

Kirk C. Downey  
County Attorney



Kendall A. Desaulniers  
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OFFICE OF THE COUNTY ATTORNEY

August 22, 2023

Ken Buckler  
President  
Radio Free Hub City

RE: PIA Request to Washington County regarding cybersecurity incident

Dear Mr. Buckler:

This correspondence is in response to the request for records you made pursuant to the Maryland Public Information Act ("PIA"), Maryland Code, General Provisions Article ("GP") § 4-101, *et seq.* on July 25, 2023, pertaining to the following:

"The following records are requested for inspection:

- Summary records ONLY of data which was exfiltrated or compromised related to the Cybersecurity Incident on Thanksgiving Day, 2023. This includes data which was unencrypted or encrypted, and relating to information about Washington County residents, properties, and businesses."

Presently, an investigation is underway regarding said cybersecurity incident. Therefore, because of the pending investigation, your request is denied pursuant to GP § 4-351(a)(1).

Your request is also denied pursuant to GP § 4-338, which requires a custodian to deny inspection of the parts of public records that contain information about the security of an information system. Your request seeks information regarding the files and communications involved or related to the cybersecurity incident, which would require disclosure of information about the security of the County's information systems.

Moreover, your request is denied pursuant to GP § 4-343, because the County's Custodian of Records believes that granting your request would be contrary to the public

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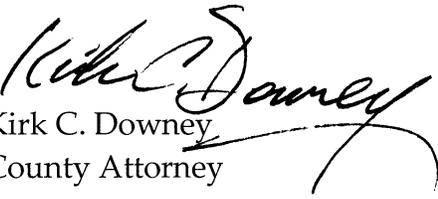
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interest. Specifically, as indicated in the above paragraph, granting your request would ultimately compromise certain cybersecurity measures of the County. Finally, your request is denied as it seeks documentation that is protected by attorney-client privilege pursuant to GP § 4-301.

Pursuant to GP § 4-362, you are entitled to seek judicial review of this decision. You may also refer any concerns about this correspondence to the Public Access Ombudsman pursuant to GP § 4-1B-01 *et seq.* Additionally, do not hesitate to contact my office in the event you wish to clarify or narrow the scope of your request.

Sincerely,

  
Kirk C. Downey  
County Attorney