



MULLEN
COUGHLIN^{LLC}
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426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

December 18, 2020

VIA E-MAIL

Office of the Attorney General
1125 Washington Street SE
P.O. Box 40100
Olympia, WA 98504-0100
E-mail: securitybreach@atg.wa.gov

Re: Notice of Data Event

Dear Sir or Madam:

We represent Benton County of Washington (“Benton County”) located at 620 Market Street, Prosser, WA 99350, and write to notify your office of an incident that may affect the security of some personal information relating to eight-hundred and twenty (820) Washington residents. The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Benton County does not waive any rights or defenses regarding the applicability of Washington law, the applicability of the Washington data event notification statute, or personal jurisdiction.

Nature of the Data Event

Benton County recently became aware of suspicious activity related to a certain Benton email account. Benton County immediately launched an investigation, with the assistance of its risk management team and third-party forensic specialists, to determine the nature and scope of the activity. Benton County’s investigation determined that there was unauthorized access to the affected email account between November 11, 2019 and December 9, 2019. On September 14, 2020, Benton County’s review determined that the email account contained information related to certain individuals. Since that time, Benton County has been diligently reviewing its records for purposes of notifying those affected individuals.

The information relating to Washington residents that could have been subject to unauthorized access includes name, address, date of birth, Social Security number, driver’s license number,

government issued identification number, medical and treatment information, health insurance information, state identification number, financial account information, and student identification number.

Notice to Washington Residents

On or about December 18, 2020, Benton County provided written notice of this incident to all affected individuals, which includes eight-hundred and twenty (820) Washington residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*. Benton County is also providing notification on its website and provided notice to statewide media in Washington on December 18, 2020. These notifications are being provided in substantially the same form as the communications attached hereto as *Exhibit B* and *Exhibit C*.

Other Steps Taken and To Be Taken

Upon discovering suspicious activity on one of its email accounts, Benton County moved quickly to investigate and respond to the incident, assess the security of Benton County email accounts, and notify potentially affected individuals. Benton County is also working to implement additional safeguards and training to its employees. Benton County is providing access to credit monitoring services for twelve (12) months, through Kroll, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Benton County is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. Benton County is providing individuals with information on how to place a fraud alert and security freeze on one's credit file,, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4842.

Very truly yours,



Vincent F. Regan of
MULLEN COUGHLIN LLC

EXHIBIT A



<<Date>> (Format: Month Day, Year)

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country >>

RE: Notice of Data Breach

Dear <<first_name>> <<middle_name>> <<last_name>> <<suffix>>,

The County of Benton Washington (“Benton County”) writes to notify you of an incident that may affect the privacy of some of your information. We take this incident seriously, and this letter provides details of the incident, our response, and steps you may take to better protect against possible misuse of your personal information, should you feel it appropriate to do so.

What Happened? Benton County recently became aware of suspicious activity related to a certain Benton County email account. Benton County immediately launched an investigation, with the assistance of third-party forensic specialists, to determine the nature and scope of the activity. Benton County’s investigation determined that there was unauthorized access to the affected email account between November 11, 2019 and December 9, 2019. Benton County began reviewing the contents of the affected email account to determine what, if any, sensitive information was contained within them. On September 14, 2020, Benton County’s review determined that the email account contained certain information related to you.

What Information Was Involved? Benton County determined that the following information related to you was present in the affected email account at the time of this incident: <<b2b_text_1(DataElements)>>.

What is Benton County Doing? Benton County takes the confidentiality, privacy, and security of information in our care seriously. Upon discovery, we immediately commenced an investigation to confirm the nature and scope of the incident. We are taking steps to implement additional safeguards and review policies and procedures relating to data privacy and security.

Benton County is providing you with access to twelve (12) months of identity monitoring services through Kroll at no cost to you. A description of services and instructions on how to activate can be found within the enclosed *Steps You Can Take to Help Protect Against Identity Theft and Fraud*. Please note that you must complete the activation process yourself, as we are not permitted to activate these services on your behalf.

What You Can Do. You can review the enclosed *Steps You Can Take to Help Protect Against Identity Theft and Fraud*. You can also activate the complimentary identity monitoring services through Kroll. We also encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious activity.

