

Dialog with Garrett Langley, CEO & Founder, Flock Safety, May 15, 2019

The following is an unedited dialog between me and Garrett Langley, Founder and CEO of Flock Safety. Garrett reached out to us upon hearing that we and his sales team had reached a kind of impasse on information, and he wanted to be sure we got accurate and full information. He said no one else had asked these kinds of questions, not even the military installations and municipalities where they're installed systems so far. He respected the spirit of our inquiries and was very open and specific in our conversations. The black text below is my email and questions to Garrett. His answers are in red.

Explanatory note: "Customer Data" is a term of art used in the Flock agreement and Terms and Conditions to mean the photos taken by the cameras and all the descriptive data derived from the photos, such as the time, location, vehicle description, and so on. "Aggregated Data" was not, in our opinion, well defined by Flock, and it appeared that they had much more leeway as to what they could do with "Aggregated Data." We were unclear about how it differed, if at all, from Customer Data, and this is mainly what this exchange is about clearing up.

—Leyla Hill

The concerns raised in our neighborhood are mainly about privacy. Perhaps the best way to express them is to outline the ideal security system for us:

Flock installs motion-activated digital cameras in our neighborhood, and the activity of the cameras generates data, including footage (data in picture format) and metadata (such as timestamps, location data, any/all other descriptive data derived from the camera activity). Flock would make the footage and metadata available to us in the portal for 30 days, and not allow anyone to access it except us and law enforcement authorized by us or by court order. 30 days after any data is generated, Flock deletes it — period. No data derived from cameras in our neighborhood would be saved or transferred anywhere, under any name or circumstances, after 30 days. It would not be "Aggregated" or become "Aggregated Data," anonymized or not.

Our highest priority questions concern how and to what extent does Flock's actual practice of handling and saving data beyond 30 days depart from this ideal.

If you could speak to this issue in your own words that would be great, and we'd also like answers to the following questions. In them, I'm trying to use the terms of art Customer Data, Footage, and Aggregated Data as they are defined in the Flock T&C and Purchase Order Agreement; data and metadata are as defined above in our ideal scenario:

1. HOW IS AGGREGATED DATA DIFFERENT FROM CUSTOMER DATA?

Megan's answers to our questions led us to believe that Customer Data is available to us through the portal for 30 days. After 30 days, that data disappears from the portal but it is still kept indefinitely by Flock and no longer referred to as Customer Data but renamed Aggregated Data. Is this correct? If mistaken, how so? Further...

Yes. This is accurate.

- Is Aggregated Data anonymized or not?

Yes, after 30 days, customer data is anonymized and becomes "aggregated data" as it is no longer distinguishable to your community.

- If Aggregated Data is "not necessarily" anonymized, what criteria determine if Customer Data will or won't be anonymized in its "afterlife" as Aggregated Data?

N/A

- If Aggregated Data is anonymized, how is it anonymized? What is done to it to anonymize it, that is, to make it NOT personally identifiable and/or not associated with a specific place, time, vehicle and/or license number?

Customer name, watermark, timestamp, location, and all metadata are removed from the image. What we store is just a raw image.

- How is it possible to anonymize (make personally unidentifiable) a license platenumber?

We remove any metadata from that image and just store the raw image (which could contain a picture of a license plate). A license plate is not inherently considered personally identifiable information as it relates to a vehicle, not a person. Moreover, as the metadata is removed, there is no way to search/find a specific image, thus the name "aggregated data."

- A specific piece of location data and a timestamp?

These are removed.

- Does Aggregated Data include Footage or only metadata? Footage here means data in graphic format.

Only footage. All metadata either generated by Flock (license plate number, color of vehicle, etc) or otherwise (time, location, customer name) are removed.

- Why does Flock retain Aggregated Data "indefinitely." That seems like a very long time. What purpose does that serve?

To create better tools to solve crime. To make sure that our engineering team has the ability to create better products for our customers. This is very standard operating procedures and legal policy for technology companies. We want to win your business every day and believe that new technology + service is the best way to do that.

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- Does Flock upload Aggregated Data to any third party sites or services for any reason, including data analysis?

What type of 3rd party sites are you thinking of? I cannot think of a reason why we would do that. Legally, we have the right to the aggregated data as long as it's being used to build better products for our customers.

