



February 7, 2024

**VIA EMAIL**

Attorney General John M. Formella  
Office of the Attorney General  
Consumer Protection Bureau  
33 Capitol Street  
Concord, NH 03301  
[DOJ-CPB@doj.nh.gov](mailto:DOJ-CPB@doj.nh.gov)

**Re: Notice of Data Security Incident**

Dear Attorney General Formella:

Constangy, Brooks, Smith & Prophete, LLP, represents the City of Clemson, South Carolina (“City”) in connection with a recent data security incident described in greater detail below. This notice is being sent because personal information for New Hampshire residents may have been involved in the incident.

**1. Nature of the Security Incident**

On October 18, 2023, the City became aware of unusual network activity and immediately took steps to secure its systems. The City engaged cybersecurity experts to assist with the process. The investigation determined that certain City data may have been acquired without authorization in October. After undertaking a review of the potentially affected files, the City identified certain personal information that may have been involved. The City’s review concluded on December 13, 2023 and revealed the individuals whose personal information could have been involved. The City thereafter worked to gather contact information needed to provide individual notification. This important step took time and was completed on February 2, 2024.

**2. Number of New Hampshire Residents Involved**

Beginning February 7, 2024, the City notified 19 New Hampshire residents of this data security incident via U.S. First-Class Mail. A sample copy of the notification letter sent to the impacted individuals is included with this correspondence.

The personal information involved in this incident includes individuals’

**3. Steps Taken to Address the Incident**

As soon as the City discovered this unusual network activity, it took steps to secure the affected systems and launched an investigation to determine whether, and to what extent, personal information had been accessed or acquired without authorization. The City has also implemented additional security measures in an effort to prevent a similar incident from occurring in the future. Further, as referenced in the sample consumer notification letter, the City has offered individuals of complimentary services through IDX, which include Credit Monitoring, \$1 Million Identity Fraud Loss Reimbursement, Fraud Consultation, and Identity Theft Restoration.

The City has established a toll-free call center through IDX to answer questions about the incident and address related concerns.

#### **4. Contact Information**

The City remains dedicated to protecting the information in its control. If you have any questions or need additional information, please do not hesitate to contact me at

Sincerely,

Jason Cherry  
Partner  
Constangy, Brooks, Smith & Prophete, LLP

Enclosure: Sample Notification Letter



P.O. Box 989728  
West Sacramento, CA 95798-9728

<<First Name>> <<Last Name>>  
<<Address1>>  
<<Address2>>  
<<City>>, <<State>> <<Zip>>  
<<Country>>

February 7, 2024

### Notice of Data <<Incident/Breach>>

Dear <<First Name>> <<Last Name>>,

We are writing to inform you of a data security incident that may have affected your personal information. The City of Clemson ("City") takes the privacy and security of personal information very seriously. This is why we are informing you of the incident, providing you with steps you can take to protect your personal information, and offering you complimentary credit monitoring and identity protection services.

**What Happened.** On October 18, 2023, the City became aware of unusual network activity and immediately took steps to secure our systems. We engaged cybersecurity experts to assist with the process. The investigation determined that certain City data may have been acquired without authorization on or about October 18, 2023. As a result, the City undertook a review of the potentially affected files. Our review concluded on February 2, 2024 and identified that some of your information may have been involved. Since that time, we have been working to gather contact information needed to provide you with this notice.

**What Information Was Involved.** The potentially affected information may have included your <<Data Elements>>.

**What We Are Doing.** As soon as City discovered the incident, we took the steps described above and implemented measures to enhance network security and minimize the risk of a similar incident occurring in the future. We also notified the Federal Bureau of Investigation and will provide whatever cooperation may be necessary to hold the perpetrators accountable.

In addition, we are offering identity theft protection services through IDX, A ZeroFox Company, the data breach and recovery services expert. IDX identity protection services include: <<12/24>> months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed id theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised.

### What You Can Do

We encourage you to contact IDX with any questions and to enroll in the free identity protection services by calling 1-888-943-6039, going to <https://app.idx.us/account-creation/protect>, or scanning the QR image and using the Enrollment Code provided above. IDX representatives are available Monday through Friday from 9 am - 9 pm Eastern Time. Please note, the deadline to enroll is .

