

## Flock Safety + MN - Elk River PD

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Flock Group Inc.  
1170 Howell Mill Rd, Suite 210  
Atlanta, GA 30318

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Bo Manor  
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flock safety

# flock safety

## EXHIBIT A ORDER FORM

Customer: MN - Elk River PD  
 Legal Entity Name: MN - Elk River PD  
 Accounts Payable Email: dmckernan@elkrivermn.gov  
 Address: 13077 Orono Pkwy Nw Elk River, Minnesota 55330

Initial Term: 24 Months  
 Renewal Term: 24 Months  
 Payment Terms: Net 30  
 Billing Frequency: Annual Plan - First Year Invoiced at Signing.  
 Retention Period: 30 Days

### **Hardware and Software Products**

Annual recurring amounts over subscription term

| Item                             | Cost     | Quantity | Total    |
|----------------------------------|----------|----------|----------|
| <b>Flock Safety Platform</b>     |          |          |          |
| <b>Flock Safety Flock OS</b>     |          |          |          |
| FlockOS™ - Essentials            | Included | 1        | Included |
| <b>Flock Safety LPR Products</b> |          |          |          |
| Flock Safety Falcon®             | Included | 15       | Included |

### **Professional Services and One Time Purchases**

| Item   | Cost     | Quantity | Total      |
|--|----------|----------|------------|
| <b>One Time Fees</b>   |          |          |            |
| <b>Flock Safety Professional Services</b>                          |          |          |            |
| Professional Services - Standard Implementation Fee                | \$325.00 | 11       | \$3,575.00 |
| Professional Services - Existing Infrastructure Implementation Fee | \$150.00 | 4        | \$600.00   |

|                                   |             |
|-----------------------------------|-------------|
| <b>Subtotal Year 1:</b>           | \$49,175.00 |
| <b>Annual Recurring Subtotal:</b> | \$45,000.00 |
| <b>Discounts:</b>                 | \$3,575.00  |
| <b>Estimated Tax:</b>             | \$0.00      |
| <b>Contract Total:</b>            | \$94,175.00 |

*The Term for Flock Hardware shall commence upon first installation and validation, except that the Term for any Flock Hardware that requires self-installation shall commence upon execution of the Agreement. In the event a Customer purchases more than one type of Flock Hardware, the earliest Term start date shall control. In the event a Customer purchases software only, the Term shall commence upon execution of the Agreement.*

*Taxes shown above are provided as an estimate. Actual taxes are the responsibility of the Customer. This Agreement will automatically renew for successive renewal terms of the greater of one year or the length set forth on the Order Form (each, a "Renewal Term") unless either Party gives the other Party notice of non-renewal at least thirty (30) days prior to the end of the then-current term.*



### Billing Schedule

| Billing Schedule                     | Amount (USD)       |
|--------------------------------------|--------------------|
| <b>Year 1</b>                        |                    |
| At Contract Signing                  | \$49,175.00        |
| <b>Annual Recurring after Year 1</b> | \$45,000.00        |
| <b>Contract Total</b>                | <b>\$94,175.00</b> |

\*Tax not included

### Discounts

| Discounts Applied                  | Amount (USD) |
|------------------------------------|--------------|
| Flock Safety Platform              | \$0.00       |
| Flock Safety Add-ons               | \$0.00       |
| Flock Safety Professional Services | \$3,575.00   |

## Product and Services Description

| Flock Safety Platform Items  | Product Description   |
|--|---|
| FlockOS™ - Essentials  | An integrated public safety platform that detects, centralizes and decodes actionable evidence to increase safety, improve efficiency, and connect the community.   |
| Flock Safety Falcon®   | Law enforcement grade infrastructure-free (solar power + LTE) license plate recognition camera with Vehicle Fingerprint™ technology (proprietary machine learning software) and real-time alerts for unlimited users.                                       |
| Professional Services - Standard Implementation Fee                | One-time Professional Services engagement. Includes site and safety assessment, camera setup and testing, and shipping and handling in accordance with the Flock Safety Standard Implementation Service Brief.  |
| Professional Services - Existing Infrastructure Implementation Fee | One-time Professional Services engagement. Includes site and safety assessment of existing vertical infrastructure location, camera setup and testing, and shipping and handling in accordance with the Flock Safety Standard Implementation Service Brief. |

