

AN ORDINANCE ADOPTING AN IDENTITY-PROTECTION POLICY PURSUANT TO  
THE ILLINOIS IDENTITY PROTECTION ACT

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**WHEREAS**, the Village of Cahokia, St. Clair County, Illinois, is a duly organized and existing municipality created in accordance with the laws of the State of Illinois;

**WHEREAS**, the Village of Cahokia is now operating under the provisions of the Illinois Municipal Code, as supplemented and amended, and as a home rule municipality pursuant to Article VII of the Illinois Constitution of 1970; and

**WHEREAS**, the Illinois Identity Protection Act, 5 ILCS 179 *et seq.*, requires each local government to draft and approve an "identity-protection policy".

**NOW THEREFORE, LET BE IT ORDAINED BY THE PRESIDENT AND MEMBERS OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF CAHOKIA, ST. CLAIR COUNTY, STATE OF ILLINOIS, as follows:**

1. The preceding paragraphs are incorporated herein by reference.
2. That the Village hereby approves and adopts the identity-protection policy attached hereto as Exhibit A.
3. That all ordinances, resolutions, motions, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.
4. This Ordinance shall take effect from and after its passage and approval as provided by law.

Passed this 13<sup>th</sup> day of January, 2016, pursuant to a roll call vote by the President and Village Board of Trustees and deposited with the Office of the Clerk of said Village on said date.

	<u>AYE</u>	<u>NAY</u>
Sanders	<u>yes</u>	_____
Ware	<u>yes</u>	_____
Nichols	<u>yes</u>	_____
Wofford	<u>yes</u>	_____
Radford	<u>yes</u>	_____
Pearson	<u>yes</u>	_____

**APPROVED** by the President of the Village of Cahokia, Illinois this 13<sup>th</sup> day of January, 2016.

  
PRESIDENT CURTIS MCCALL, JR.

ATTEST:

  
VILLAGE CLERK

(SEAL)



**CERTIFICATION**

The undersigned Village Clerk does hereby certify that the attached is a true and correct copy of the Ordinance duly adopted by the President and Board of Trustees of the Village of Cahokia at a meeting of the Village Board held on the 13<sup>th</sup> day of January, 2016.

  
VILLAGE CLERK



**VILLAGE OF CAHOKIA  
IDENTITY PROTECTION POLICY**

**1. Purpose**

The Village of Cahokia (the "Village") adopts this Identity Protection Policy pursuant to the Identity Protection Act, 5 ILCS 179/1 *et seq.* The Identity Protection Act (the "Act") requires each local and State government agency in Illinois to draft, approve, and implement an "identity-protection policy" to ensure the confidentiality and integrity of social security numbers ("SSNs") that agencies collect, maintain, and use.

The purpose of this Policy is to set forth the procedures and restrictions that must be observed by all Village employees regarding the use and availability of SSNs belonging to Village employees and the public. This Policy is effective immediately.

**2. Access to SSNs**

- (a) Limited access: Only those Village employees who are required to use or handle information or documents that contain SSNs in the course of performing their duties will have access to such information or documents.
- (b) Training: All Village employees who have access to SSNs will receive training on the proper handling of information that contains SSNs.

**3. Displaying or Printing SSNs**

The Village shall not:

- (a) Publically post or publically display in any manner an individual's SSN. "*Publically post*" or "*publically display*" means to intentionally communicate or otherwise intentionally make available to the general public.
- (b) Print an individual's SSN on any card required for an individual to access products or services provided by the Village.
- (c) Require an individual to transmit a SSN over the Internet, unless the connection is secure or the SSN is encrypted.
- (d) Print an individual's SSN on any materials that are mailed to the individual through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the SSN to be on the document to be mailed. Notwithstanding the foregoing,

Exhibit A

SSNs may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the SSN. A SSN that is permissibly mailed must not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope, or be visible on an envelope without the envelope having been opened.

#### 4. Collection, Use or Disclosure of SSNs

The Village shall not:

- (a) Collect, use or disclose SSNs from individuals unless:
  - (i) required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the SSN is otherwise necessary for the performance of the Village's duties and responsibilities;
  - (ii) the need and purpose for the SSN is documented before its collection; and
  - (iii) the SSN collected is relevant to the documented need and purpose.
- (b) Require an individual to use his or her SSN to access an Internet website.
- (c) Use the SSN for any purpose other than the purpose for which it was collected.
- (d) Exceptions: The prohibitions in Sections 4(a) - 4(c) of this Policy do not apply in the following circumstances:
  - (i) The disclosure of SSNs to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors, provided that:
    - disclosure is necessary in order for the entity to perform its duties and responsibilities; and
    - if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity first receives from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under this Act on a governmental entity to protect an individual's SSN will be achieved.

