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ATTORNEYS AT LAW

RECEIVED

DEC 04 2019

CONSUMER PROTECTION

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1275 Drummers Lane, Suite 302  
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November 27, 2019

**VIA U.S MAIL**

Consumer Protection Bureau  
Office of the New Hampshire Attorney General  
33 Capitol Street  
Concord, NH 03301

**Re: Notice of Data Event**

Dear Sir or Madam:

We represent the City of New Bedford, Massachusetts (the "City"), headquartered at 113 William Street, New Bedford, MA 02740, and write to notify your office of an incident that may affect the security of some personal information relating to two (2) New Hampshire residents. This notice may be supplemented if significant facts are learned subsequent to its submission. By providing this notice, the City does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

**Nature of the Data Event**

On July 5, 2019, the City became aware of unusual activity on its servers. The City immediately commenced an investigation, with the aid of forensic experts, to confirm the nature and scope of the activity. On October 17, 2019, after an extensive investigation, the City learned that an unauthorized actor potentially had access to certain servers and devices, and through that, to certain personal information. On or about November 1, 2019, after a thorough review process, the investigation confirmed the population of the potentially impacted individuals. The type of personal information potentially impacted in relation to this incident include the individual's name and Social Security number.

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### **Notice to New Hampshire Residents**

On or about November 27, 2019, the City provided written notice of this incident to all affected individuals, which includes two (2) New Hampshire residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

### **Other Steps Taken and To Be Taken**

Upon discovery, the City immediately launched an investigation, with the assistance of forensic experts, to determine the nature and the scope of the incident. Moreover, the City implemented additional safeguards to protect data in the City's care and to enhance protections as part of an ongoing commitment to data security. Moreover, the City reported this incident to law enforcement.

The City is providing access to credit monitoring services for eighteen (18) months, through Kroll, to the affected individual whose personal information was potentially affected by this incident, at no cost to the individual.

Additionally, the City provided the affected 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. The City is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, information on protecting against tax fraud, 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) 930-4777.

Very truly yours,



Brian F. Fox of  
MULLEN COUGHLIN LLC

Enclosures  
BFF/jsj

# EXHIBIT A



NEW BEDFORD  
PORT AUTHORITY

52 Fisherman's Wharf TEL (508) 961-3000  
New Bedford, MA 02740 FAX (508) 984-2640  
WWW.PORTOFNEWBEDFORD.ORG

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

<<FirstName>> <<MiddleName>> <<LastName>> <<NameSuffix>>  
<<Address1>>  
<<Address2>>  
<<City>>, <<State>> <<Zip>>

**Re: Notice of Data Breach**

Dear <<FirstName>> <<MiddleName>> <<LastName>> <<NameSuffix>>,

The City of New Bedford ("the City") writes to inform you of a recent incident that may affect the security of some of your personal information. While we are unaware of any attempted or actual misuse of your information, we are providing you with information about the incident, our response, and resources available to help protect your information from possible misuse, should you feel it appropriate to do so.

**What Happened?** On July 5, 2019, the City became aware of unusual activity on its systems. The City immediately commenced an investigation, with the aid of forensic experts, to confirm the nature and scope of the activity. On October 17, 2019, after an extensive investigation, the City determined that an unauthorized actor potentially had access to certain servers and devices related to the New Bedford Port Authority, and through that, to certain personal information. On November 1, 2019, we determined that your information was contained in the information pertaining to the Port Authority that was potentially subject to unauthorized access. We are unable to confirm whether the information was subject to unauthorized access or acquisition, but because the possibility exists, we are providing this notice. We are unaware of any attempted or actual misuse of the information.

**What Information Was Involved?** While we have no evidence of actual access or acquisition, we have determined that the following information related to you was contained on the affected servers and devices: name and Social Security number.

**What We Are Doing.** We take this incident and the security of personal information very seriously. Upon discovering unusual activity in our system, we immediately took steps to remediate our network and conducted an investigation to determine the nature and scope of the incident. Additionally, while we have safeguards in place to protect data in our care, we are working to review and enhance these protections as part of our ongoing commitment to data security. We also notified law enforcement and will be notifying state regulatory authorities, as required.

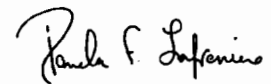
As an additional precaution, the City is offering you access to eighteen (18) months of complimentary identity monitoring services through Kroll at no cost to you. Details of this offer and instructions on how to activate these services are enclosed with this letter.

**What You Can Do.** Please review the enclosed "Steps You Can Take to Help Protect Your Personal Information," which contains information on what you can do to better protect against possible misuse of your information. 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. You may also activate to receive the complimentary identity monitoring services we are offering you.

**For More Information.** We recognize that you may have questions that are not addressed in this notice. If you have additional questions or concerns, please call our toll-free dedicated assistance line at 1-833-680-7830. This toll-free line is available Monday - Friday from 8:00 am to 5:30 pm Central Time, excluding major U.S. national holidays.

We sincerely regret any inconvenience this event may cause you. We remain committed to safeguarding the information in our care and will continue to take steps to ensure the security of our systems.

Sincerely,

A handwritten signature in black ink that reads "Pamela F. Lafreniere". The signature is written in a cursive style with a large initial "P".

Pamela Lafreniere  
General Counsel  
New Bedford Port Authority

## Steps You Can Take to Help Protect Your Personal Information

### Activate Identity Monitoring

As an added precaution, and at no cost to you, we arranged to have Kroll provide identity monitoring for 18 months. 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. It is incumbent upon you to activate in these services, as we are not able to act on your behalf to enroll you in the credit monitoring service. To activate your membership and start monitoring your personal information, please follow the steps below:

Visit [krollbreach.idMonitoringService.com](http://krollbreach.idMonitoringService.com) to activate and take advantage of your identity monitoring services.

*You have until **February 25, 2020** to activate your identity monitoring services.*

Membership Number: <<Member ID>>

### ADDITIONAL DETAILS REGARDING YOUR EIGHTEEN MONTHS OF COMPLIMENTARY KROLL IDENTITY MONITORING SERVICES

#### Take advantage of your Identity Monitoring Services

You've 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 can help you determine if it's 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 can dig deep to uncover the scope of the identity theft, and then work to resolve it.

### Monitor Your Accounts/Credit Reports

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](http://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  
1-888-397-3742

[www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)

#### **TransUnion**

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

[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

#### **Equifax**

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

[www.equifax.com/personal/credit-report-services](http://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.);
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:

**Experian**

P.O. Box 9554  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com/fraud/center.html](http://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](http://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](http://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](http://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.

*For Rhode Island Residents*, the Rhode Island Attorney General can be reached at: 150 South Main Street, Providence, Rhode Island 02903; [www.riag.ri.gov](http://www.riag.ri.gov), 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are two (2) Rhode Island residents impacted by this incident.

<sup>1</sup> 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.