



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

2023 WIISOIT EISE

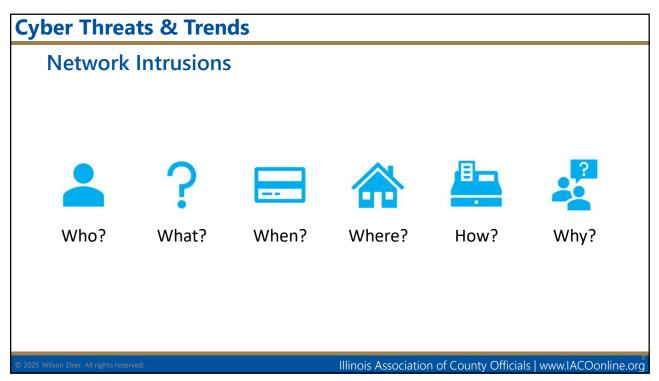


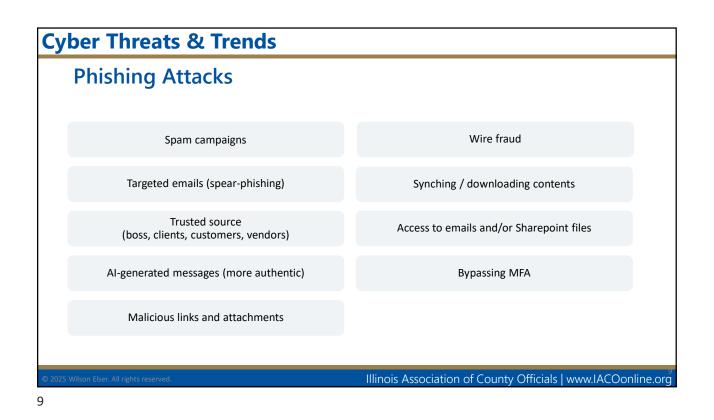
### **Data Breach Statistics**

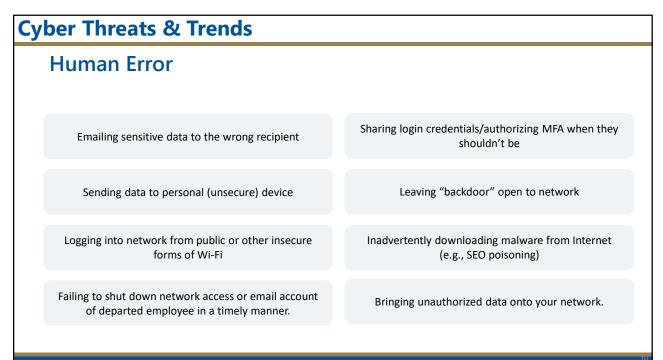
#### **Public Sector Data Breaches**

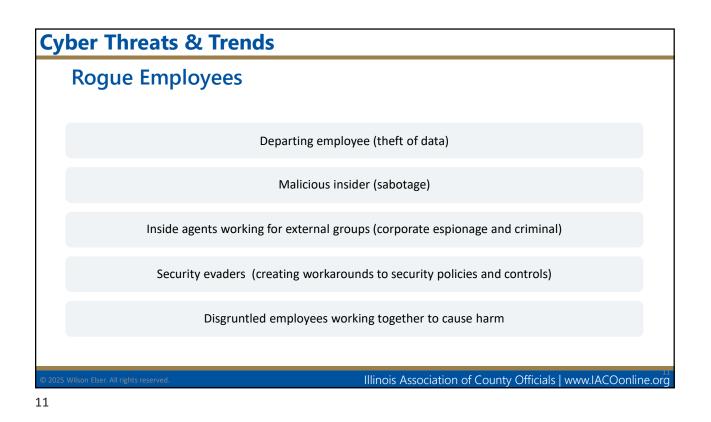
Frequency	12,217 incidents, 1,085 with confirmed data disclosure
Top patterns	Miscellaneous Errors, System Intrusion and Social Engineering represent 78% of breaches
Threat actors	Internal (59%), External (41%) (breaches)
Actor motives	Financial (71%), Espionage (29%) (breaches)
Data compromised	Personal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



