

DEFLOCKILM

DeFlockILM.org · Mark@DeFlockILM.org · change.org/DeFlockILM

August 31, 2026

North Carolina Security Systems Licensing Board

(formerly the Alarm Systems Licensing Board)

Attn: Director Paul Sherwin

3101 Industrial Drive, Suite 104

Raleigh, North Carolina 27609

Re: Supplement to Complaints against Axon Enterprise, Rekor Recognition Systems, and SoundThinking, Inc. (PlateRanger) — N.C.G.S. Chapter 74D

Dear Director Sherwin:

Thank you for your acknowledgment today of the three complaints DeFlockILM filed against Axon Enterprise, Rekor Recognition Systems, and SoundThinking, Inc. (the vendor of PlateRanger), each alleging unlicensed security-systems activity in North Carolina under Chapter 74D. This letter supplements those complaints with records obtained from the Board's own files that bear directly on the licensing question and, we respectfully submit, resolve it.

I. The Board Has Already Applied § 74D-2(a) to This Exact Technology

The licensing analysis in our complaints is not a novel theory; it is the position the Board itself has already taken as to an automated license plate reader vendor. On **January 5, 2022**, the Director issued a cease-and-desist letter to Garrett Langley, Chief Executive Officer of Flock Group, Inc. (dba Flock Safety), finding that the office had *"obtained evidence to indicate that Flock Safety has been advertising and engaging in the alarm services profession in North Carolina without having been properly licensed."* The letter cited N.C.G.S. § 74D-2(a) and its subsection reaching cameras "used to detect ... unauthorized or illegal activity," and directed Flock to immediately cease all alarm-system activity in the State, expressly "including camera," on pain of criminal charges and/or a civil injunction.

That determination answers the threshold question in each of our three complaints: **a networked plate-reader camera system is a licensable security system under Chapter 74D, and a vendor may not install or**

service one in North Carolina without a license. The Board reached that conclusion as to Flock. The same statute and the same reasoning apply to Axon, Rekor, and SoundThinking.

II. The Board's Prior Enforcement Record

The Board's file also contains the two formal complaints it opened against Flock (Nos. **2022-ASLB-001 and 2022-ASLB-008**), a later license-plate-reader complaint withdrawn in November 2023, and the pleadings in the resulting enforcement action, *N.C. Alarm Systems Licensing Board v. Flock Safety, Inc.*, Wake County Superior Court No. 23CV003667-910 — the litigation that halted Flock's unlicensed activity. The enforcement pathway for an unlicensed ALPR vendor is therefore not hypothetical; the Board has traveled it before.

III. Flock's Compliance Ran Through the Licensing System, Not Around It

Most significant for the present complaints, the records show **how Flock came into compliance**. Flock did not obtain a mere waiver or proceed unlicensed; the file reflects that Flock's work was brought within Chapter 74D by routing it through a **licensed North Carolina alarm-systems licensee**, tied to a specific Flock order. In other words, the licensing regime reached Flock, and Flock's lawful operation in this State depends on a license held by a properly licensed party.

That establishes the benchmark for every ALPR vendor operating here: it must either hold a Chapter 74D license itself or perform its licensable work through one that does. **On the record before the Board — including the Director's own written confirmation of August 28, 2026 that Rekor, Leonardo, PlateRanger, and Axon are “not licensed, no records on file” — Axon, Rekor, and SoundThinking have shown neither.** They install and service these systems in North Carolina, and they do so without the license the Board required of Flock and without the licensed intermediary through which Flock ultimately complied.

IV. Relief Requested

For the reasons in our three complaints and confirmed by the Board's own records, we respectfully renew the requests made in each complaint — that the Board open (or continue) an investigation, issue written cease-and-desist orders, assess civil penalties under § 74D-11, notify the affected North Carolina agencies that contracts for unlicensed work are void and unenforceable under §§ 74D-11(f) and 74D-14, and refer the matter as

appropriate. The attached records remove any doubt that these vendors' plate-reader and camera systems fall squarely within Chapter 74D.

V. Exhibits

- Exhibit A — Cease-and-desist letter from the Board to Flock Group, Inc. (Garrett Langley), January 5, 2022.
- Exhibit B — Board complaints Nos. 2022-ASLB-001 and 2022-ASLB-008 (Flock Safety).
- Exhibit C — Board records reflecting Flock's compliance through a licensed North Carolina alarm-systems licensee (Flock order file; personal identifiers of the licensee redacted).
- Exhibit D — Pleadings, N.C. Alarm Systems Licensing Board v. Flock Safety, Inc., Wake County No. 23CV003667-910.
- Exhibit E — Board correspondence confirming Axon, Rekor, PlateRanger, and Leonardo are not licensed (email of Director Paul Sherwin, Aug. 28, 2026).

Respectfully submitted,

/s/ Mark Spencer Williams
Mark Spencer Williams
o/b/o DeFlockILM.org
105 N. 6th Street
Wilmington, NC 28401

EXHIBIT

A

Cease-and-Desist Letter to Flock Group, Inc.

N.C. Alarm Systems Licensing Board to Garrett Langley (CEO, Flock Safety), January 5, 2022.



North Carolina Department of Public Safety

Alarm Systems Licensing Board

Roy Cooper, Governor
Eddie Buffaloe, Secretary

Caroline Valand, Chief Deputy Secretary
Paul Sherwin, Director

January 5, 2022

Garrett Langley
Flock Group, Inc. dba Flock Safety
2870 Peachtree Road, #708
Atlanta, GA 30305-2918

1

RE: CEASE AND DESIST

Dear Mr. Langley:

This office has obtained evidence to indicate that Flock Safety has been advertising and engaging in the alarm services profession in North Carolina without having been properly licensed with the North Carolina Alarm Systems Licensing Board (ASLB).

