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**Subject:**

FW: AG Healey Data Breach Bill Announcement

Begin forwarded message:

**From:** Thomas Donovan <[donovantj@gmail.com](mailto:donovantj@gmail.com)>  
**Date:** September 25, 2017 at 7:15:23 PM EDT  
**To:** Thomas Donovan <[thomas.donovan@vermont.gov](mailto:thomas.donovan@vermont.gov)>  
**Subject:** Fwd: AG Healey Data Breach Bill Announcement

Sent from my iPhone

Begin forwarded message:

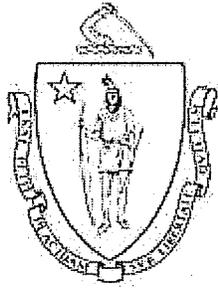
**From:** Jennifer Song <[jennifer\[REDACTED\]](mailto:jennifer[REDACTED])>  
**Date:** September 25, 2017 at 5:20:34 PM EDT  
**To:** Sean Rankin <[sean\[REDACTED\]](mailto:sean[REDACTED])>, Jennifer Song <[Jennifer\[REDACTED\]](mailto:Jennifer[REDACTED])>  
**Subject:** AG Healey Data Breach Bill Announcement

Dear All,

Please see below for a press release on a new data breach bill announced by AG Healey and MA legislators in response to the Equifax breach. Among other protections, the bill would remove fees for credit freezes. A copy of the bill can be found here: <http://www.mass.gov/ago/docs/press/2017/credit-freeze-legislation.pdf>

Thanks,  
Jennifer

**Jennifer Song**  
Director of Policy  
Progressive State Leaders  
M: (310) 499-3179 | E: [Jennifer\[REDACTED\]](mailto:Jennifer[REDACTED])



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**FOR IMMEDIATE  
RELEASE**

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**FOLLOWING EQUIFAX HACK, AG HEALEY AND  
LEGISLATORS ANNOUNCE DATA BREACH BILL TO  
BETTER PROTECT MASSACHUSETTS RESIDENTS**

**BOSTON** – After bringing the nation’s first enforcement action against Equifax for its failure to protect the personal information of nearly three million Massachusetts residents, Attorney General Maura Healey announced updated legislation that will better protect consumers from data breaches.

The new legislation, *An Act Removing Fees for Security Freezes and Disclosures of Consumer Credit Reports* (SB 130/HB 134) will help consumers by eliminating fees and establishing a one-stop shop for placing credit freezes, mandating encryption of personal information in credit reports, and requiring that companies obtain consent before accessing or using consumer credit reports and credit scores.

The bill – introduced today at the State House – is co-sponsored by Senator Barbara L’Italien and State Representative Jennifer Benson. AG Healey’s office assisted in drafting the updated language to provide additional protections for consumers affected by a breach.

“For too long, protecting consumers has been an afterthought for Equifax and other credit reporting agencies,” said AG Healey. “This bill will give Massachusetts residents control over their personal data and help fix a system that needed reform long before the Equifax breach. I am proud to join with Senator

L'Italien and Representative Benson as Massachusetts leads the charge for our country's consumers."

"I am proud to stand today in collaboration with the Attorney General and Rep. Jen Benson to discuss enhanced consumer protections for all residents of our Commonwealth," said Senator L'Italien. "With the Equifax breach we learned how easy it is for our personal information to be compromised, and the urgency of ensuring additional protection for consumers and our credit and financial information."

"I welcome the Attorney General's support of this important legislation," said Representative Benson, Chair of the Joint Committee on State Administration and Regulatory Oversight. "I filed this bill to protect victims of identity theft, and in collaboration with the Attorney General and Chairwoman L'Italien, we've made the language even stronger to provide further consumer protections."

"For far too long, consumers have had too little control over their own personal information that is stored and sold by credit reporting agencies," said Chi Chi Wu, National Consumer Law Center staff attorney. "I commend Attorney General Maura Healey for introducing this updated bill, which gives consumers a say in whether a business can access their credit report or score. The bill also responds to the Equifax data breach by making credit freezes free of charge."

"Equifax's massive security breach exposed that not only did they throw away the lock and lose the key to safeguarding our information, but when we asked them to secure it, with a credit freeze, they wanted to charge us and make a profit off of their extreme negligence," said Deirdre Cummings, Legislative Director with MASSPIRG. "We have a terrific opportunity and obligation to pass a strong reform bill, and we should do it now."

"AARP Massachusetts believes that consumers should not have to pay to freeze their credit, and urges Massachusetts lawmakers to enact this legislation to give residents of Massachusetts the power to control access to their credit report without cost," said Mike Festa, state director of AARP Massachusetts.

