



JOHN A. OLSZEWSKI, JR.
County Executive

December 11, 2020

Darryl L. Williams, Ed.D.
Superintendent of Schools
6901 North Charles Street
Towson, Maryland 21204

Dear Dr. Williams:

As you know, our teachers, students and families are doing incredible work navigating the virtual learning environment into which they were thrust as a result of COVID-19 pandemic, and the recent ransomware attack on Baltimore County Public Schools (BCPS) could not have come at a worse time. As a product of and former teacher in our public school system, I take our County's responsibility to educate our children personally. That's why, in response to the ransomware attack, I stood up the County's emergency operations center (EOC) within 24 hours and designated the County's most experienced incident commander to lead the recovery.

Consistent with national best practices, I proposed to you that we pursue a fully integrated response, and I offered to provide the resources required to support the recovery. On Sunday, November 29, you rejected this approach in favor of a bifurcated response. In the twelve days since you have notified me of your decision *not* to integrate our response efforts, it has become clear that federal, state and local partners are not getting timely and accurate information about the attack from BCPS.

For example, the cyber-attack experts from the Maryland Department of Information Technology have repeatedly requested information they require to conduct their forensic analysis. They are still waiting for a decision on whether BCPS will share analysis reports and other information. Similarly, the County Attorney has repeatedly requested information about the cyber insurance policy to determine what may be covered and what may be excluded, and has repeatedly requested a discussion of the legal issues around regulatory compliance under data breach laws or similar frameworks. He, too, is still waiting to hear from BCPS on these topics.

A coordinated disaster response works only if all parties are fully committed to an open exchange of information among experts and decision-makers around a single table. In light of BCPS' decision not to integrate for response purposes, it is the County's opinion that recovery efforts remain disjointed and are thus lacking in effectiveness and efficiency.

Accordingly, Baltimore County government will scale back its efforts. We will shift from daily emergency operations meetings with BCPS to twice-weekly meetings. We will also notify the Maryland Emergency Management Agency that BCPS is not using the resources they provided, and that BCPS does not require their continued support. Based on the lack of collaboration EOC members have experienced from BCPS, the leadership of the EOC has concluded you are proceeding as if you have sufficient

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resources to resolve the matter on your own. In the event that you have a specific resource request, please direct it in writing through our incident commander, Dave Bycoffe.

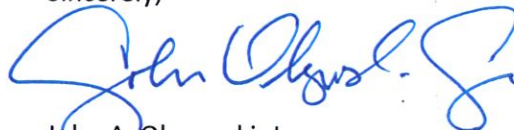
Most troubling, I have been informed that BCPS is not fully cooperating with the Baltimore County Police Department in its criminal inquiry into the matter. The Police Department requested access to the third party consultants BCPS retained to analyze the attack. The Police Department is still waiting for a decision from BCPS on obtaining such access. In addition, law enforcement was not involved in the decision made by either BCPS or its third party consultants to contact the attackers. In order to conduct a thorough criminal investigation, law enforcement needs full cooperation and access, which the Police Department reports BCPS is not providing. Accordingly, if asked, the County cannot say BCPS is fully cooperating with the criminal investigation.

While the victim of a cyber-attack can decline to aid in a criminal investigation, that doesn't mean the victim of a cyber-attack *should* decline to participate in a criminal investigation. As public servants who are entrusted with taxpayer dollars and accountable to the residents of Baltimore County, we are rightly subjected to greater scrutiny than a private entity would be in this situation. Our residents expect and deserve a thorough criminal investigation, and BCPS is incurring significant risk by declining to fully participate in one.

At this juncture, it is unclear whether BCPS knows the identity of the hackers or the amount of ransom requested. There will be legal, financial and reputational consequences to an independent decision by BCPS to pay the ransom. Those consequences will be wide-ranging and long-lasting.

My primary concern is the well-being of our students, educators and families. They deserve better coordination and clearer communication in this situation. In the event that you reconsider your decision to run a bifurcated response to the ransomware attack and are prepared to proceed with a fully integrated model, the County remains willing to partner with you to manage the recovery.

Sincerely,



John A. Olszewski, Jr.
Baltimore County Executive

c: Board of Education
The Honorable Kathy Klausmeier, Chair, Baltimore County Senate Delegation
The Honorable Patrick G. Young, Jr., Chair, Baltimore County House Delegation
Baltimore County Council