

Department of Retirement Systems

# Proposed Legislation

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LEOFF Plan 2 Retirement Board

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# Proposed Legislation Summary

## An exception to the Public Records Act:

- ❑ Specific to DRS
- ❑ Exempts the release records for specific groups:
  - Retirees/Payees
  - Active Members
  - Inactive Members
- ❑ Prohibits release of names with dates of birth
- ❑ Public retains ability to seek information regarding an individual member or retiree.
- ❑ A person named in a record request retains the ability to enjoin the release of records under RCW 42.56.540.

# Issue Summary

- ❑ Large public records requests impede DRS' ability to:
  - Properly apply exemptions to the Public Records Act
  - Protect our customers from identity theft/elder fraud
- ❑ Public records requests processed by DRS in the last two years:
  - Eight requests for groups of individuals
  - Groups range in size from a few dozen to over 800,000
- ❑ Release can include:
  - Name
  - Date of Birth
  - Retirement Amounts
  - Retirement Date
  - Last Employer
- ❑ Some data recipients publish records

# Challenges in Administering Exemptions

- ❑ DRS collects retirement information but does not collect information that might trigger an exemption:
  - Domestic violence victims
    - Participants in address confidentiality program (Chapter 40.24 RCW)
    - Registered with employer (ESHB 1533)

# Identity Theft and Elder Fraud Impacts

- ❑ Cybercrime for people over 60 is a national problem, the FBI reports:
  - 88,262 complaints in 2022
  - \$3.1 Billion in losses, 84% increase over 2021
- ❑ Washington ranks:
  - 12<sup>th</sup> for number of victims
  - 5<sup>th</sup> for total losses
- ❑ Other state retirement systems report that public plan retirees are targets for identity theft/elder fraud.

# Surge in Attempts at DRS

- ❑ DRS is experiencing more identity theft events
  - For FY23 the number of reported identity theft and attempts on DRS benefits are up 900% over FY22. (8 in FY22, 72 in FY 23)
- ❑ Would-be thieves are targeting:
  - State agency retirees
  - High value targets
  - Recently retired
  - Lifetime Savings in DC Plans (Over \$12.6 Million targeted)
- ❑ Utilizing publicly available information coupled with stolen or purchased PII

# DRS' Countermeasures and Safeguarding Efforts

- Public records team attempts to identify every PRA exemption
- Changed processes
- Redirected resources
- Revised online access
- Proposed legislation
- Budget Request

Questions?

