

DEPARTMENT OF HAWAIIAN HOME LANDS

**REPORT TO THE TWENTY-SIXTH STATE LEGISLATURE, 2011,
PURSUANT TO SECTIONS 487J-4 AND 487N-4, HAWAII
REVISED STATUTES**

August 2011

REPORT TO THE TWENTY-SIXTH STATE LEGISLATURE, 2011, PURSUANT TO SECTIONS 487J-4 AND 487N-4, HAWAII REVISED STATUTES

The Department of Hawaiian Home Lands (“DHHL”) submits this report pursuant to sections 487J-4 and 487N-4, Hawai‘i Revised Statutes (“HRS”).

On July 22, 2011, the DHHL discovered that a document containing personal information as defined in §487N-1 and §92F-14(b)(9), HRS, was provided to Anson O. Rego, Esq. (“Mr. Rego”), the attorney of record for a homestead lessee who is the defendant in a pending civil court action (“Defendant”) involving her homestead lease. The document, a Homestead Lease Transfer Request dated February 09, 2000, contained the names, social security numbers, dates of birth, telephone numbers and mailing addresses of three persons – the former DHHL homestead lessee (and Defendant’s brother and plaintiff in the lawsuit) (“Plaintiff”), the Defendant, and the Defendant’s spouse.

When the DHHL director (“Director”) became aware of the release of the information, he immediately ordered an investigation of the matter and ordered staff to contact Mr. Rego and instruct him to immediately return the document, and any copies made, to the DHHL. Staff contacted the Mr. Rego’s office by telephone on July 25, 2011 and instructed his staff to immediately return the document, and all copies, if any were made, to DHHL. A letter to the same effect was mailed to Mr. Rego’s office that same day. The DHHL received the document from Mr. Rego on July 27, 2011 and his staff represented that no copies were made.

Because the information was provided to the Defendant’s attorney, who is licensed to practice law in the State of Hawai‘i, the Director has no reason to believe that illegal use of the personal information has occurred or is reasonably likely to occur that creates a risk of harm to the persons affected. However, in an abundance of caution, written notices of the possible security breach were mailed to all three affected persons on August 01, 2011. Copies of each notice are enclosed herein.

The investigation into the matter did not reveal any criminal acts. Rather, the Director is satisfied that staff inadvertently, not intentionally, disclosed the information to Mr. Rego. Accordingly, the notice of security breach and this report were not delayed by a criminal investigation.

The Director ordered a mandatory workshop for staff whose jobs involve receiving and maintaining personal information. A deputy attorney general from the Department of the Attorney conducted the workshop on August 09, 2011. Another workshop is being scheduled for any staff member that was unable to attend the August 09, 2011 workshop. In addition, the staff member who provided the personal information to Mr. Rego was individually counseled.

NEIL ABERCROMBIE
GOVERNOR
STATE OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
P. O. BOX 1879
HONOLULU, HAWAII 96805

ALBERT "ALAPAKI" NAHALE-A
CHAIRMAN
HAWAIIAN HOMES COMMISSION
MICHELLE K. KAUHANE
DEPUTY TO THE CHAIRMAN
M. WAIALEALE SARSONA
EXECUTIVE ASSISTANT

August 1, 2011

Dear Mr. :

A document from your former homestead lessee file containing your social security number, date of birth, home address and telephone number was inadvertently provided to opposing counsel in your pending court case related to your former Department of Hawaiian Home Lands (DHHL) homestead lease.

As a result, the DHHL contacted the attorney, asked him to retrieve and return the document, and destroy any copies that may have been made. The DHHL received the document from the attorney on July 27, 2011 and the attorney's staff represented that no copies were made.

As a safety measure, we are offering you an opportunity to work with one of our Home Ownership Assistance Program providers to further insure your identity is protected. If you are interested in taking the precautionary measure, please contact Hawaiian Community Assets (HCA) directly for assistance. The direct contact on Hawaii Island is Kelly Lincoln and she can be reached at 934-0801.

The assistance HCA can provide will insure that no new account can be opened in your name without contacting you prior to such action.

Please remain vigilant by reviewing your account statements and monitoring your credit reports. Free credit reports can be obtained from all three credit agencies online at <http://www.annualcreditreport.com> or by calling (877) 322-8228. Immediately contact your financial institutions if you notice any irregularity in an account or credit report.

Please contact Oahu District Operations Manager Juan Garcia at 620-9247 if you have questions or comments regarding this matter.

Me ke aloha,

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Albert "Alapaki" Nahale-a, Chairman
Hawaiian Homes Commission

NEIL A BERCROMBIE
GOVERNOR
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STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879
HONOLULU, HAWAII 96805

August 1, 2011

Dear Ms. _____,

A document from your homestead lessee file containing your social security number, date of birth, home address and telephone number was provided to your attorney in your pending court case related to your Department of Hawaiian Home Lands (DHHL) homestead lease.

As a result, the DHHL contacted the attorney, asked him to retrieve and return the document, and destroy any copies that may have been made. The DHHL received the document from the attorney on July 27, 2011 and the attorney's staff represented that no copies were made.


As a safety measure, we are offering you an opportunity to work with one of our Home Ownership Assistance Program providers to further insure your identity is protected. If you are interested in taking the precautionary measure, please contact Hawaiian Community Assets (HCA) directly for assistance. The direct contact on Oahu is Noelle Desaki and she can be reached at 587-7886.

The assistance HCA can provide will insure that no new account can be opened in your name without contacting you prior to such action.

Please remain vigilant by reviewing your account statements and monitoring your credit reports. Free credit reports can be obtained from all three credit agencies online at <http://www.annualcreditreport.com> or by calling (877) 322-8228. Immediately contact your financial institutions if you notice any irregularity in an account or credit report.

Please contact Oahu District Operations Manager Juan Garcia at 620-9247 if you have questions or comments regarding this matter.

Me ke aloha,

 Albert "Alapaki" Nahale-a, Chairman
Hawaiian Homes Commission

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M. WAIALALE SARSONA
EXECUTIVE ASSISTANT

August 1, 2011

Dear Mr. _____,

A document from your wife's homestead lessee file containing your social security number, date of birth, home address and telephone number was inadvertently provided to an attorney in a pending court case.

As a result, the DHHL contacted the attorney, asked him to retrieve and return the document, and destroy any copies that may have been made. The DHHL received the document from the attorney on July 27, 2011 and the attorney's staff represented that no copies were made.

As a safety measure, we are offering you an opportunity to work with one of our Home Ownership Assistance Program providers to further insure your identity is protected. If you are interested in taking the precautionary measure, please contact Hawaiian Community Assets (HCA) directly for assistance. The direct contact on Oahu is Noelle Desaki and she can be reached at 587-7886.

The assistance HCA can provide will insure that no new account can be opened in your name without contacting you prior to such action.

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Please contact Oahu District Operations Manager Juan Garcia at 620-9247 if you have questions or comments regarding this matter.

Me ke aloha,

Albert "Alapaki" Nahale-a, Chairman
Hawaiian Homes Commission