**Data Protection**

What is data protection?

Data protection is the process of securing information from:

* Loss
* Corruption
* Compromise

Data is at risk while:

* At rest – stored data on servers or hard drives or thumb drives.
* In transit – being sent through electronic communications
* In use – completing a screen or reviewing and changing data on a screen

At rest means data in storage.

In transit means traversing a network.

In use means temporarily residing in active computer memory to be read or updated.

**Encryption**

Data is encrypted at each of these steps in the life of data. However, the encryption is specific to each point in the life of the data. Just because data is encrypted at rest does not mean it is encrypted either in transit or in use. You need to ask about each point in the data life cycle.

**Backup**

Does the vendor retain and/or back up the data the vendor touches?

Is this back up available to you?

How, under what terms?

**Physical Protection**

Physical protection includes:

* Locked doors
* Limited personal access to servers
* Limited and trackable access to software programs
* Firmware devices between servers, personal computing devices and internet access
* Camera surveillance
* Computer log surveillance

**Legal Requirements for Data – New York, California, South Carolina?**

***Examples are below – Check with your state and/or association.***

New York - <https://www.lexology.com/library/detail.aspx?g=a8bc6b99-b98d-41b8-8727-a26695abb20a>

California - <https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB375>

<https://digitalguardian.com/blog/what-california-data-privacy-protection-act>

<https://www.dickinson-wright.com/news-alerts/californias-data-privacy-law>

South Carolina - <https://doi.sc.gov/918/Cybersecurity>

<https://www.csrps.com/privacy-regulations/south-carolina/>

Vermont - <https://ago.vermont.gov/wp-content/uploads/2018/12/2018-12-11-VT-Data-Broker-Regulation-Guidance.pdf>

<https://ago.vermont.gov/privacy-data-security/>

<https://www.eff.org/deeplinks/2018/09/vermonts-new-data-privacy-law>