1. *This is a violation of N.C.G.S. 74D-2(a) which states: "License Required. No person, firm, association, corporation, or department or division of a firm, association or corporation, shall engage in or hold itself out as engaging in an alarm systems business without first being licensed in accordance with this Chapter.*
 - (1) *Sells or attempts to sell an alarm system device by engaging in a personal solicitation at a residence or business to advise, design, or consult on specific types and specific locations of alarm system devices.*
 - (2) *Installs, services, monitors, or responds to electrical, electronic or mechanical alarm signal devices, burglar alarms, monitored access control, or cameras used to detect burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity.*

As a result, **YOU ARE HEREBY DIRECTED TO IMMEDIATELY CEASE AND DESIST CONDUCTING ALL ALARM SYSTEM RELATED ACTIVITIES IN THIS STATE WHICH INVOLVES THE ADVERTISING OF SERVICES, THE SOLICITATION, INSTALLING OR MONITORING OF SECURITY ALARM SERVICES (INCLUDING CAMERA) AND THE INSTALLATION AND MAINTENANCE THEREOF.** Should you fail to immediately comply with this directive, this office will pursue further legal action to include the filing of criminal charges and/or the filing of a civil injunction, if necessary.

Respectfully,

Paul Sherwin, Director
North Carolina Department of Public Safety
Private Protective Services



EXHIBIT

B

**Board Complaints Nos. 2022-ASLB-001 and
2022-ASLB-008 (Flock Safety)**

Complete complaint files, personal identifiers redacted.

Order Number2022-ASLB-001 **Product**

Complaint

Order Received

01/05/2022

StatusInvestigation Complete **Processor**

syconda.marrow

Board

ASLB

Payment History

No payment required.

Investigator: George Daniels george.g.daniels@ncdps.gov 3101 Industrial Drive, Suite 104 Raleigh, NC 27609 984-220-8624

Investigation Due Date: Monday, March 7th 2022**Complaint Submission:** C7RBGBW4Q (/dynamic?orderid=C7RBGBW4Q)

Complaint Review for Board Meeting Date: 11/17/2022

Committee Result**Note**

Defer to the November 2022 Board meeting and refer this matter to the full Board for consideration.

Board Result

Accepted

Note

Find a violation of NCGS 74D-2. Continue the cease and desist previously issued to Garrett Langley and Flock Safety.

[Edit](#)**Allegation Information****Allegations**

NCGS 74D-2

Company**BPNs****Licensees**

Garrett Langley

[Edit](#)**Complainant Information** Not Required to Submit**Your Name****First Name****Middle Name**

Last Name

Suffix

Organization Agency, if applicable

Organization Agency

Your Address

Address Line 1

Address Line 2

City

State

Zip

Country

County

☒ Mailing is same address as physical.

Your Phone Number

Primary Number

Your Email

Email Address

Who the complaint is against

Name of Company Manager/QA

First Name

Middle Name

Last Name

Suffix

Company Name

Name of Company	DBA
Flock Group Inc.	Flock Safety

Company Address

Address Line 1	Address Line 2
1170 Howell Mill Road NW	Suite 210
City	State
Atlanta	Georgia ▼
Zip	Country
30318-8637	United States ▼
County	
Fulton	
☐ Mailing is same address as physical.	
Mailing Address *Post Office Box Number Acceptable.	
Address Line 1	Address Line 2
2870 Peachtree Road	#708
City	State
Atlanta	Georgia ▼
Zip	Country
30305-2918	United States ▼
County	
Fulton	

Company Phone Numbers

Company Phone Number	Company Fax Number
(866) 901-1781	Enter Phone Number

Company Email QA/Licensee email if available

Email Address
support@flocksafety.com

Violation Information

Alleged Violation Date

01/03/2022

Alleged Violation Location

Throughout N.C.

Witnesses

Are there any witnesses?

☐ Yes ☒ No

Witness List

Add Witness

Details of Complaint

★ Please give a description of complaint.

My neighborhood HOA has contracted with the Flock Group Inc./Flock Safety to install at least four security cameras/license plate readers at the entrances/exits to my neighborhood. Furthermore, a Google search shows Flock Safety has performed similar work for various neighborhoods and local governments in N.C. The company's website advertises services in N.C. (<https://www.flocksafety.com/carolinas/>), but this company is not licensed to install cameras.

Additional Documentation Upload

Additional Documentation 1.

Browse Select file (.jpg, .jpeg, .png, .pdf)

Additional Documentation 2.

Browse Select file (.jpg, .jpeg, .png, .pdf)

Additional Documentation 3.

Browse Select file (.jpg, .jpeg, .png, .pdf)

Background Check:

Process	Status	Initials	Date	
CRC CHECK				

Process	Status	Initials	Date	
FP SENT				
FP RESULTS				

Process	Status	Initials	Date	Comments:
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Deferred to November 2022, per a request from Flock's attorney. See attached. -Paul 8/11/22

Re-Notice for date, time and place of July meeting sent 6/22/2022. SM

From: Sherwin, Paul <paul.sherwin@ncdps.gov>

Sent: Wednesday, May 4, 2022 8:30 AM

To: Odom, Kim <kim.odom@ncdps.gov>; Daniels, George G <george.g.daniels@ncdps.gov>

Subject: RE: [External] Re: FW: 2022-ASLB-008, Flock

Kim,

Deferral approved.

