

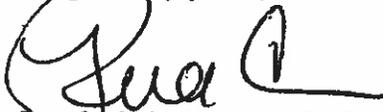
**Page 3**

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Respectfully yours,



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Administrator

cc: DLNR Personnel Office