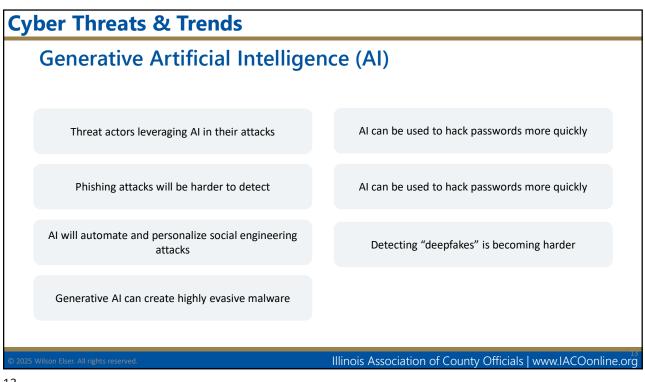














# **Privacy & Security Considerations**

### **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



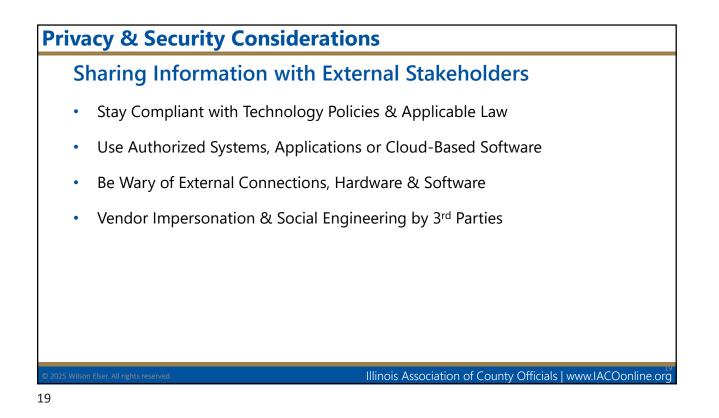
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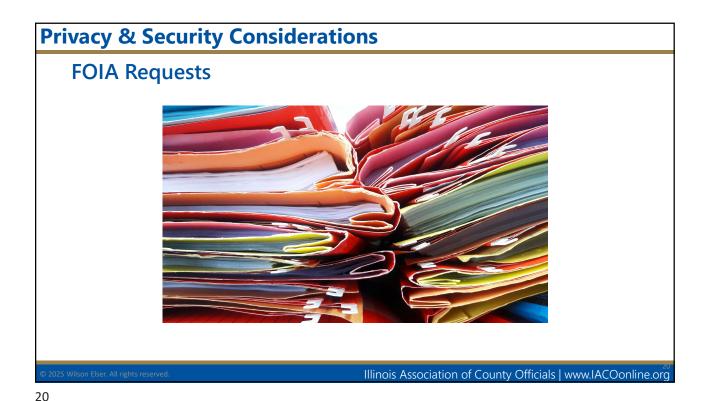
# **Privacy & Security Considerations**

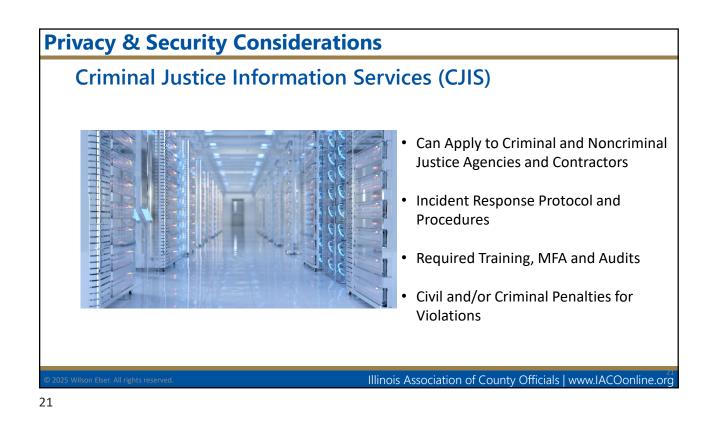
### Use of Non-Workplace Email Accounts & Shared Drives

