



Region 6 - Austin, TX - Travis Co - PS - Operating without a license - Flock Safety

RSD Supplemental Report

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Case Numbers: 2024-0673978 (Alarm Monitor)
Case Reference Number(s): 2024-0673978-00002
Program: PSP

PSP Violation

PSP Violation: Operating without license – OCC. 1702.101 – 1025; 1702.388
Associated Licensee: Flock Safety

Document Details:

On April 17, 2024, Senior Program Investigator (SPI) William Molloy was assigned to conduct an investigation of Flock Safety (unlicensed) for operating without a license, under SPURS case number 2024L-RSD6-50122946. On May 8, 2024, this investigation was concluded, finding Flock Safety in violation of Texas Occupational Code (OCC) §1702.102 (a).

FINDINGS indicated that Flock Safety was in violation of.

- Texas Occupational Code (OCC) §1702.102 - conducting alarm installer services without a license.

DETAILS

1. On April 17, 2024, SPI Molloy was assigned to conduct an investigation of Flock Safety (unlicensed) for operating without a license, under SPURS case number 2024L-RSD6-50122946.
2. A review of the lead reflected that Flock Safety was installing security camera systems-License Plate Recognition (LPR) for Home Owner Associations (HOA) and parking lots throughout the state of Texas. Attachment (A).
3. Texas Online Private Security (TOPS) records confirmed that Flock Safety was not a licensed private security business.
4. SPURS records reflect that in 2021, the department investigated an identical complaint, finding Flock Safety in violation of performing alarm installer services without a license. This

investigation was submitted into SPURS under case # 2020I-RSD6-50062242.

5. Prior to SPI Molloy's involvement, Flock Safety General Counsel Mark SMITH provided a detailed description of the contracted services provided to their Texas clients, which included installing cameras in residential areas and at big box stores, such as Home Depot parking lots, to gather vehicle license plate data, which is defined as an alarm installer activity, per OCC §1702.105 – a person acts as an alarm systems company if the person sells, installs, services, monitors, or responds to an alarm system or detection device. However, SMITH claimed that the Flock Safety cameras are not used for private security or surveillance.
6. The departments Senior Policy Analyst reviewed statements and other investigative details and determined that Flock Safety equipment meets the definition of an alarm system, per OCC 1702.002 (1)(C) - an alarm system is a television camera or still camera system that records or archives images of property or individuals in a public or private area of a residence or business. For additional details, refer to attachment (A).
7. A review of the Flock Safety website (<https://www.flocksafety.com/>) further indicates that the business is providing security services, by making the following statements;
 - a. Help deter criminals.
 - b. Flock Safety provides a customizable solution to proactively deter and solve crime in neighborhoods while giving residents peace of mind.
 - c. We help eliminate crime.
 - d. We exist to eliminate crime and keep your community safe. Our holistic public safety platform is comprehensive and intelligent – that means you have the actionable evidence you need to solve, deter and reduce crime across neighborhoods, schools, businesses and entire cities.
 - e. By layering powerful evidence like LPR and live video – you have the tools and intelligence you need to make progress on improving the safety and security of your community and assets.
 - f. Flock Safety helps HOAs improve neighborhood security.
 - g. Colorado Neighborhoods Using Flock Safety to Reduce Crime. — It's not your typical neighborhood fixture, but people who live in the Bel Air Estates in Aurora believe the two towering light poles that stand watch over the entrance to their community will help keep it safe.
 - h. These website images can be referenced on attachment (B).
8. SPI Molloy determined that the primary purpose of a client to contract said services is to perform security services to deter and/or assist law enforcement investigate criminal activity; and found Flock Safety in violation of OCC §1702 (a) – Security Services Contractor License required: Scope of License. Unless the person holds a license as a security services contractor, a person may not:
 - (1) act as an alarm systems company, armored car company, courier company, guard company, or locksmith company;
 - (2) offer to perform the services of a company in Subdivision (1); or
 - (3) engage in business activity for which a license is required under this chapter.

Attachments

(A) Copy of Lead

(B) Copy of Website Images

Attachments:

(B) Copy of Website Images.pdf

(A) Copy of Lead Flock Safety.pdf

Flock Safety.Cease and Desist Letter.pdf
Description/Comments: Cease and Desist Letter

Related Entities:

Flock Safety - Suspect in

Name:	Flock Safety	<i>Suspect in</i> 08/08/2024 08:32 AM CDT - *
Address:	1160 Howell Mill Rd NW Atlanta, Fulton County GA 30318 United States of America	<i>Connected to</i> * *