



# New York State Correctional Officers & Police Benevolent Association, Inc.

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October 27, 2009

Robert DuBois, Director  
Employee Benefits Division  
New York State Department of Civil Service  
Alfred E. Smith State Office Building  
80 South Swan Street  
Albany, NY 12239

**Re: Breach of Member Information by Express Scripts, Inc.**

Dear Mr. DuBois:

As you know, Express Scripts, Inc. (ESI) has notified many NYSCOPBA members that their personal information had been accessed, without authorization, by unknown parties. The members' accessed information included such sensitive personal information as employees' social security numbers and birth dates. Also of significant concern to NYSCOPBA and its members, the accessed information may have included information regarding members' prescribed medications.

While the State continues to assure NYSCOPBA, its members, and the other unions that steps are now being taken to investigate how this breach occurred, NYSCOPBA is wholly dissatisfied with the lack of a strategy to prevent members' compromised information from being used for identity theft and ensure that members are protected from monetary loss, identity theft and damage to their credit. I write to encourage the State to demand that ESI take all necessary steps to proactively protect the affected members from identity theft and credit damage.

Thus far, ESI proposes to provide primarily post identity theft restoration services to members, and then only to those who can establish their information has been used. However, no credit protection services are being offered to all affected members to proactively ensure that their improperly obtained information cannot be used to victimize them.

We ask that the State take whatever steps are necessary to require ESI to provide affected members with ongoing credit monitoring and protection. Investigation of how this breach occurred and credit restoration services should, by all means, be part of the response to this breach of ESI's duty to NYSCOPBA's members. However, the efforts will be incomplete, and more members surely will suffer, without credit monitoring and protection.

Very truly yours,

Donn Rowe  
President

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