For More Information. We understand you may have questions about this incident that are not addressed in this letter. To ensure your questions are answered in a timely manner, please contact our call center at 1-833-971-3276 from 8:00 am to 5:30 pm Central Time, Monday through Friday excluding major US holidays.

Benton County takes the privacy and security of the information in our care seriously. We sincerely regret any inconvenience or concern this incident may cause you.

Sincerely,

Adam Morasch

Risk Manager

The County of Benton Washington

Steps You Can Take to Help Protect Against Identity Theft and Fraud

Activate Identity Monitoring Services

To help relieve concerns and restore confidence following this incident, we have secured the services of Kroll to provide identity monitoring at no cost to you for one year. Kroll is a global leader in risk mitigation and response, and their team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration.

Visit <https://enroll.idheadquarters.com> to activate and take advantage of your identity monitoring services.

You have until **March 16, 2021** to activate your identity monitoring services.

Membership Number: <<Member ID>>

You have been provided with access to the following services from Kroll:

Single Bureau Credit Monitoring

You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

Fraud Consultation

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

Identity Theft Restoration

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

Kroll's activation website is only compatible with the current version or one version earlier of Chrome, Firefox, Safari and Edge. To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.

Monitor Your Accounts

In addition to enrolling in the complimentary services detailed above, we encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious activity. Under U.S. law, you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

You have the right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

Experian

P.O. Box 9554
Allen, TX 75013
1-888-397-3742

www.experian.com/freeze/center.html

TransUnion

P.O. Box 160
Woodlyn, PA 19094
1-888-909-8872

www.transunion.com/credit-freeze

Equifax

P.O. Box 105788
Atlanta, GA 30348-5788
1-800-685-1111

www.equifax.com/personal/credit-report-services

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years;
5. Proof of current address, such as a current utility bill or telephone bill;

6. A legible photocopy of a government-issued identification card (state driver's license or ID card, military identification, etc.); and
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

As an alternative to a security freeze, you have the right to place an initial or extended "fraud alert" on your file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the agencies listed below:

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 Allen, TX 75013
 1-888-397-3742
www.experian.com/fraud/center.html

TransUnion

P.O. Box 2000
 Chester, PA 19016
 1-800-680-7289
www.transunion.com/fraud-victim-resource/place-fraud-alert

Equifax

P.O. Box 105069
 Atlanta, GA 30348
 1-888-766-0008
www.equifax.com/personal/credit-report-services

Additional Information

You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General.

The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, www.identitytheft.gov, 1-877-ID-THEFT (1-877-438-4338); TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

California Residents: Visit the California Office of Privacy Protection (www.oag.ca.gov/privacy) for additional information on protection against identity theft.

Kentucky Residents: Office of the Attorney General of Kentucky, 700 Capitol Avenue, Suite 118 Frankfort, Kentucky 40601, www.ag.ky.gov, Telephone: 1-502-696-5300.

Maryland Residents: Office of the Attorney General of Maryland, Consumer Protection Division 200 St. Paul Place Baltimore, MD 21202, www.oag.state.md.us/Consumer, Telephone: 1-888-743-0023.

New Mexico Residents: You have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to your file is limited; you must give your consent for credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from a violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. You can review your rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

New York Residents: the Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>. North Carolina Residents: Office of the Attorney General of North Carolina, Consumer Protection Division, 9001 Mail Service Center Raleigh, NC 27699-9001, www.ncdoj.gov, Telephone: 1-919-716-6400, 877-566-7226 (toll free within NC).

Oregon Residents: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 877-877-9392.

Rhode Island Residents: Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, Telephone: 401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. [There are <<##>> Rhode Island residents impacted by this incident.](#)

Washington D.C. Residents: the Office of Attorney General for the District of Columbia can be reached at: 441 4th Street NW, Suite 1100 South, Washington, D.C. 20001; 1-202-442-9828; <https://oag.dc.gov>. All US Residents: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, www.consumer.gov/idtheft, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.

EXHIBIT B

NOTICE OF DATA EVENT

Benton County of Washington (“Benton County”), is providing notice of a recent data privacy event that may have affected the security of certain personal information. The confidentiality, privacy, and security of information is one of Benton County’s highest priorities and Benton County takes this matter seriously.