The updated legislation helps consumers in Massachusetts in a number of ways:

1. **Consent:** Any company seeking to obtain or use a consumer's credit report or credit score will need the written consent of the consumer and must disclose the reason for seeking access to the information.
2. **Credit Freeze:** The bill would allow consumers to place and lift a credit freeze on their files at any time, for free. Unlike credit monitoring (which alerts you after potential identity theft has already occurred), a credit freeze makes it harder for someone to open a new account in your name. The new legislation will require the credit reporting agencies to put in place a simple, one-stop shop for freezing and unfreezing your credit reports.
3. **Credit reports:** The bill will require each credit reporting agency to provide extra access to free credit reports to consumers impacted by a breach. Under federal law, consumers only get access to one free credit report per year, but under the new legislation, affected consumers will be entitled to no less than three free copies from each agency after a data breach.
4. **Credit monitoring:** If the breach occurs at a consumer reporting agency – like Equifax – the bill requires it to provide five years of free credit monitoring to affected consumers.
5. **Encryption:** The bill will require that all agencies encrypt personal information contained in consumer credit reports to enhance the security, confidentiality and integrity of personal information.

According to Equifax, the breach reported earlier this month potentially compromised the personal information of 143 million consumers nationwide, including nearly three million Massachusetts consumers. Following the breach, AG Healey launched an immediate investigation and filed a lawsuit last week against Equifax alleging that it did not maintain the appropriate safeguards to protect consumer data in violation of Massachusetts consumer protection and data privacy laws and regulations. The AG's Office also issued guidance for consumers in the wake of the data breach.

Equifax is a consumer reporting agency that businesses rely on to make decisions about the credit worthiness of consumers, therefore affecting whether consumers can buy a house, acquire a loan, lease a vehicle, or even get a job. Consumers have little to no control over the information about them that Equifax acquires.

AG Healey will testify before the Joint Committee on Consumer Protection and Professional Licensure tomorrow in support of the bill and ask the Committee to incorporate the additional consumer protections proposed today.

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TJ Donovan Texts Personal Phone September 14 – 28, 2017 Seven Days Request

9/14/17 Jim Condos: When are you leaving for Bennington today?

9/14/17 Jim Condos: I was planning to leave at 3 - arriving in Bennington around 5:30 and get a bite to eat before our 7p panel at the college! Are you staying overnite? I am since we are getting done at about 9p!

9/14/17 Jim Condos: [Forwards Brian Campion contact information]

9/14/17 Alison Crowley: Hey, TJ, left you a message on your phone. Could you please give me name of the person who schedules your meetings? I have a lottery client who would like to meet with you. We're looking at October 5 or 6, hopefully early afternoon of that meets with your schedule. Thanks so much. Allison Crowley DeMag. [cell phone omitted]

9/14/17 TJ: [Forwards Natalie Silver contact information]

9/14/17 Brian Campion: We will get you on the road by 8:30

9/14/17 TJ: Thanks

9/15/17 Ben Battles: This is Ben Battles

9/15/17 John Treadwell: [Forwards Gary Scott contact information]

9/15/17 Jacob Humbert: Jacob Humbert cell #

9/14/17 TJ: Headed to Bennington Call u tomorrow

9/14/17 Jason Gibbs: Cool. Let me know if you want to grab coffee or beer next week some time. Monday and Tuesday look fairly flexible.

9/14/17 TJ: Coffee next good Send u time tomorrow for next week Thanks!

9/17/17 TJ: Coffee @ 11 tomorrow?

9/17/17 Jason Gibbs: Yes! Just tell me where to meet you... lobby?

9/17/17 TJ: See u @ capitol plaza

9/17/17 Jason Gibbs: 10-4

9/15/17 Megan Shafritz: Hi TJ. It's Megan Shafritz. This is my cell phone. Thanks.

9/15/17 Megan Shafritz: Hey TJ, Nicole and I are waiting at your Burlington Office.

9/15/17 TJ: 1 min

9/15/17 Megan Shafritz: Great thanks.

9/19/17 Lisa Menard: Hi TJ- This is Lisa Menard. You had asked that I text my #. Also wondering if you have 5 minutes before Monday to discuss oversight testimony?

9/19/17 Kristen Kelly: Hi. Do you have time for a news question?

9/19/17 TJ: Sure

9/20/17 Sarah London: If you need me, let me know.

9/20/17 Ted Hobson: WCAX wants to do interview on IRS scam on short deadline. Okay to have Lauren do it in Winooski?

9/20/17 Chris Curtis: Makes sense to me. Josh?

9/20/17 Ted Hobson: She's coming around 3. Just pick someone.

9/20/17 TJ: Again Please use work phone

9/22/17 Andy Beshear: Great launch on Scam Busters! Getting any feedback?

9/22/17 TJ: Very positive but folks really want tangible steps to protect themselves How r u?

9/22/17 Andy Beshear: Good! Our most recent drug deactivation program is taking off

9/22/17 TJ: Nice I'll check it out

9/22/17 Ella Spotswood: Hey TJ this is Ella. Are you available to discuss that voting rights amicus before the noon deadline?

9/22/17 Ella Spotswood: It's ok, I talked to Josh! Thank you!

9/20/17 Dan Maguire: TJ It's Dan Maguire. Are you the Chair of the Racial Disparities Advisory Panel?

