

**Identity Theft Task Force**  
(Established by Act 140, Session Laws of Hawai`i 2006)  
State of Hawai`i  
[www.state.hi.us/auditor](http://www.state.hi.us/auditor)

**Minutes of Meeting**

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawai`i Revised Statutes.

Date: Thursday, October 18, 2007

Time: 9:00 a.m.

Place: State Capitol  
415 South Beretania Street  
Conference Room 329  
Honolulu, Hawai`i

Present: Chair Gary Caulfield, Financial Services Industry  
Vice Chair Marvin Dang, Financial Services Industry  
Clayton Arinaga, County Police Departments Designee  
Senator Carol Fukunaga, President of the Senate Designee  
Representative Jon Riki Karamatsu, Speaker of the House of Representatives Designee  
Fay Ikei, Department of Education  
Jodi Ito, University of Hawai`i  
Nathan Kim, The Judiciary  
Stephen Levins, Director of the Office of Consumer Protection  
Tim Lyons, Consumer and Business Organizations  
Senator Ron Menor, President of the Senate Designee  
Robert Takushi, Consumer and Business Organizations  
Rick Walkinshaw, United States Secret Service Electronic Crimes Unit  
Sharon Wong, Department of Accounting and General Services

Marion M. Higa, State Auditor, Office of the Auditor  
Russell Wong, IT Coordinator, Office of the Auditor  
Jayna Oshiro, Special Projects Coordinator, Office of the Auditor  
Pat Mukai, Secretary, Office of the Auditor

Jeffrey Loo, J.W. Loo & Associates  
Joanna Markle, Goodsill Anderson Quinn & Stifel

Excused/  
Absent: Lt. Andrew Castro, Honolulu Police Department's Criminal Investigation Division  
Craig De Costa, Hawai`i Prosecuting Attorneys Association  
Ronald Johnson, United States Attorney for the District of Hawai`i Designee  
Paul Kosasa, Retail and Small Business Community  
Representative Colleen Meyer, Speaker of the House of Representatives Designee  
Carol Pregill, Retail and Small Business Community  
Mel Rapozo, Hawai`i State Association of Counties Designee  
Tom Terry, United States Postal Service  
Christopher D.W. Young, Department of the Attorney General

Call to Order: Chair Caulfield called the meeting to order at 9:12 a.m. at which time quorum was established.

Chair's  
Report: Announcements, introductions, correspondence, and additional distribution  
The draft Task Force Recommendations and timeline were distributed to the members.

Minutes of previous meeting

Vice Chair Dang moved to approve the minutes of the September 6, 2007 meeting, seconded by Senator Fukunaga. It was voted on and unanimously carried to approve the minutes.

Chair Caulfield moved to agenda item IV – Investigative Working Groups.

Investigative  
Working  
Groups:

Chair Caulfield stated that the working group assisting the auditor's office and consultant had reviewed the draft recommendations. Chair Caulfield suggested that the task force review the recommendations and adopt the ones they agree on.

Recommendation 1: Require Annual Report on Systems that Use Personal Information

Among the required elements of the annual report are a description of personal information systems, justification for the system, the categories of personal information held, and the identity of agency personnel who have access. Member Ito suggested identifying personnel by position category or title rather than by individual names. The University of Hawai'i employs many students who have access to personal information. The unions may also object to listings of personnel. Member Levins said it would also be a problem for law enforcement to identify individuals.

After discussion, the task force agreed to adopt this recommendation with the amendment to require position titles or job classifications instead of individual names.

Recommendation 2: Limit the Personal Information in Agency Records

Member Lyons expressed concerns about the requirement that agencies "collect personal information to the greatest extent practicable directly from the individual who is the subject of the information rather than from another source." It could prohibit individuals from acting on behalf of companies. For example, obtaining tax clearances used to require the president of a company to personally appear. His concern is that an agency could distort this requirement. Mr. Loo responded that it is not the intent to impede such governmental services offered to the public.

Senator Fukunaga asked if the intent is to limit personal information in agency records or reduce the use of social security numbers. The task force is guarding against unnecessary dissemination of social security numbers to individuals who do not need to have access to it. Mr. Loo stated that this recommendation focuses on social security numbers because it was an important concern for the task force. He further stated that the recommendation is to eliminate the collection and use of social security numbers within an 18-month period.

Senator Fukunaga suggested proposing a series of steps agencies should follow to eliminate public disclosure. After further discussion, Chair Caulfield suggested taking this recommendation back to the working group to review.

Recommendation 3: Reduce Use of Social Security Numbers - The task force adopted this recommendation.

