



Introduction **Joseph Fusz** Of Counsel Chicago, IL 312.821.6141 Joseph.Fusz@wilsonelser.com

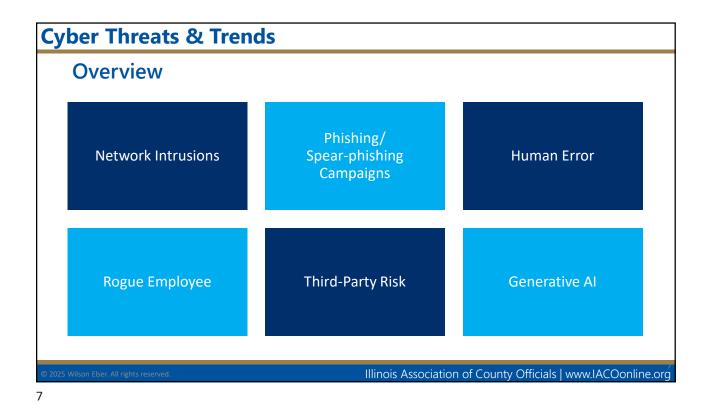
2023 WIISOIT EISE



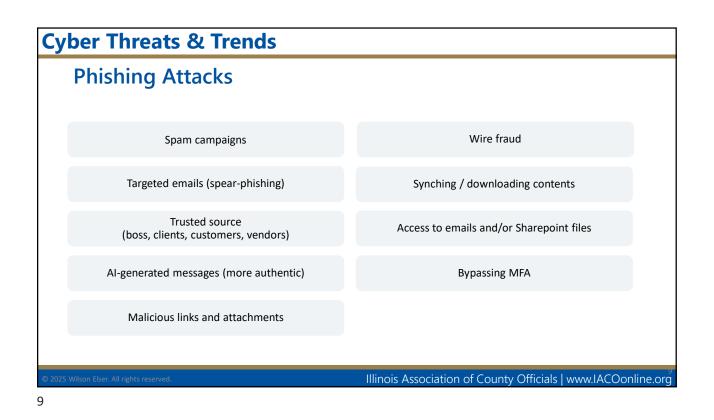
Data Breach Statistics

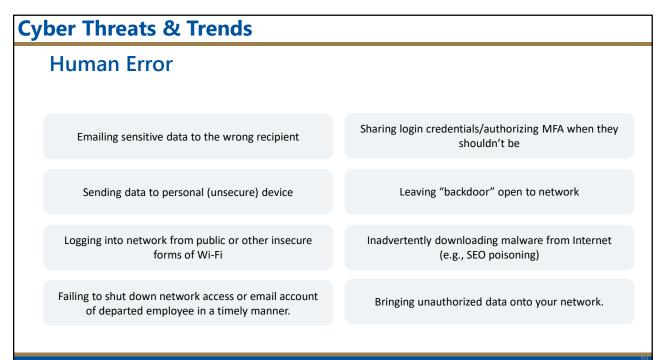
Public Sector Data Breaches

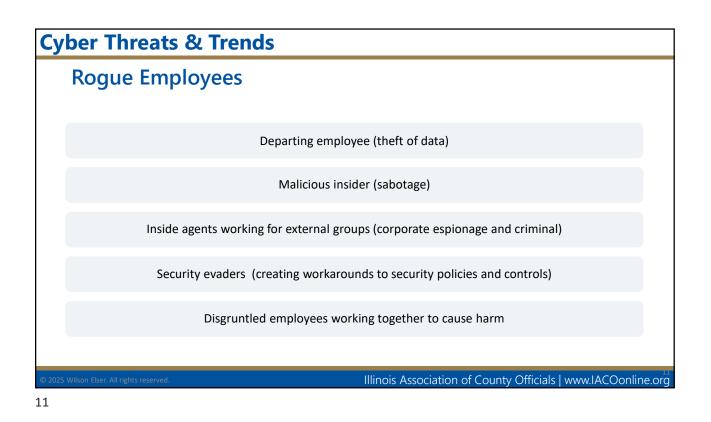
Frequency	12,217 incidents, 1,085 with confirmed data disclosure
Top patterns	Miscellaneous Errors, System Intrusion and Social Engineering represent 78% of breaches
Threat actors	Internal (59%), External (41%) (breaches)
Actor motives	Financial (71%), Espionage (29%) (breaches)
Data compromised	Personal (72%), Internal (37%), Other (31%), Credentials (17%) (breaches)
What is the same?	System Intrusion and Social Engineering remain top attack patterns in this sector.



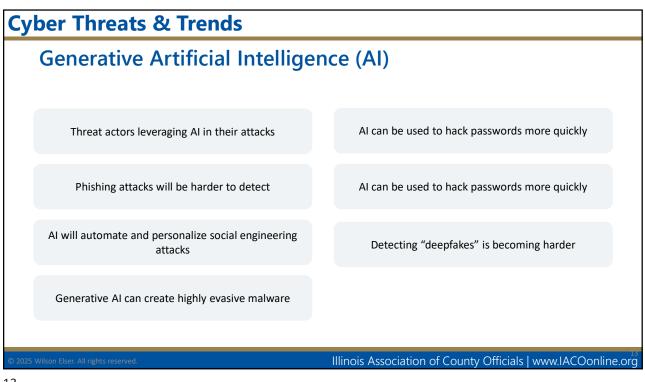














Privacy & Security Considerations

Knowing What You Have

- Data Inventory
- System Mapping
- Physical Device Management
- Access Controls and Privileges



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Privacy & Security Considerations

Bring Your Own Device (BYOD) Policies





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Privacy & Security Considerations

Remote Work

- Safety & Security
- Lost/Stolen Devices
- Public Wi-fi & Unsecured Remote Connections
- Zoom & Teams Considerations



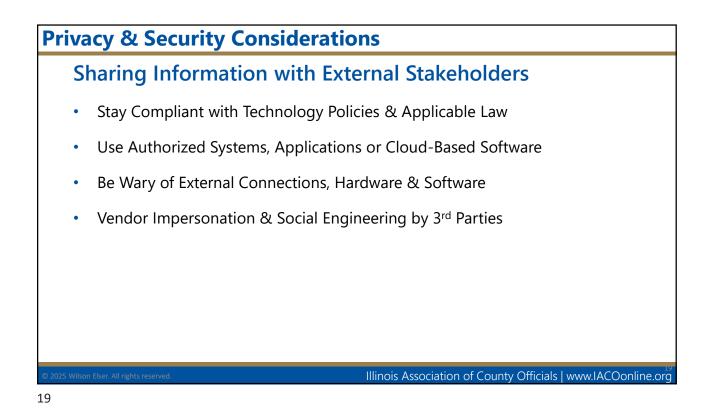
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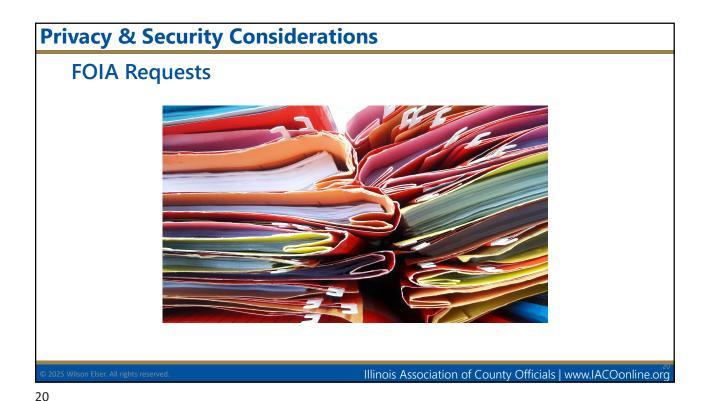
Privacy & Security Considerations

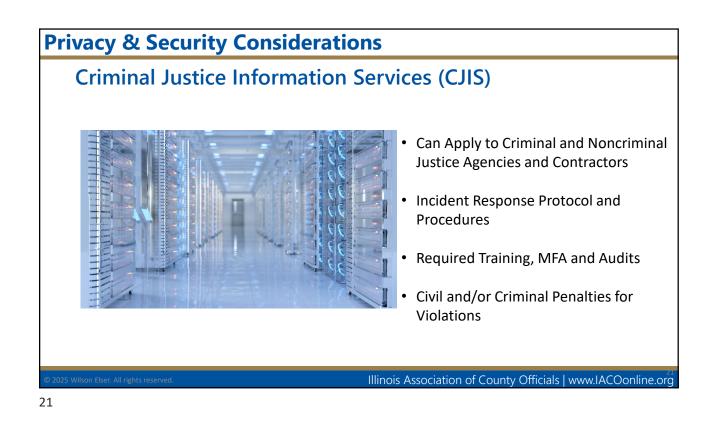
Use of Non-Workplace Email Accounts & Shared Drives

- Efficiency vs. Security
- Where is The Data Going?
- Who Has Access?
- Violations of Laws, Regulations or Court Orders









Privacy & Security Considerations

Sharing Information with External Stakeholders

- Stay Compliant with Technology Policies & Illinois Law
- Use Authorized Systems, Applications or Cloud-Based Software
- Be Wary of External Connections, Hardware & Software
- Vendor Impersonation & Social Engineering by 3rd Parties





Legal Reporting Obligations

Statutory Considerations

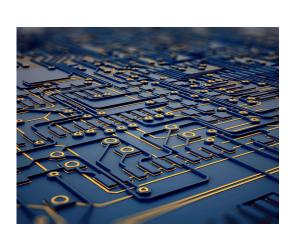
- US State Laws
- Federal and State Regulations
- Industry Reporting Requirements
- International Privacy Laws
- Federal Agency Resources