## FlockOS Features & Description

| FlockOS Features                               | Description   |
|--|---|
| Community Network Access                       | Access to all privately owned Flock devices within your jurisdiction that have been shared with you.  |
| Unlimited Users                                | Unlimited users for FlockOS   |
| State Network (License Plate Lookup Only)      | Allows agencies to look up license plates on all cameras opted in to the statewide Flock network.   |
| Nationwide Network (License Plate Lookup Only) | Allows agencies to look up license plates on all cameras opted in to the nationwide Flock network.  |
| Time & Location Based Search                   | Search full, partial, and temporary plates by time at particular device locations   |
| License Plate Lookup                           | Look up specific license plate location history captured on Flock devices   |
| Vehicle Fingerprint Search                     | Search footage using Vehicle Fingerprint™ technology. Access vehicle type, make, color, license plate state, missing / covered plates, and other unique features like bumper stickers, decals, and roof racks.  |
| Insights & Analytics                           | Reporting tool to help administrators manage their LPR program with device performance data, user and network audits, plate read reports, hot list alert reports, event logs, and outcome reports.  |
| ESRI Based Map Interface                       | Flock Safety's maps are powered by ESRI, which offers the ability for 3D visualization, viewing of floor plans, and layering of external GIS data, such as City infrastructure (i.e., public facilities, transit systems, utilities), Boundary mapping (i.e., precincts, county lines, beat maps), and Interior floor plans (i.e., hospitals, corporate campuses, universities) |
| Real-Time NCIC Alerts on Flock ALPR Cameras    | Alert sent when a vehicle entered into the NCIC crime database passes by a Flock camera   |
| Unlimited Custom Hot Lists                     | Ability to add a suspect's license plate to a custom list and get alerted when it passes by a Flock camera  |
| Law Enforcement Network Access                 | Access to all Flock devices owned by law enforcement that have been directly shared with you. Have ability to search by vehicle fingerprint, receive hot list alerts, and view devices on the map.  |

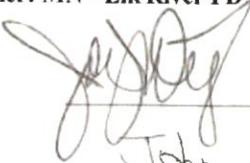
**By executing this Order Form, Customer represents and warrants that it has read and agrees all of the terms and conditions contained in the Terms of Service located at <https://www.flocksafety.com/terms-and-conditions>**

The Parties have executed this Agreement as of the dates set forth below.

**FLOCK GROUP, INC.**

By: Mark Smith  
AC5C931454C24F3...  
Name: Mark Smith  
Title: General Counsel  
Date: 12/17/2024

**Customer: MN - Elk River PD**

By:   
Name: John Dietz  
Title: Major  
Date: 12/16/24

PO Number: \_\_\_\_\_

# Automated License Plate Readers (ALPR)

## 427.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology (Minn. Stat. § 626.8472).

## 427.2 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Elk River Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Administrative Services Division Commander. The Administrative Services Division Commander will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

## 427.3 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) An ALPR shall only be used for official law enforcement business and an agency's case number or incident number shall be associated with a search of the ALPR data. In the case of an emergency, the complaint or incident type can be the factual basis for the access.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not necessary before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access confidential department, state or federal data unless authorized to do so.
- (f) An alert, in and of itself, does not constitute probable cause or reasonable suspicion to initiate a traffic stop. All alerts must be confirmed by the officer and reasonable suspicion or probable cause must be established before conducting a traffic stop.

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- (g) If practicable, the officer should verify an ALPR response through the Minnesota Justice Information Services (MNJIS) and National Law Enforcement Telecommunications System (NLETS) databases before taking enforcement action that is based solely upon an ALPR alert.