George: Please let Flock know this is the final deferral. They will need to appear at the July 2022 Grievance Committee hearing to request additional deferrals from the Committee.

Thanks,

Paul Sherwin

Director

From: Sherwin, Paul <paul.sherwin@ncdps.gov>

Sent: Friday, February 25, 2022 8:43 AM

To: Odom, Kim <kim.odom@ncdps.gov>

Subject: RE: [External] Flock Safety LPR Camera

Kim,

Deferral approved.

Thanks!

Paul Sherwin

Director

NCDPS Private Protective Services

Alarm Systems Licensing Board

Private Protective Services Board

Main Office: 919-788-5320

Direct: 984-220-8625

Cell: 919-218-1549

E-mail: paul.sherwin@ncdps.gov

3101 Industrial Dr, Suite 104

Raleigh, NC 27609

From: Robert Koon <robert.koon@flocksafety.com>

Sent: Thursday, February 24, 2022 2:19 PM

To: Daniels, George G <george.g.daniels@ncdps.gov>

Subject: Re: [External] Flock Safety LPR Camera

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.

Inspector Daniels,

We respectfully request a deferral on this matter in order to prepare a comprehensive response.

Sincerely, Process	Status	Initials	Date
Robert Koon Field Enablement			

PHOTO				
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AUTHORIZED RELEASE				
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CE CREDITS				
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CE EXEMPT				
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Deputy Director				
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Comments:

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TERMINATION DATE				
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Investigator Notes (/interviewQuestions/complaintquestions/2022-ASLB-001)

Work Comments:

+ 17 Attached Documents

+ Add files...

File Name

Description

Attached By

Attached

 Screenshot 2022-01-04 161825.png (/attachedFiles/2022-ASLB-001/1641417455800)

Screenshot 2022-01-04 161825.png

kim.odom

01/05/22 16:17



 Screenshot 2022-01-04 161912.png (/attachedFiles/2022-ASLB-001/1641417456180)

Screenshot 2022-01-04 161912.png

kim.odom

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 Screenshot 2022-01-04 161953.png (/attachedFiles/2022-ASLB-001/1641417456584)

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kim.odom

01/05/22 16:17



 Screenshot 2022-01-04 162022.png (/attachedFiles/2022-ASLB-001/1641417457150)

Screenshot 2022-01-04 162022.png

kim.odom

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 Screenshot 2022-01-04 162207.png (/attachedFiles/2022-ASLB-001/1641417457517)

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 Screenshot 2022-01-04 162306.png (/attachedFiles/2022-ASLB-001/1641417457932)

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kim.odom

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 Screenshot 2022-01-04 162526.png (/attachedFiles/2022-ASLB-001/1641417458397)

Screenshot 2022-01-04 162526.png

kim.odom

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 Flock C&D.pdf (/attachedFiles/2022-ASLB-001/1641417458799)

Flock C&D.pdf

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 Flock complaint form.pdf (/attachedFiles/2022-ASLB-001/1641417459176)

Flock complaint form.pdf

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01/05/22 16:17



 Flock email.pdf (/attachedFiles/2022-ASLB-001/1645644974527)

kim.odom

02/23/22 14:36



 Flock Nov 2022 Deferral Request.pdf (/attachedFiles/2022-ASLB-001/1660221989299)

paul.sherwin

08/11/22 08:46



 Flock License Required Full Report.pdf (/attachedFiles/2022-ASLB-001/1666984569181)

william.raften

10/28/22 15:16



 Flock agreement 2.jpg (/attachedFiles/2022-ASLB-001/1684946159611)

paul.sherwin

05/24/23 12:35



↓ Flock agreement.jpg (/attachedFiles/2022-ASLB-001/1684946162460)

paul.sherwin

05/24/23 12:36



↓ Gray letter to Flock Safety.pdf (/attachedFiles/2022-ASLB-001/1694028565969)

paul.sherwin

09/06/23 15:29



↓ Flock Prelim Injunc 23CV003667-910.pdf (/attachedFiles/2022-ASLB-001/1698942363971)

paul.sherwin

11/02/23 12:26



↓ Flock Safety TRO 23CV003667-910.pdf (/attachedFiles/2022-ASLB-001/1698942392530)

paul.sherwin

11/02/23 12:26



Action Date:

Action User:

Action Type:

Description / Notes:

1/5/22 4:17 PM

kim.odom

CreatedComplaint

Created complaint 2022-ASLB-001 from complaint submission C7RBGBW4Q

1/5/22 4:17 PM

kim.odom

OwnerChange

The application was moved to user 'george.g.daniels'.

2/9/22 4:27 PM

kim.odom

SaveProgress

The application data was updated.

2/23/22 2:36 PM

kim.odom

SaveProgress

The application data was updated.

2/25/22 10:28 AM

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The application data was updated.

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The application data was updated.

6/23/22 10:21 AM

syconda.marrow

SaveProgress

The application data was updated.

6/23/22 10:24 AM

syconda.marrow

SaveProgress

The application data was updated.

7/5/22 7:05 PM

george.g.daniels

InterviewUpdated

Interview Information Updated

7/5/22 7:05 PM

george.g.daniels

OwnerChange

The application was moved to user 'kim.odom'.