- (ii) The disclosure of SSNs pursuant to a court order, warrant, or subpoena.
- (iii) The collection, use, or disclosure of SSNs in order to ensure the safety of: State and local governmental employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local governmental agency facility.
- (iv) The collection, use, or disclosure of SSNs for internal verification or administrative purposes.
- (v) The disclosures of SSNs by a State agency to any entity for the collection of delinquent child support or of any State debt or to a governmental agency to assist with an investigation or the prevention of fraud.
- (vi) The collection or use of SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

**5. Statement of Purpose for Collection of SSNs**

Whenever an individual is asked to provide a SSN to the Village, the Village shall provide that individual with a statement of the purpose or purposes for which the Village is collecting and using the SSN. The Village shall also provide the statement of purpose upon request. A sample Statement of Purpose is attached to this Policy.

**6. Requirement to Redact Social Security Numbers**

- (a) Public inspection and copying of information: The Village shall comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's SSN. The Village shall redact SSNs from all the information or documents before allowing the public inspection or copying of the information or documents.
- (b) Manner of collecting SSNs: When collecting SSNs, the Village shall request each SSN in a manner that makes the SSN easily redacted if required to be released as part of a public records request.

7. Department Responsibilities

Each department head must ensure that the procedures and restrictions stated in this Policy are followed by department employees, and that the requirements of Act, as described in this Policy, are met.

8. Compliance

Penalties for a violation of this policy include disciplinary action up to and including termination and/or criminal prosecution as provided in the Identity Protection Act. (5 ILCS 179/45).

**VILLAGE OF CAHOKIA  
STATEMENT OF PURPOSE  
FOR THE COLLECTION OF SOCIAL SECURITY NUMBERS**

The Illinois Identity Protection Act, 5 ILCS 179/1 *et seq.*, requires every local and state government agency to have an "identity-protection policy" and to provide a Statement of Purpose explaining why the agency is collecting and using an individual's Social Security Number ("SSN"). The Village of Cahokia is providing you with this Statement of Purpose because you have been asked to provide your SSN or because you requested a copy of this policy.

**Why have you been asked for your SSN?**

You are being asked for your SSN for one or more of the following permissible reasons:

- Identity verification
- Fraud prevention
- Law enforcement investigation
- Background check
- Child support collection
- Billing, payment or debt collection
- Employment-related administrative purposes
- Pursuant to a court order, warrant or subpoena
- Village license application
- To comply with State or federal law, rules or regulations or because the Village agency making the request requires the SSN to perform its duties and responsibilities.

**What does the Village of Cahokia do with your SSN?**

The Village will only use your SSN for the purpose for which it was collected.

The Village will not:

- Sell, lease, loan, trade or rent your SSN to a third party for any purpose;
- Publically post or display your SSN;
- Print your SSN on any card required to access Village services;
- Require you to transmit your SSN over the Internet unless the connection is secure or your SSN is encrypted; or
- Print your SSN on any materials that are being mailed to you unless State or federal law requires that number be on such documents or unless the Village is confirming the accuracy of your SSN. If mailed, your SSN will not be visible without opening the envelope in which it has been mailed.

**If you have questions or comments about this Statement of Purpose, write to:**

The Village of Cahokia  
Attn: Mayor's Office  
103 Main Street  
Cahokia, Illinois 62206





Village of Cahokia  
Office of the Mayor  
103 Main Street  
Cahokia, Illinois 62206  
(618) 337-9500

Curtis McCall Jr, Mayor

Richard Duncan, City Clerk

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January 14, 2016

Mr. Brendan Kelly  
St. Clair County State's Attorney  
St. Clair County Courthouse  
#10 Public Square  
Belleville, IL 62220

Re: Village of Cahokia - Identity Protection Policy

Dear State's Attorney Kelly:

I write this letter in response to your correspondence dated December 16, 2015. Kindly be advised that the Village has instituted curative measures to mitigate against the potential for harm caused by the inadvertent disclosure of a Village employee's social security number, and in order to prevent similar oversights in the future. In these regards, the Village has done the following:

- a. The Village has agreed to provide the subject employee with credit monitoring and fraud prevention services through Experian; and
- b. The Village, on January 12, 2016, adopted an Ordinance Adopting an Identity-Protection Policy Protection Policy, a copy of which I enclose herein.

I sincerely hope the foregoing adequately addresses your concerns. If it does not, or if you have any further questions in these regards, please do not hesitate to contact me. Appreciating your courtesies, I remain

Very truly yours,

Curtis McCall, Jr.  
President of the Village of Cahokia

Encls.