Recommendation 4: Provide Notice to Individuals When Requesting Personal Information

Member Levins had significant objections to this recommendation. The Department of Commerce and Consumer Affairs has over 500 forms. The information should be available to persons who want to know, but disclosure does not have to be on every form. Member Levins also stated that he spoke to Member Young who shared the same concern. Member Levins suggested a generic notice instead.

After further discussion, Chair Caulfield asked Mr. Loo to revise this recommendation to address the concerns raised.

Recommendation 5: Require State and County Agencies to Assign Policy and Oversight Responsibilities – The task force adopted this recommendation.

Recommendation 6: Issue Guidance on Use of Personal Information in Human Resources Functions – The task force adopted this recommendation.

Recommendation 7: Require State and County Agencies to Use Third Party Information Use Agreements

Member Takushi and Senator Fukunaga asked that third party be defined. Mr. Loo stated that it refers to business partners or those providing third party service to agencies, not the public.

The task force adopted this recommendation with the amendment noted.

Recommendation 8: Issue Data Breach Guidance to Agencies – The task force adopted this recommendation.

Recommendation 9: Require Agencies to Develop and Implement a Breach Notification Policy

Senator Fukunaga noted that the Attorney General's Office has issued some guidelines and should be the lead agency.

The task force adopted this recommendation with the amendment noted.

Recommendation 10: Implement an Identity Theft Registry – The task force adopted this recommendation.

Recommendation 11: Develop Concrete Guidance and Best Practices – The task force adopted this recommendation.

Recommendation 12: Issue Portable Storage and Communication Devices Guidance to Agencies

Member Wong expressed concern that as technology changes the definition would have to change. Mr. Loo stated that what gets into the papers and our attention are the lost laptops, lost backup tapes, and hackers gaining access through remote devices or wireless connections. It appears there is no centralized state policy. Member Ito also agreed that technology is always changing and there should be flexibility in defining what devices this would apply to. Member Wong asked if the guidelines are for all state agencies, and whether the Judiciary and the University of Hawai'i are included. Member Takushi asked if ICSD could take the lead and bring all parties involved together and come up with some guidance.

Mr. Loo suggested changing the agency to the work group instead of ICSD.

The task force adopted this recommendation subject to incorporating the changes discussed.

Chair Caulfield said he would convene the working group to discuss changes to recommendations 2 and 12.

Vice Chair Dang suggested that a justification statement be included for recommendation 7.

Jeffrey Loo of J.W. Loo and Associates, consultant, briefed the task force. Mr. Loo reported that the draft report will be submitted to the Office of the Auditor by November 13, 2007.

Mr. Loo stated that he has completed the focused interviews on redaction. The interview with DCCA, Business Registration Division (BREG) revealed that they are actively engaged in a redaction project. BREG reported that they are spending about \$20,000 to 30,000 to extract data from their system. The cost is approximately \$50,000 to redact information, and \$20,000 to 30,000 to re-enter the information back into repository. The technology involved raises some questions about proprietary solutions and what can be done.

Mr. Loo also reported that he conducted an interview with the Department of Health, Vital Health Records and found that they provide services to both federal and state agencies and voter registration. They also work under federal and state mandates and have contracts with the federal government in terms of providing social security information on births and deaths.

The Department of Motor Vehicles at the City and County of Honolulu supports a number of other agencies including Homeland Security, law enforcement, and voter registration. Voter Registration has access to screens to confirm residency, and those screens actually display the basic record of individuals including social security numbers. The DMV does require the submittal of social security numbers and cards to obtain a driver's license, however, they do not enter it into their system nor is it shared.

The Employee Retirement System has considerable volumes of information of employees and retirees. They maintain records of 66,000 active members. They have a well-developed process to redact personal information. In terms of awareness and specific procedure, they seem to exemplify some good practices.

Finally, Mr. Loo reported, the Judiciary reiterated that they do not control the entry of personal information in the documents filed with the courts. Their concern is the volume of information and the cost.

Meeting Schedule: November 15, 2007 - approve draft report  
December 6, 2007 - approve final report

Adjournment: Vice Chair Dang moved to adjourn, seconded by Member Takushi. It was voted on and unanimously approved to adjourn the meeting.

With no further business, the Chair adjourned the meeting at 10:20 a.m.

Next Meeting: date: Thursday, November 15, 2007  
time: 9:00 a.m.  
address: to be determined

Reviewed and approved by:

Russell Wong  
IT Coordinator

November 5, 2007

[ ] Approved as circulated.

ID Theft/101807