Legal Reporting Obligations

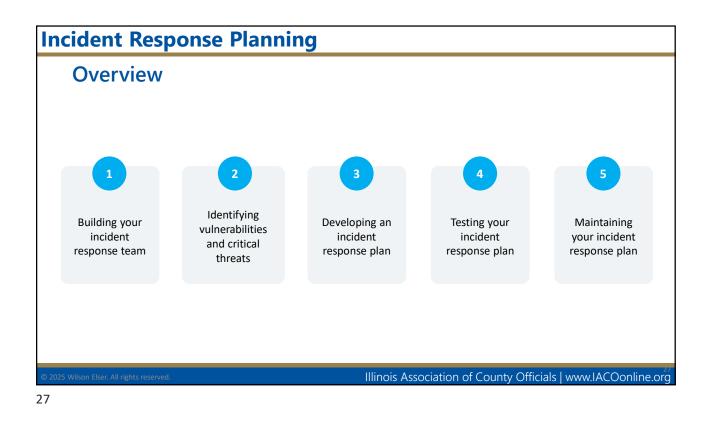
Contract Clause Review

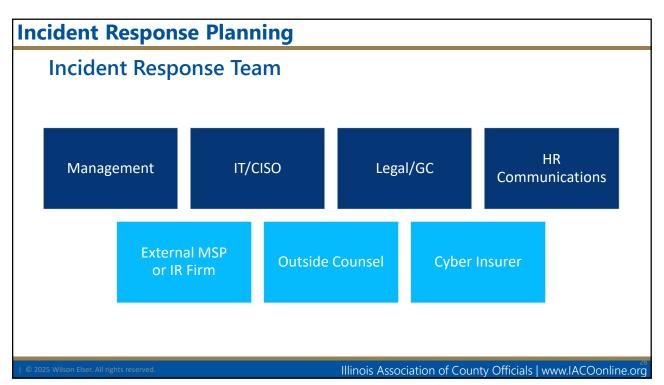
- Data Breach Notification Provisions
- Comprehensive Audit Triggers
- Confidentiality Clauses
- Liquidated Damages Clauses



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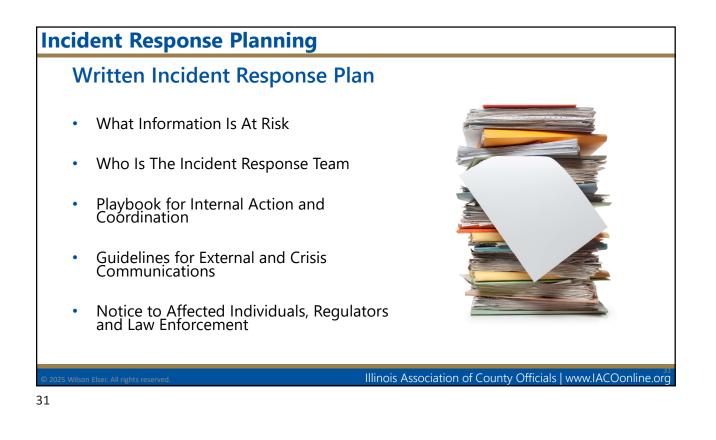














Incident Response Planning

Post Incident/Tabletop Exercise



- Honest Evaluation is Critical
- What Worked? What Did Not Work?
- Updating and Revising Plan As Needed
- Periodic Tabletop Exercises to Test
 Plan



Cyber Resiliency & Best Practices

Developing and Executing an Incident Response Plan



- Attacks Will Happen & They Will Succeed Preparation
 Is Key
- Develop a Written Plan That Fits Your Organization
- Focus On Triage: What Is Important, What Gets You
 Back Online
- Involve Outside Counsel & Incident Response Vendors

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Cyber Resiliency & Best Practices

Mitigating the Effects of Cyber Incidents

- Install Access and Communications Controls
- Implement "Least Privilege" for Users
- Assign Ownership of Response Projects
- Recognize the Signs of an Incident & React



Cyber Resiliency & Best Practices

Accurate Policies, Procedures and Data Inventories



- Update the Incident Response Plan Regularly
- Track Physical & Digital Assets, Conduct Audits
- Maintain Accurate Data Inventories
 & Separate Current Back-Ups
- Implement and Enforce Data Retention Policies

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Cyber Resiliency & Best Practices

Foster Awareness and Resiliency though Continued Education and Training

- Continuous Training & Evaluation for All
- Password Standards & Cyber Safety Protocols
- Regular Cybersecurity Testing & Updates
- Training on Information & Data Classification
- Create a Culture of Cyber Awareness & Safety



Contact Information



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