#### 427.3.1 RESTRICTIONS, NOTIFICATIONS AND AUDITS

The Elk River Police Department will observe the following guidelines regarding ALPR use (Minn. Stat. § 13.824):

- (a) Data collected by an ALPR will be limited to:
  1. License plate numbers.
  2. Date, time and location of data captured.
  3. Pictures of license plates, vehicles and areas surrounding the vehicle captured.
- (b) ALPR data may only be matched with the Minnesota license plate data file, unless additional sources are needed for an active criminal investigation.
- (c) ALPRs shall not be used to monitor or track an individual unless done so under a search warrant or because of exigent circumstances.
- (d) The Bureau of Criminal Apprehension shall be notified within 10 days of any installation or use and of any fixed location of an ALPR.

#### 427.4 DATA COLLECTION AND RETENTION

The Administrative Services Division Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

ALPR data received from another agency shall be maintained securely and released in the same manner as ALPR data collected by this department (Minn. Stat. § 13.824).

ALPR data not related to an active criminal investigation must be destroyed no later than 60 days from the date of collection with the following exceptions (Minn. Stat. § 13.824):

- (a) Exculpatory evidence - Data must be retained until a criminal matter is resolved if a written request is made from a person who is the subject of a criminal investigation asserting that ALPR data may be used as exculpatory evidence.
- (b) Address Confidentiality Program - Data related to a participant of the Address Confidentiality Program must be destroyed upon the written request of the participant. ALPR data already collected at the time of the request shall be destroyed and future related ALPR data must be destroyed at the time of collection. Destruction can be deferred if it relates to an active criminal investigation.

All other ALPR data should be retained in accordance with the established records retention schedule.

#### 427.4.1 LOG OF USE

A public log of ALPR use will be maintained that includes (Minn. Stat. § 13.824):

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- (a) Specific times of day that the ALPR collected data.
- (b) The aggregate number of vehicles or license plates on which data are collected for each period of active use and a list of all state and federal public databases with which the data were compared.
- (c) For each period of active use, the number of vehicles or license plates related to:
  1. A vehicle or license plate that has been stolen.
  2. A warrant for the arrest of the owner of the vehicle.
  3. An owner with a suspended or revoked driver's license or similar category.
  4. Active investigative data.
- (d) For an ALPR at a stationary or fixed location, the location at which the ALPR actively collected data and is installed and used.

A publicly accessible list of the current and previous locations, including dates at those locations, of any fixed ALPR or other surveillance devices with ALPR capability shall be maintained. The list may be kept from the public if the data is security information as provided in Minn. Stat. § 13.37, Subd. 2.

#### **427.5 ACCOUNTABILITY**

All saved data will be closely safeguarded and protected by both procedural and technological means. The Elk River Police Department will observe the following safeguards regarding access to and use of stored data (Minn. Stat. § 13.824; Minn. Stat. § 13.05):

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) Biennial audits and reports shall be completed pursuant to Minn. Stat. § 13.824, Subd. 6.
- (d) Breaches of personal data are addressed as set forth in the Protected Information Policy (Minn. Stat. § 13.055).
- (e) All queries and responses, and all actions, in which data are entered, updated, accessed, shared or disseminated, must be recorded in a data audit trail.
- (f) Any member who violates Minn. Stat. § 13.09 through the unauthorized acquisition or use of ALPR data will face discipline and possible criminal prosecution (Minn. Stat. § 626.8472).

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#### **427.6 POLICY**

The policy of the Elk River Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

#### **427.7 RELEASING ALPR DATA**

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures (Minn. Stat. § 13.824):

- (a) The agency makes a written request for the ALPR data that includes:
  1. The name of the agency.
  2. The name of the person requesting.
  3. The intended purpose of obtaining the information.
  4. A record of the factual basis for the access and any associated case number, complaint or incident that is the basis for the access.
  5. A statement that the request is authorized by the head of the requesting law enforcement agency or his/her designee.
- (b) The request is reviewed by the Administrative Services Division Commander or the authorized designee and approved before the request is fulfilled.
  1. A release must be based on a reasonable suspicion that the data is pertinent to an active criminal investigation.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy.