

Village of Pleasantville – Breach Notification Policy

Adopted October 13, 2020 BOT Res 2020-210

1. This policy is consistent with the State Technology Law, section 208, as added by Chapters 442 and 491 of the laws of 2005. This policy requires notification to impacted New York residents and non-residents. The Village of Pleasantville values the protection of private information of individuals. The Village of Pleasantville is required to notify an individual when there has been or is reasonably believed to have been a compromise of the individual's private information in compliance with the Information Security Breach and Notification Act and this policy.

2. The Village of Pleasantville, after consulting with State Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures, shall notify an individual when it has been determined that there has been, or is reasonably believed to have been a compromise of private information through unauthorized disclosure.

3. A compromise of private information shall mean the unauthorized access or acquisition of unencrypted computerized data with private information.

4. If encrypted data is compromised along with the corresponding encryption key, the data shall be considered unencrypted and thus fall under the notification requirements.

5. Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. In such case, notification will be delayed only as long as needed to determine that notification no longer compromises any investigation.

6. The Village of Pleasantville will notify the affected individual. Such notice shall be directly provided to the affected persons by one of the following methods:

- Written notice;
- Electronic notice, provided that the person to whom notice is required has expressly consented to receiving said notice in electronic form and a log of each such notification is kept by the Village of Pleasantville who notifies affected persons in such form;
- Telephone notification provided that a log of each such notification is kept by the Village of Pleasantville who notifies affected persons; or
- Substitute notice, if the Village of Pleasantville demonstrates to the State Attorney General that the cost of providing notice would exceed two hundred fifty thousand dollars, or that the affected class of subject persons to be notified exceeds five hundred thousand, or the Village of Pleasantville does not have sufficient contact information.

Substitute notice shall consist of all the following:

A. E-mail notice when the Village of Pleasantville has an e-mail address for the subject persons.

B. conspicuous posting of the notice on the Village of Pleasantville web site page.

C. notification to major statewide media

7. The Village of Pleasantville shall notify CSCIC as to the timing, content, and distribution of the notices and approximate number of affected persons.

8. The Village of Pleasantville shall notify the Attorney General and the Consumer Protection Board, whenever notification to a New York resident is necessary, as to the timing, content, and distribution of the notices and approximate number of affected persons.

9. Regardless of the method by which notice is provided, such notice shall include contact information for the Village of Pleasantville making the notification and a description of the categories of information that were, or are reasonably believed to have been acquired or accessed by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired or accessed.

10. This Policy also applies to information maintained on behalf of the Village of Pleasantville by a third party.

11. When more than five thousand New York residents are to be notified at one time, then the Village of Pleasantville shall notify the consumer reporting agencies as to the timing, content, and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

Cyber Incident Response Form

Reported by: _____

Name: _____

Phone: _____

E-mail: _____

Date & Time of incident detection: _____

Nature of Incident:

Denial of Service

Unauthorized Access

Malicious Code (worm, virus)

Website Defacement

Scans and Probes

Other (describe)

Incident Descriptions (What were the signs?):

Details (e.g. virus name, events, etc.):

Business Impact (e.g. what information or services are impacted?):

Course of Action:

Additional Notes:

This policy is established to clarify roles and responsibilities in the event of a cyber incident. The availability of cyber resources is critical to the operation of government. A swift and complete response to any incidents is necessary in order to maintain that availability and protect public and private information.

Responsible Elected Official:

If the incident affects multiple departments, the Mayor of the Village of Pleasantville shall be the responsible Elected Official. The responsibilities of the elected official include, but are not limited to:

- Receiving initial notification and status reports from the Incident Response Manager.
- Consulting with other elected officials on public notification, involvement of the municipal attorney and notification of law enforcement.
- Preparing and delivering press releases.
- Consulting with other elected officials and appropriate staff on priorities for response and recovery.
- Advising the Incident Response Manager on priorities.

Incident Response Manager:

The Village of Pleasantville designates that the Village Administrator has responsibility for preparing for and coordinating the response to a cyber incident. Responsibilities include, but are not limited to:

- Training users to recognize and report suspected incidents.
- Developing and testing response plans.
- Being the point of contact should any employee or official believe an incident has occurred.
- Involving the identified Technical Support to address the incident.
- Notifying the appropriate elected officials that an incident has occurred, if significant.
- Advising Elected Official(s) regarding notification of law enforcement and the Village Attorney if appropriate.
- Providing information to Elected Official(s) responsible for notifying the press and public.
- Coordinating the logging and documentation of the incident and response to it.
- Making recommendations to reduce exposure to the same or similar incidents.

Technical Support Staff:

The Village of Pleasantville shall provide Technical Support to the Incident Response Manager. Responsibilities include, but are not limited to:

- Assessing the situation and providing corrective recommendations to the Incident Response Manager.
- Helping the Incident Response Manager make initial response to incidents.
- Responding to the incident to contain and correct problems.
- Reporting to the Incident response Manager on actions taken and progress.
- Participating in review of the incident and development of recommendations to reduce future exposure.
- Consulting with other Elected Official(s) on public notification, involvement of the municipal attorney, and notification of law enforcement.
- Assisting with preparation of press releases.
- Consulting with other Elected Official(s) and appropriate staff on priorities for response and recovery.
- Advising the Incident Response Manager on priorities.

Legal Counsel:

Village Attorney shall provide advice as called upon.

