



*Monroe County Legislature*  
*Office of the President*

**WAYNE E. ZYRA**

PRESIDENT

August 13, 2008

Honorable Edward M. O'Brien  
Monroe County Legislature  
408 County Office Building  
Rochester, New York 14614

Dear Legislator O'Brien:

I am returning your proposed referral entitled "Monroe County Online Identity Theft Policy" because it is out of order.

I have consulted with legal counsel and the actions as proposed are impermissible and outside the purview of the Legislature.

Sincerely,

Wayne E. Zyra  
President  
Monroe County Legislature





# Monroe County Legislature

**TED O'BRIEN**  
LEGISLATOR - DISTRICT 17

**TED O'BRIEN**  
LEGISLATOR-DISTRICT 17  
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August 11, 2008

To the Honorable  
Monroe County Legislature  
407 County Office Building  
39 West Main Street  
Rochester, New York 14614

**Re: Monroe County Online Identity Theft Prevention Policy**

Honorable Legislators:

Advances in the field of electronic information technology have regrettably led to an exponential increase in cases of identity theft in the United States. Recently, the Department of Justice announced that it has charged 11 individuals in connection with the theft and sale of more than 40 million credit and debit card numbers of nine major U.S. retailers, believed to be the largest hacking and identity theft case ever prosecuted in the U.S.

On August 6<sup>th</sup> it became public that a number of documents posted on the Monroe County Clerk's website contain sensitive private information, specifically, citizens' social security numbers. While the Clerk may not redact original documents *after* they are filed with the County, posting these records online is optional. There is no requirement to post unredacted records on the County website.

We are faced with an urgent need to protect citizens from potential identity thieves who may be fishing the County's website for personal information. This Honorable Body must take immediate action to correct what is a severe violation of personal privacy and take the steps necessary to prevent the continuance of a policy that places citizens at risk of identity theft.

Therefore, we ask this Honorable Body to approve the following action:

The specific legislative action required is to prohibit Monroe County from posting on the internet any public record that contains one or more social security numbers in an unredacted format. We also compel the County Clerk to immediately remove any and all portions of the online database that contain such unsecured documents, and to repost

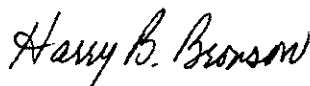
them after they have been properly redacted of all social security numbers and other sensitive private information.

This action will be effective immediately upon adoption and have no impact on the current Monroe County Budget.

Respectfully submitted,



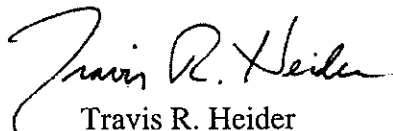
Ted O'Brien  
Legislator – District 17



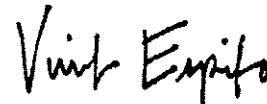
Harry B. Bronson  
Democratic Minority Leader



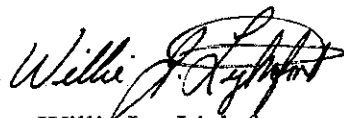
Calvin Lee, Jr.  
Assistant Democratic Leader



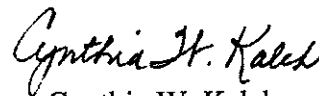
Travis R. Heider  
Legislator – District 14



Vincent Esposito  
Legislator – District 16



Willie Joe Lightfoot  
Legislator – District 27



Cynthia W. Kaleh  
Legislator – District 28