Next priority questions — data/metadata means the digital data that *is* the Footage and the data about the Footage, such as timestamp, location information, speed info if any, vehicle color, type, make, model, and/or license number.

2. SAFELIST: Where and how does the analysis take place for not saving photos for SafeList vehicles? We surmise this is done on your servers (in the cloud), not in the camera. So the photo(s) have to be uploaded to the cloud for the SafeList algorithm to be applied. Although the photo and metadata is not saved to the portal as Customer Data, does it become part of Aggregated Data? What happens to the metadata (timestamps, location data, descriptive data derived from camera activity) for unsaved photos?

Yes, this is done in the cloud, not on the device. No, the footage is permanently deleted and not used in aggregated data. Everything for someone "opting-out" is deleted when it is matched to the SafeList.

3. METADATA: What ultimately happens to the metadata for the photos that are saved? If search is able to return vehicles of certain types, colors, etc. this must rely on metadata being created from the photos. Once the picture rolls off the 30 day cycle, what happens to that metadata (timestamps, location data, descriptive data derived from camera activity)? Is it permanently deleted, does it stay in the system, or is or could it be archived or transferred elsewhere?

Permanently deleted after 30 days. Only raw images are stored.

4. ANALYSIS for purposes *other than* improving the accuracy of the Flock System: Is the data/metadata subject to any kind of data analysis by Flock or any third party? With or without individually identifiable information?

No, it is only our legal obligation to use *your* data in such a way that it improves the system. We are in the business of solving crime, that is it.

5. MONETIZATION OF DATA. Does Flock current practice, business plan, or projections call for monetization of Customer Data and/or Aggregated Data? And if not, what guarantees can you make about this?

No. We are legally bound by our contract with you. Given our business is to solve crime, breaking a legal contract seems like a disastrous business strategy.

6. THIRD PARTIES. Does Flock, independent of access granted by the neighborhood to local law enforcement, grant access to the data/metadata to any third party/ies, and would Flock do so if asked (not including court orders)? There is concern that the data collected could be used to monitor things like unpermitted home improvement work, employment of undocumented workers, non-compliant housing (e.g., AirBnB, partial sublets), traffic and/or parking violations or violators, house parties or gatherings, and the like. If not, what guarantees would Flock be willing to make in this regard?

No. To be clear, that would be a breach of our legal agreement with you. The data is your data, not Flock's. We feel that our current legal documents clearly outline how little right we have to any customer data (zero outside of making product improvements).

7. EFFECTIVENESS. Does Flock have any statistics or analytical data showing the effectiveness of the system in either deterring crime (likely via signage or just the presence of the cameras), or enabling authorities to solve crimes.

Our cameras have been shown to reduce crime by 34% -- across the city there was a 10% reduction. Another example, Cobb County, has seen several violent offenders apprehended and a number of residential crimes from home burglaries to entering autos solved using the technology. We solved over 40 crimes last month alone ranging from illegal dumping, car break-ins, amber alerts, and homicide.

Marietta, GA -

<https://www.ajc.com/news/local/marietta-wants-buy-license-plate-readers-after-successful-trial-run/h4Jdyz8l6lceoVRV8Pyo8O/>

Violent Arrest -

https://www.cbs46.com/news/marietta-police-credit-license-plate-reader-for-arrest-of-alleged/article_73340ca0-f9c2-11e8-af09-47ca736c6a6e.html

Cobb County -

<https://www.cobbcounty.org/public-safety/police/news/flock-safety-neighborhood-crime-camera-helps-identify-burglary-suspect>

Redlands, CA -

https://s3cdn.joomag.com/pdf/0/94/94396/0750393001557855071.pdf?md5=NyKnfDg10dpcjnGDtdgs6g&expires=1557881117&name=California+Police+Chief+Fall+2013+CPCA_2019_Spring+Magazine+FINAL&1557855162

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8. DATA SECURITY. How does Flock secure the data/metadata to ensure against breaches of its own systems?

Given our scale, we have a sound internet security policy that covers both the technical architecture and more importantly our human security elements (two-factor auth, data access, etc). All data in the cloud is encrypted AES 256-bit encryption.

Thank you for your attention to this. Again, we're not trying to get at any trade secrets of Flock, just to assure our understanding of what our expectation of privacy can be with Flock.

All of your questions have been sincere and welcomed. I look forward to hearing from you again after your group has a chance to review.

Sincerely,