7/6/22 2:14 PM

kim.odom

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7/6/22 2:39 PM

kim.odom
OwnerChange
The application was moved to user 'amanda.rolle'.
7/6/22 3:37 PM

kim.odom
InterviewUpdated
Interview Information Updated
7/13/22 11:20 AM

paul.sherwin
OwnerChange
The application was moved to user 'syconda.marrow'.
7/20/22 4:37 PM

syconda.marrow
SaveProgress
The application data was updated.
7/20/22 4:44 PM

syconda.marrow
SaveProgress

The application data was updated.
7/20/22 4:44 PM
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7/20/22 7:03 PM
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7/28/22 3:30 PM
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7/28/22 3:31 PM
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8/11/22 8:42 AM
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8/11/22 8:46 AM
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11/2/23 12:26 PM
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The application data was updated.
11/2/23 12:26 PM
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Assign Inv
Order Pending
Request Documentation
Add Invoice (/dynamicapp/invoice/new?associatedOrderId=2022-ASLB-001)
Approve Order
Withdraw Order
Deny Order
Assess Fine
Allegations
Audit
Print Letter

Background Check		
CRC CHECK	☒	☐
FP SENT	☒	☐
FP RESULTS	☒	☐
PHOTO	☒	☐
AUTHORIZED RELEASE	☒	☐
CE CREDITS	☒	☐
CE EXEMPT	☒	☐
Deputy Director	☒	☐
CWC	☒	☐
Date Received	☒	☐
TERMINATION DATE	☒	☐

Save Progress
Print
Search Archive

11/16/2023

FINAL INVESTIGATIVE REPORT**FILE NUMBER:**

2022-ASLB-001

TO: Alarm Systems Licensing Board**FROM:** Investigator George Daniels**RE:****COMPLAINT FILED AGAINST:**Garrett Langley
Flock Safety
2870 Peachtree Road
#708
Atlanta, GA 30305-
2918**COMPLAINT FILED BY:**

OVERVIEW

Flock Safety, Inc., is servicing and installing license plate reader camera systems in the NC area without the proper license in violation of NC74D-2. The information was reported by an anonymous complainant to this agency.

INTRODUCTION

An anonymous complaint was filed alleging that Mr. Langley, owner of Flock Safety Inc., Atlanta, GA was advertising and operating a license plate reader and surveillance camera service and installation business, without being properly licensed: "My neighborhood HOA has contracted with the Flock Group Inc./Flock Safety to install at least four security cameras/license plate readers at the entrances/exits to my neighborhood. Furthermore, a Google search shows Flock Safety has performed similar work for various neighborhoods and local governments in N.C. The company's website advertises services in N.C. (<https://www.flocksafety.com/carolinas/>), but this company is not licensed to install cameras."

Further investigation disclosed that Flock Safety is operating without being properly licensed in accordance with NCGS 74-D. In viewing the website, information was found that Flock had advertised their business as a security systems service and installation company. The website refers to their systems as "Flock Safety security cameras" and "Flock Safety license plate reader cameras." The website states that the company installs security cameras and license plate readers at entrances and exits of neighborhoods.

During the initial interview of Mr. Robert Koon, Regional Director of Flock Safety on February 15, 2022, he stated that his company was unaware of the need to be licensed by the NCASLB as the work they provided was in close coordination with local law enforcement as a tool to assist in enforcing regulations and observing activities in the area. According to Mr. Koon, Flock Safety helps HOAs, neighborhood associations, and law enforcement work together to capture the objective evidence needed to reduce crime rates, improve neighborhood security and protect home values. Mr. Koon was verbally advised of the Cease and Desist at which time he requested a deferral of the case to be heard at the May 2022 NCASLB grievance meeting.

A cease and desist was issued January 5, 2022.

These allegations would be possible violations of NCGS 74-D which states the following:

74D-2. License Required.

(a) License Required. - No person, firm, association, corporation, or department or division of a firm, association or corporation, shall engage in or hold itself out as engaging in an alarm systems business without first being licensed in accordance with this Chapter. A department or division of a firm, association, or corporation may be separately licensed under this Chapter if the distinct department or division, as opposed to the firm, association, or corporation as a whole, engages in an alarm systems business. The department or division shall ensure strict confidentiality of private security information, and the private security information of the department or division must, at a minimum, be physically separated from other premises of the firm, association, or corporation. For purposes of this Chapter an "alarm systems business" is defined as any person, firm, association or corporation that does any of the following:

- (1) Sells or attempts to sell an alarm system device by engaging in a personal solicitation at a residence or business to advise, design, or consult on specific types and specific locations of alarm system devices.
- (2) Installs, services, monitors, or responds to electrical, electronic or mechanical alarm signal devices, burglar alarms, monitored access control, or cameras used to detect burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity. This provision shall not apply to a locking device that records entry and exit data and does not transmit the data in real time to an on-site or off-site monitoring location, provided the installer is duly licensed by the North Carolina Locksmith Licensing Board

The following procedures were used in order to conduct a special review of these allegations:

Interviews:

Anonymous complainant

Robert Koon, Flock Safety (FSS) Atlanta, GA

Mike Molina, Attorney, FSS, Atlanta, GA

Ryan Beaver, Attorney, Beaver and Bradley, Charlotte, NC

Documents Reviewed:

ASL documentation pertaining to Flock Safety

Flock website and Facebook information

Anonymous complaint document

Flock PDF to HOA residents (dated January 20, 2022)

WITNESS STATEMENTS AND INTERVIEWS

Anonymous Complainant:

In January 2022, an anonymous complainant filed a complaint and stated that his/her neighborhood HOA has contracted with the Flock Group Inc./Flock Safety to install at least four security cameras/license plate readers at the entrances/exits to the complainant's neighborhood. Furthermore, a Google search shows Flock Safety has performed similar work for various neighborhoods and local governments in N.C. The company's website advertises services in N.C. (<https://www.flocksafety.com/carolinas/>), but this company is not licensed to install cameras. The anonymous complainant provided a Flock announcement PDF (see attachment) describing what they would be doing.