What Happened? Benton County recently became aware of suspicious activity related to a certain Benton County email account. Benton County immediately launched an investigation, with the assistance third-party forensic specialists, to determine the nature and scope of the activity. Benton County’s investigation determined that there was unauthorized access to the affected email account between November 11, 2019 and December 9, 2019. Benton County began reviewing the contents of the affected email account to determine what, if any, sensitive information was contained within them. On September 14, 2020, Benton County’s review determined that the email account contained sensitive information related to certain individuals.

What Information Was Involved? Benton County determined that the information present in the affected email account varied by individual but may include affected individuals’ names, addresses, dates of birth, Social Security numbers, financial information, health insurance information, and medical history and treatment information.

What We Are Doing. Benton County is individually notifying those whose information was present in the affected email account. As an added precaution, the organization is offering those individuals access to credit monitoring and identity protection services at no cost.

What You Can Do. Benton County encourages individuals to review the information below related to “Steps Individuals Can Take to Help Protect Against Identity Theft and Fraud,” which provides detail on how to better protect against possible misuse of information. Affected individuals can find guidance in the letters being sent to them.

For More Information. Individuals who may have questions about the incident, may contact our dedicated call center at 833-971-3276 from 8 a.m. to 5:30 p.m. Central Time, Monday through Friday, excluding major holidays.

STEPS INDIVIDUALS CAN TAKE TO HELP PROTECT AGAINST IDENTITY THEFT AND FRAUD

Benton County encourages individuals to remain vigilant against incidents of identity theft and fraud, to review account statements, and to monitor credit reports for suspicious activity and to detect error. Under U.S. law adults are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

You have the right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be

charged to place or lift a security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

Experian

PO Box 9554
Allen, TX 75013
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www.experian.com/freeze/center.html

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www.transunion.com/credit-freeze

Equifax

PO Box 105788
Atlanta, GA 30348-5788
1-800-685-1111

www.equifax.com/personal/credit-report-services

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver's license or ID card, military identification, etc.); and
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

As an alternative to a security freeze, you have the right to place an initial or extended "fraud alert" on your file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the agencies listed below:

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Additional Information

You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General.

The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, www.identitytheft.gov, 1-877-ID-THEFT (1-877-438-4338); TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need

to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement

EXHIBIT C

BENTON COUNTY OF WASHINGTON - NOTICE OF DATA EVENT

December 18, 2020 – (Prosser, Washington) Benton County of Washington (“Benton County”), is providing notice of a recent data privacy event that may have affected the security of certain personal information. The confidentiality, privacy, and security of information is one of Benton County’s highest priorities and Benton County takes this matter seriously.

What Happened? Benton County recently became aware of suspicious activity related to a certain Benton email account. Benton County immediately launched an investigation, with the assistance third-party forensic specialists, to determine the nature and scope of the activity. Benton County’s investigation determined that there was unauthorized access to the affected email account between November 11, 2019 and December 9, 2019. Benton County began reviewing the contents of the affected email account to determine what, if any, sensitive information was contained within them. On September 14, 2020, Benton County’s review determined that the email account contained information related to certain individuals. Since that time, Benton County has been diligently reviewing its records for purposes of notifying those affected individuals.

What Information Was Involved? Benton County determined that the information present in the affected email account varied by individual but may include affected individuals’ names, addresses, dates of birth, Social Security numbers, financial information, health insurance information, and medical history and treatment information.

What We Are Doing. Benton County is individually notifying those whose information was present in the affected email account. As an added precaution, the organization is offering these individuals access to credit monitoring and identity protection services at no cost.

What You Can Do. Benton County encourages individuals to review the information below related to “Steps Individuals Can Take to Help Protect Against Identity Theft and Fraud,” which provides detail on how to better protect against possible misuse of information. Affected individuals can find guidance in the letters being sent to them.

For More Information. Individuals who may have questions about the incident, may contact our dedicated call center at 833-971-3276 from 8 a.m. to 5:30 p.m. Central Time, Monday through Friday, excluding major holidays, or visit Benton County’s website at <https://www.co.benton.wa.us/>

STEPS INDIVIDUALS CAN TAKE TO HELP PROTECT AGAINST IDENTITY THEFT AND FRAUD

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*Media Contact: Vince Regan
267-930-4842*

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P.O. Box 9554
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