- 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 3<sup>rd</sup> Parties





# Legal Reporting Obligations

# **Statutory Considerations**

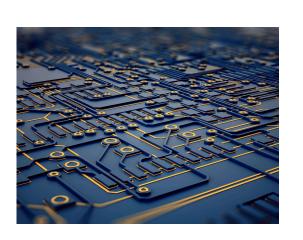
- US State Laws
- Federal and State Regulations
- Industry Reporting Requirements
- International Privacy Laws
- Federal Agency Resources



# Legal Reporting Obligations

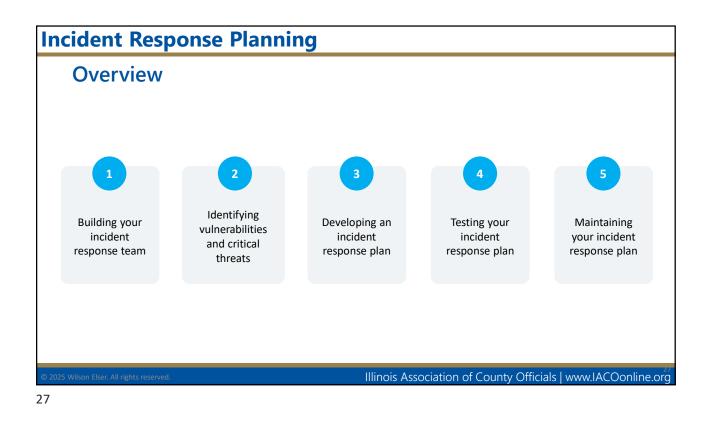
# **Contract Clause Review**

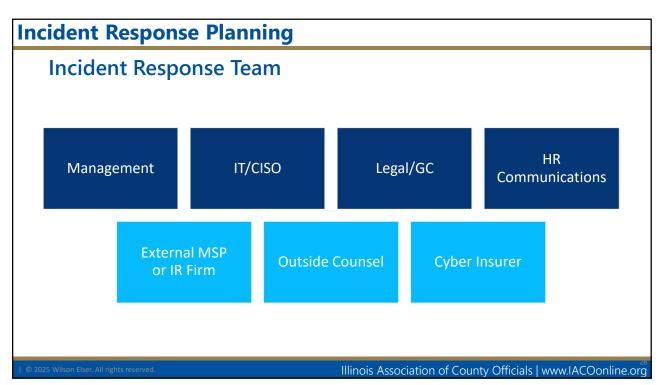
- Data Breach Notification Provisions
- Comprehensive Audit Triggers
- Confidentiality Clauses
- Liquidated Damages Clauses



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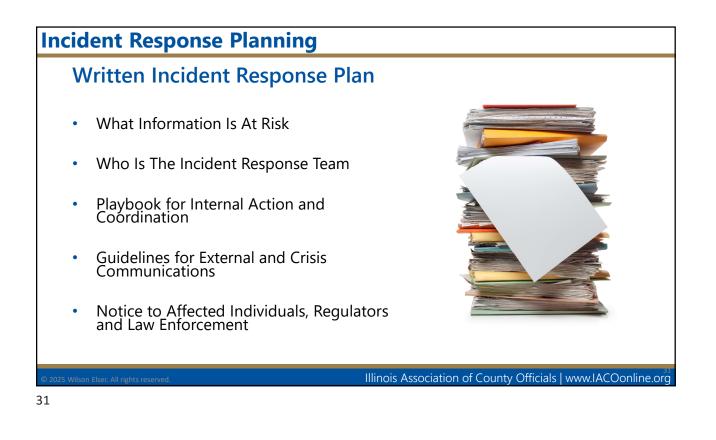














# Incident Response Planning

# 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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