Flock Safety's website was reviewed. Under the "products" tab is a heading for "Flock cameras" with the statement "Stop missing investigative leads. Flock has cameras for both neighborhood and police use." The website also states: "7/10 crimes are committed with the use of a vehicle. Capture the vehicle details you need to track leads and solve crime. Flock Safety's patented Vehicle Fingerprint™ technology lets you search by vehicle make, color, type, license plate, state of the license plate, missing plate, covered plate, paper plate, and unique vehicle details like roof racks, bumper stickers, and more."

Robert Koon, Regional Supervisor, Flock Safety, Inc., Morrisville, North Carolina (866) 901-1781:

On February 15, 2022, Mr. Koon was interviewed by this office pertaining to this complaint. Mr. Koon stated that he had several years' experience working with installing license readers and the cameras used in neighborhoods for random and targeted (entrance and exits) surveillance. Mr. Koon stated that they are usually contacted by the interested party (HOA or Law Enforcement) to install and monitor the cameras. The information that is obtained from the cameras is coordinated with local law enforcement or HOA for further action. Mr. Koon stated that he was unaware of any regulation or necessity for the company to obtain an alarm license. Mr. Koon stated that he would consult with his company for further action on this issue. Mr. Koon stated that the position of Flock is to maximize neighborhood security with Flock Safety's License Plate Reading Cameras. License plate reader cameras work because most crime is committed with a vehicle. Therefore, whether it's vandalism, theft, or other suspicious activity, Flock Safety's technology quickly and objectively identifies a suspect's vehicle. If a crime does occur, Flock can automatically alert local law enforcement. He stated that Flock Safety is now in over 1,500 communities and partners with 1,200 law enforcement agencies in the nation.

Contact was again made with Mr. Koon in April 2022 pertaining to this case. Mr. Koon stated that the company attorney would be handling this matter and would be in contact with this office.

Mike Molina, Attorney for Flock Safety, Inc., Atlanta, Georgia, (415) 805-6738:

On April 2, 2022, contact was made with Mr. Molina via email. Mr. Molina stated that he would be representing the company and further requested additional time to prepare for the NCASLB grievance committee. The case was deferred until July 2022. All the pertinent documentation was sent to Mr. Molina.

Ryan Beaver, Attorney for Flock Safety, Inc., Beaver and Bradley, Charlotte, NC

On May 3, 2022, contact was made with Mr. Beaver pertaining to this investigation. Mr. Beaver was briefed on this investigation after informing this office that he was the local representative of Flock for this complaint. Mr. Beaver requested all documentation on this investigation. He was given copies of the complaint and corresponding documentation.

LICENSING/REGISTRATION HISTORY

Flock Safety has never held a license in NC.

DISCIPLINARY ACTIONS

None

SUMMARY OF INVESTIGATION

A complaint was made to this office that Flock Safety, Inc, was installing and servicing surveillance cameras at a neighborhood in North Carolina without being properly licensed. A cease and desist order was issued on January 5, 2022.

Mr. Koon (area representative for Flock Safety, Inc) was informed of this investigation and the fact that he could not operate an alarm company in NC without being properly licensed through the NCASLB. Mr. Koon stated that Flock Safety is a company developing a public safety operating system that helps communities and law enforcement. It provides wireless and infrastructure-free cameras to capture the evidence police need to solve crimes.

From the information retrieved from the website and from the complainant, it was noted that Flock Safety was working in North Carolina without NCASLB License.

Flock Safety violated the NCGS 74D-2 (a) (1) and (2) installing surveillance camera systems without being properly licensed.

VIOLATIONS

NCGS74D-2 (a) (1):

a) License Required. - No person, firm, association, corporation, or department or division of a firm, association or corporation, shall engage in or hold itself out as engaging in an alarm systems business without first being licensed in accordance with this Chapter. A department or division of a firm, association, or corporation may be separately licensed under this Chapter if the distinct department or division, as opposed to the firm, association, or corporation as a whole, engages in an alarm systems business. The department or division shall ensure strict confidentiality of private security information, and the private security information of the department or division must, at a minimum, be physically separated from other premises of the firm, association, or corporation. For purposes of this Chapter an "alarm systems business" is defined as any person, firm, association or corporation that does any of the following:

- (1) Sells or attempts to sell an alarm system device by engaging in a personal solicitation at a residence or business to advise, design, or consult on specific types and specific locations of alarm system devices
- (2) Installs, services, monitors, or responds to electrical, electronic or mechanical alarm signal devices, burglar alarms, monitored access control, or cameras used to detect burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity

Any alleged allegations or suggested resolution by the staff has not yet been reviewed by the North Carolina Alarm Systems Licensing Board or one of its Committees. You should understand that the once presented to the Board or Committee, the staff's position may be adopted, amended, or reversed.



Information about the new [REDACTED] camera system

1 message

Thu, Jan 20, 2022 at 11:50 AM

Dear [REDACTED] Residents,

Last year the old cameras that were placed near the intersection of [REDACTED] and [REDACTED] were removed. The HOA Board researched several companies to secure replacements of the cameras. We also wanted to provide coverage at both entrances in [REDACTED] County providing support for the entire community. We are pleased to announce that [REDACTED] HOA has partnered with Flock Safety, a national neighborhood security provider that specializes in community safety using license plate reading cameras. License plates are the #1 piece of evidence that police request in the case of criminal activity such as home and car break-ins. Flock Safety's cameras are entirely self-sufficient; they are solar-powered and send footage via mobile technology to a secure cloud-based network unique to our community. The cameras record footage but also have both day and night-time capability to read and record license plates that pass through our community. We anticipate both entrances to be operational by January 31, 2022.