I'm facilitating a seminar at the VBA annual meeting at the Hilton

10/13

3:30-5pm

The topic is implicit bias in criminal justice system

I've got affirmative responses from Judge Waples, Jay Diaz (ACLU), Karen Richards - VT Human Rights Commission and James Moreno - Federal Death Penalty Defender

A prosecutor would round out the group nicely

If not you, can you recommend or refer?

9/20/17 TJ: Should be able to Let u know tomorrow

9/22/17 Dan Maguire: Sup

I do not have confirmation from Judge Waples. FYI

9/22/17 TJ: I can do it Time?

9/22/17 Dan Maguire: 330-5 Friday 10/13

9/22/17 TJ: Ok

9/22/17 Dan Maguire: Thank you!

[Photo of food drive box]

Hunger Drive box in office

9/22/17 TJ: Nice !

9/25/17 Rob McDougall: Can you give me a call when you have a free minute? Nothing urgent.

9/25/17 Whytnee Bush: Yo. Wrongly presumed you were in BTV - let me know when you'll be back in town today

9/16/17 Ian Carleton: Can we touch base some time today? If so let me know when so I can be in cell range (bad service in my house). Tomorrow I'm tied up with stuff until after dinner. Thx.

9/16/17 TJ: Will call

9/16/17 Ian Carleton: Did you just try to call or was that a pocket dial? If you tried I'll call you back from my landline.

9/16/17 TJ: Yes

9/17/17 Ian Carleton: Got time for a short call before 9:30? I'm tied up till dinner after that.

9/18/17 Ian Carleton: need to make plans for tomorrow. Update?

9/25/17 Ian Carleton: Hey, We were supposed to touch base Friday but didn't. I assume no point for follow up call. Let me know if I'm mistaken.

9/22/17 Jennifer Redding: Hey... its Jennifer. Is your office investigating the failed concert in the kingdom...Shrinedom 2017?

9/25/17 Jennifer Redding: Has your office gotten any more complaints about shrinedom 2017 since Friday when you had 13 complaints?

9/25/17 TJ: Unclear Tomorrow

9/26/17 Jennifer Redding: Checking back on the number of concert complaints now versus the 13 from Friday

9/26/17 Kristin Clouser: Kristin's cell [cell omitted]

9/26/17 Mike Kennedy: We need to chat tomorrow. I'm not at all happy that Ted Hobson & Jay Bailey didn't let me know that they were going to run a test to see if any AAGS would fall for a phishing scam. Once lawyers received it, they reported it to us and I sent out a warning to the bar at large.

9/26/17 TJ: Yup. Happy to talk

9/15/17 David Scherr: David Scherr's number

9/27/17 David Scherr: you coming to the btv office?

9/27/17 TJ: No

9/27/17 Selene Colburn: I'm just arriving in my office and will call from my UVM office number in the next few minutes - hope that works!

9/27/17 TJ: Ok

9/27/17 David Scherr: Call my cell and we'll go from there

9/27/17 Selena Colburn: Got it!

9/22/17 Edith Kimoloski: Hey TJ, Edith here. I think it's a good time for me to give a Vermont human trafficking status update for several reasons. If you're too swamped I'd understand but if you have a half hour to meet up, let me know.

9/27/17 TJ: Let's meet I'll be in touch Sorry for late reply

9/28/17 [Two texts exchanged between John Treadwell, TJ Donovan, and Josh Diamond have been withheld as otherwise confidential by law, 1 V.S.A. § 317(c)(1)]

9/28/17 John Treadwell: Thank you

T.J. Donovan

Voicemails Personal Phone 9/14-9/28

9/14 Alison Crowley Demag

Good morning T.J Donovan, it's Alison Crowley Demag calling. Just checking in, I'm wondering if you could give me the name of the person and her or his number, to schedule meetings with you? I have a client um, that deals with lottery issues, I think you've bumped into them a couple of times, we just want to come up and have a general chat with you. We are looking at October 5th or 6th, I am just giving you a call and I'll send you a text, if you could text me back your scheduling person that'd be great. We are looking for early afternoon, maybe just for an hour or so, so we will be in touch. Enjoy the beautiful day, bye.

9/14/17 Peter Murphy

T.J. this is Peter Murphy calling, I hope things are going well. I got a question for ya and advice on the Equifax, crisis so to speak that's going on, on what I should be doing. Give me a call at [XXX XXX XXXX]. Thanks

9/14/17 Jason Gibbs

Hey T.J., it is Jason Gibbs just following up on our text exchanged from yesterday, on my way to afterschool pick up and thought I'd give you a shout. Maybe the easiest thing to do is try to schedule some time in the next couple of days to grab a cup of coffee or something. We are probably overdue. I'll look forward to it if you are up for it. I'll follow up with a text a little later.

9/25/17 Tony St. Hillare

Hey TJ, it's Tony. Yeah, I got your message, I was just getting out of meeting sorry I couldn't pick up when you called. I'm available now, I don't have any more meetings the rest of day. So, if you want to give me a call when you have the availability, I'd appreciate it. Bye.