Again, at this time, there is no evidence that your information has been misused. However, we encourage you to take full advantage of this service offering. IDX representatives have been fully versed on the incident and can answer questions or concerns you may have regarding protection of your personal information.

**For More Information**

You will find detailed instructions for enrollment on the enclosed Recommended Steps document. Also, you will need to reference the enrollment code at the top of this letter when calling or enrolling on online, so please do not discard this letter.

Please call 1-888-943-6039 or go to <https://app.idx.us/account-creation/protect> for assistance or for any additional questions you may have.

Sincerely,

(Enclosure)



## Recommended Steps to help Protect your Information

**1. Website and Enrollment.** Scan the QR image or go to <https://app.idx.us/account-creation/protect> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.

**2. Activate the credit monitoring** provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.

**3. Review your credit reports.** We recommend that you remain vigilant by reviewing account statements and monitoring credit reports. Under federal law, you also are entitled every 12 months to one free copy of your credit report from each of the three major credit reporting companies. To obtain a free annual credit report, go to [www.annualcreditreport.com](http://www.annualcreditreport.com) or call 1-877-322-8228. You may wish to stagger your requests so that you receive a free report by one of the three credit bureaus every four months.

If you discover any suspicious items and have enrolled in IDX identity protection, notify them immediately by calling or by logging into the IDX website and filing a request for help.

If you file a request for help or report suspicious activity, you will be contacted by a member of our ID Care team who will help you determine the cause of the suspicious items. In the unlikely event that you fall victim to identity theft as a consequence of this incident, you will be assigned an ID Care Specialist who will work on your behalf to identify, stop and reverse the damage quickly.

You should also know that you have the right to file a police report if you ever experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide some kind of proof that you have been a victim. A police report is often required to dispute fraudulent items. You can report suspected incidents of identity theft to local law enforcement or to the Attorney General.

**4. Place Fraud Alerts** with the three credit bureaus. If you choose to place a fraud alert, we recommend you do this after activating your credit monitoring. You can place a fraud alert at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three bureaus is as follows:

### Credit Bureaus

Equifax Fraud Reporting  
1-866-349-5191  
P.O. Box 105069  
Atlanta, GA 30348-5069  
[www.equifax.com](http://www.equifax.com)

Experian Fraud Reporting  
1-888-397-3742  
P.O. Box 9554  
Allen, TX 75013  
[www.experian.com](http://www.experian.com)

TransUnion Fraud Reporting  
1-800-680-7289  
P.O. Box 2000  
Chester, PA 19022-2000  
[www.transunion.com](http://www.transunion.com)

It is necessary to contact only ONE of these bureaus and use only ONE of these methods. As soon as one of the three bureaus confirms your fraud alert, the others are notified to place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review. An initial fraud alert will last for one year.

**Please Note: No one is allowed to place a fraud alert on your credit report except you.**

**5. Security Freeze.** By placing a security freeze, someone who fraudulently acquires your personal identifying information will not be able to use that information to open new accounts or borrow money in your name. You will need to contact the three national credit reporting bureaus listed above to place the freeze. Keep in mind that when you

place the freeze, you will not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze. There is no cost to freeze or unfreeze your credit files.

**6. You can obtain additional information** about the steps you can take to avoid identity theft from the following agencies. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them.

**California Residents:** Visit the California Office of Privacy Protection ([www.oag.ca.gov/privacy](http://www.oag.ca.gov/privacy)) for additional information on protection against identity theft. Office of the Attorney General of California, 1300 I Street, Sacramento, CA 95814, Telephone: 1-800-952-5225.

**Kentucky Residents:** Office of the Attorney General of Kentucky, 700 Capitol Avenue, Suite 118 Frankfort, Kentucky 40601, [www.ag.ky.gov](http://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](http://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](http://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, 9001 Mail Service Center Raleigh, NC 27699-9001, [www.ncdoj.gov](http://www.ncdoj.gov), Telephone: 1-919-716-6400.

**Oregon Residents:** Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, [www.doj.state.or.us/](http://www.doj.state.or.us/), Telephone: 1-877-877-9392

**Rhode Island Residents:** Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, [www.riag.ri.gov](http://www.riag.ri.gov), Telephone: 1-401-274-4400

**All US Residents:** Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, <https://consumer.ftc.gov>, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.