Privacy is a top concern for Flock and [REDACTED]. The footage and data that is collected is automatically deleted after 30 days and is accessible with board approval to law enforcement. In the event of a crime, access can be shared, and footage can be downloaded and stored by either the community or local authorities.

Despite this technology, it is just a camera. The primary way to deter crime is a responsibility we each own individually: lock your doors to your home and vehicles, keep your valuables out of sight. We are fortunate to live in such a safe neighborhood, but we believe that this service will both further deter mischief crimes and provide a valuable resource to our residents. This camera system is available at both entrances to [REDACTED] either at [REDACTED] or at [REDACTED] Road shortly before reaching [REDACTED]. The cameras record inbound and outbound.

What we recommend:

1) [REDACTED] encourages you to register to our community's SafeList. It's up to you whether you provide your actual name, but by registering your license plate, we will know that your vehicle belongs to a resident when sorting through footage in the event of a crime.

The link to the secure Safelist site is: [https://admin.flocksafety.com/register/resident-\[REDACTED\]](https://admin.flocksafety.com/register/resident-[REDACTED])

Check out this PowerPoint for instructions.

2) If you are in danger please call 911. If you have been a victim of a crime, please report it first to the police department. Then, you can send an email to [REDACTED] or [REDACTED] and they can help provide footage or provide access to the detective assigned to the case.

3) Wave and smile to your neighbors and continue to make [REDACTED] an incredible place to live!

Considerations:

- The existence of Flock Safety cameras should NOT be relied upon by any individual for safety or security. Individuals are encouraged to take additional precautions to ensure the safety of their property.
- [REDACTED] HOA and Flock Safety are NOT law enforcement agencies and are not in a position to undertake law enforcement activities. Any illegal activity should be reported to law enforcement immediately for investigation.

Sincerely,

[REDACTED] HOA Board

Please note: The links in the eblast letter may or may not work for you. We are attaching a pdf version of this letter. If you open it and click the links they will work.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

 **FlockAnnouncement pdf.pdf**
125K



Fire Department Reporting and Vehicle Registration for Cameras System 2022

1 message

Tue, Feb 22, 2022 at 10:26 AM

Dear [REDACTED] Residents,

As you know, [REDACTED] is located in both [REDACTED] County and [REDACTED] County. The [REDACTED] Fire Department serves the homes in both counties through Fire Station [REDACTED] located on [REDACTED] Road.

The area along the [REDACTED] County line, including the homeowners in [REDACTED] are located right on the border of two boundaries for cellular use which could route your 911 call via cell phone to another 911 dispatch office other than [REDACTED].

In order to provide the best and fastest service, please be certain to state that your area is supported by [REDACTED] 911. You should tell the call taker at 911 that the [REDACTED] Fire Department is the primary responder. The call taker will then know to transfer the call to [REDACTED] 911.

Please note that all license plate reading cameras are operational at both entrances of [REDACTED]. [REDACTED] encourages you to register to our community's SafeList. It's up to you whether you provide your actual name, but by registering your license plate, we will know that your vehicle belongs to a resident when sorting through footage in the event of a crime.

The link to the secure Safelist site is: <https://admin.flocksafety.com/register/resident> [REDACTED]

Thank you,

[REDACTED] HOA

--

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



North Carolina Department of Public Safety

Alarm Systems Licensing Board

Roy Cooper, Governor
Eddie Buffaloe, Secretary

Caroline Valand, Chief Deputy Secretary
Paul Sherwin, Director

COMPLAINT FORM

Your Name _____
First Middle Last

Address _____
State Zip Code

Telephone () _____ E-mail Address: _____

Complaint Against:

Name of Licensee Garrett Langley

Company Flock Group, Inc dba Flock Safety

Address 2870 Peachtree Road, #708, Atlanta, GA 30305-2918

Street & Number City State Zip Code

Telephone (866) 901-1781

Date(s) of Alleged Violation _____

Are there any witnesses? Yes ☐ No ☒ If yes, list their name(s), address(es) and telephone number(s):

Explain the nature of your complaint in detail (you may attach additional sheets):

My neighborhood HOA has contracted with the Flock Group Inc./Flock Safety to install at least four security cameras/license plate readers at the entrances/exits to my neighborhood. Furthermore, a Google search shows Flock Safety has performed similar work for various neighborhoods and local governments in N.C. The company's website advertises services in N.C. (<https://www.flocksafety.com/carolinas/>), but this company is not licensed to install cameras.

IMPORTANT NOTE: In accordance with the North Carolina Public Records Act [N.C.G.S. 132] this form will be sent to the individual you are complaining about along with any attachments you submit with this complaint.

"I hereby certify that all statements and allegations set forth in the complaint are true and accurate to the best of my knowledge."

Signature of Complainant

Date

MAILING ADDRESS:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609



OFFICE LOCATION:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609
Telephone: (919) 788-5320
Email: ppsasl@ncdps.gov



North Carolina Department of Public Safety

Alarm Systems Licensing Board

Roy Cooper, Governor
Eddie Buffaloe, Secretary

Caroline Valand, Chief Deputy Secretary
Paul Sherwin, Director

January 5, 2022

Garrett Langley
Flock Group, Inc. dba Flock Safety
2870 Peachtree Road, #708
Atlanta, GA 30305-2918

RE: CEASE AND DESIST

Dear Mr. Langley:

This office has obtained evidence to indicate that Flock Safety has been advertising and engaging in the alarm services profession in North Carolina without having been properly licensed with the North Carolina Alarm Systems Licensing Board (ASLB).

1. *This is a violation of N.C.G.S. 74D-2(a) which states: "License Required. No person, firm, association, corporation, or department or division of a firm, association or corporation, shall engage in or hold itself out as engaging in an alarm systems business without first being licensed in accordance with this Chapter.*
 - (1) *Sells or attempts to sell an alarm system device by engaging in a personal solicitation at a residence or business to advise, design, or consult on specific types and specific locations of alarm system devices.*
 - (2) *Installs, services, monitors, or responds to electrical, electronic or mechanical alarm signal devices, burglar alarms, monitored access control, or cameras used to detect burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity.*

As a result, **YOU ARE HEREBY DIRECTED TO IMMEDIATELY CEASE AND DESIST CONDUCTING ALL ALARM SYSTEM RELATED ACTIVITIES IN THIS STATE WHICH INVOLVES THE ADVERTISING OF SERVICES, THE SOLICITATION, INSTALLING OR MONITORING OF SECURITY ALARM SERVICES (INCLUDING CAMERA) AND THE INSTALLATION AND MAINTENANCE THEREOF.** Should you fail to immediately comply with this directive, this office will pursue further legal action to include the filing of criminal charges and/or the filing of a civil injunction, if necessary.

Respectfully,

Paul Sherwin, Director
North Carolina Department of Public Safety
Private Protective Services



How Flock Safety is Helping This North Carolina Neighborhood Prevent Car Theft

Reports of neighborhood burglary had been circulating in a North Carolina community. Residents heard the reports and made the decision to install a Flock Safety security camera that would protect against crimes like car break-ins and home theft.

Early one morning after the camera was installed, someone broke into two cars in that neighborhood, stealing several valuable items. When residents awoke, they found their personal belongings missing and their cars ransacked. There were no eyewitnesses to the crime, but the victims had a timeframe – between 12:30 and 5 a.m.

The solution: a camera that sees the whole story of a crime.

While neighbors didn't witness the theft, their Flock Safety license plate reader cameras did.

The Flock camera system was able to capture key details that would aid the neighborhood in handing over concrete evidence to local police. Flock allows users to narrow down their search of the footage based on date, time, vehicle type, color, and license plate number. It also has the ability to show how many times a vehicle has passed by the camera, thus easily funneling out residents.

These details are exactly what detectives look for to move forward on a crime case.

Using Flock's camera footage search, residents found that a vehicle had entered the neighborhood for the first time during 12:30 and 5 a.m. – when they knew the car theft occurred.



The Flock camera system was able to capture key details that would aid the neighborhood in handing over concrete evidence to local police. Flock allows users to narrow down their search of the footage based on date, time, vehicle type, color, and license plate number. It also has the ability to show how many times a vehicle has passed by the camera, thus easily funneling out residents.

These details are exactly what detectives look for to move forward on a crime case.

Using Flock's camera footage search, residents found that a vehicle had entered the neighborhood for the first time during 12:30 and 5 a.m. – when they knew the car theft occurred.

With this information, residents were able to work with the police to report the break-ins and hand them objective evidence. After this success, residents put together a community outreach notice to ensure additional security measures to promote neighborhood safety. Several more residents even registered their vehicle license plates on the [Flock Safety Safe List](#), which allowed the search to distinguish between "Resident" and "Non-Resident."

Flock Safety helped this neighborhood set the course to prevent car break-ins in the future by providing evidence in a case that would have otherwise gone unsolved.

Prevent Crime In Your Neighborhood

[SCHEDULE A DEMO](#)

Related Articles

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flock safety

Solutions

Resources

Company

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Book a Demo



FLOCK CAMERAS

Stop missing investigative leads.

Flock Safety has cameras for both neighborhood and police use.



The first camera that sees like a detective.

7/10 crimes are committed with the use of a vehicle.

Capture the vehicle details you need to track leads and solve crime. Flock Safety's patented Vehicle Fingerprint™ technology lets you search by vehicle make, color, type, license plate, state of the license plate, missing plate, covered plate, paper plate, and unique vehicle details like roof racks, bumper stickers, and more.



Motion Activated

Flock LPRs take pictures of the back of the vehicle as it drives by.



24/7 Coverage

Day or night, the cameras collect evidence around the clock.



Solar Powered

No need for heavy infrastructure. Install Flock anywhere you need it.



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Why choose Flock Safety cameras?

Capture More

Install Anywhere

Maintenance Free

Discreet Design



Capture More

We build, install, service, and maintain your cameras for the life of the contract. You never need to worry if your cameras are online and working. That's our job and we'll always take care of it for you.



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Why choose Flock Safety cameras?

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Discreet Design



Install Anywhere

We build, install, service, and maintain your cameras for the life of the contract. You never need to worry if your cameras are online and working. That's our job and we'll always take care of it for you.



Beyond license plates, vehicles matter

Individuals planning to commit a crime also know that license plates are identifiable data points, so what happens if they steal a car or a license plate tag to commit a crime? Flock is a step ahead. Using patented Vehicle Fingerprint™ technology, the camera captures the vehicle make, color, type, license plate, state of the license plate, missing plate, covered plate, paper plate, and over 20 unique vehicle details like roof racks and bumper stickers.

So if a traditional security camera or an eyewitness saw a yellow SUV with a roof rack, a detective would use Flock to turn thousands of hours of video into the one suspect vehicle that happens to be a yellow SUV with a roof rack. Narrowing the focus to the pertinent evidence saves a tremendous amount of time and leads to a faster case clearance.

How real-time alerts stop crime

Flock Safety technology integrates with the National Crime Information Center (NCIC), to provide alerts to dispatch and patrol officers on vehicle license plates associated with outstanding warrants, missing persons, and stolen vehicles. Since stolen vehicles are often used to perpetuate more crime, and the inhabitants of those vehicles are more likely to have been involved in violent crime, a stop of a stolen vehicle as a result of a Flock alert disrupts the crime cycle by removing criminal transportation and arresting suspects.



Signatures on reverse

5-18-23

Proposed Settlement

- ① Flock Safety will apply for licensure w/ ASLB by June 1, 2023.

(a) It is understood that licensure will not be final until electrical license by qualifier is obtained

~~②~~

- ② Flock Safety will not pursue, bid, or enter new contracts until licensed.

(a) Flock will note on its website that licensure is pending NC

- ③ Flock Safety will partner w/ a licensed installer to perform existing contracts.

- ④ Flock will provide information re: first work and # of open contracts in NC for purposes of determining Past license fees due.

~~⑤~~

- ⑤ Board will consider Flock's application @ July 20, 2023 meeting

Ryan Lee Beaver

Ryan Beaver for
Flock Safety

Jeff Gray

Jeff Gray for
ADLB

Flock Safety will not receive bid or
enter new contracts until license is

(a) Flock will note on its website
that license is pending NC

Flock Safety will enter w/ a
licensed installer to perform
existing contracts.

Flock will provide information re:
first work and # of open contracts
in NC for purposes of determining
past license fees due.

Board will consider Flock's
application @ July 50, 2053 meeting

September 6, 2023

Via Electronic Mail & U. S. Mail

Ryan L. Beaver
Bradley
214 North Tryon Street, Suite 3700
Charlotte, NC 28202

Re: *N. C. Alarm Systems Licensing Board v. Flock Group, Inc. d/b/a Flock Safety, 23 CVS 3667-910 Wake County*
Our File: 3394.000001

Dear Ryan:

I realize "formal" letters are rarely used by attorneys (and others) anymore, but I wish to convey the seriousness of this matter.

I recognize that you and I have tentatively resolved this case, however, I see no signs your client takes this matter seriously. Flock Safety is subject to a Cease and Desist from the Board but continues to solicit business, and sign contracts, as recently as July 1st with the Town of Apex. I have received calls and e-mails from municipal and police attorneys advising me that representatives of Flock Safety have told them that the lawsuit is settled and it is licensed to do business; it is not.

Flock Safety's attempts at licensure have been half-hearted, at best:

- Flock's Qualify Agent, Daniel Moreno, missed the agreed upon application deadline of June 1, 2023.
- To date, Mr. Moreno has not provided documentation of experience to qualify for the license. Nor has he completed the Certified Alarm Technician Level 1 course. Therefore, we don't know if he qualifies for the license.
- To date, Mr. Moreno does not hold a N. C. electrical license and Flock Safety has not given the Board the name of any person employed with Flock in N. C. who does.
- To date, Mr. Moreno has failed to provide detailed disposition information related to criminal charges in California from 2002 and 2007.
- To date, Mr. Moreno has failed to provide an explanation for his unfavorable credit report.

I have been consistent in asking you the status of the proposed Settlement Agreement and insistent it now be a Consent Order signed by a Superior Court Judge due to Flock Safety's pattern of conduct. I have received no response.

Ryan L. Beaver
September 6, 2023
Page 2

Here is how this is going to go: I will give Flock seven (7) days from the date of this letter to file an Answer. Whether it does or not, on the eighth day I will file and calendar either a Motion for Summary Judgment or calendar the hearing on the injunction.

Further, at the Board's next meeting, which is Thursday, September 21st, I will ask that the offer of settlement be withdrawn.

Very truly yours,

BAILEY & DIXON, LLP



Jeffrey R. Gray

JPG:alb

cc: Stephen Wheeler, Chair (via e-mail)
Paul Sherwin, Director (via e-mail)

00591257



BAILEY & DIXON, LLP

FILED
DATE: October 31, 2023
TIME: 10/31/2023 11:52:38 AM
WAKE COUNTY
SUPERIOR COURT JUDGES OFFICE

STATE OF NORTH CAROLINA BY: S. Smallwood IN THE GENERAL COURT OF JUSTICE
COUNTY OF WAKE SUPERIOR COURT DIVISION
23CV003667-910

NORTH CAROLINA ALARM)
SYSTEMS LICENSING BOARD,)
)
Plaintiff,)
)
v.)
)
FLOCK GROUP, INC. d/b/a FLOCK)
SAFETY,)
)
Defendant.)

ORDER
PARTIALLY GRANTING
PRELIMINARY
INJUNCTION

THIS MATTER, coming before the undersigned Judge of Superior Court on Plaintiff's verified Complaint for Injunctive Relief, subsequent Motion for Temporary Restraining Order and resulting Order Granting Temporary Restraining Order ("TRO"), and based upon a review of the verified Complaint, Affidavit, Order Granting TRO, case law, exhibits, Memorandum of Law, and Affidavits, and the arguments of counsel for Plaintiff and Defendant, the Court finds as follows:

1. That Plaintiff filed a verified Complaint for Injunctive Relief in Wake County Superior Court on March 3, 2023, seeking to enjoin Defendant from violating the Alarm Systems Licensing Act, Chapter 74 of the North Carolina General Statutes (the "Act").
2. That Plaintiff's verified Complaint alleges Defendant is violating the Act, by advertising, contracting, and installing a camera system that reads motor vehicle license plates, stores that information, then uses it to detect criminal, unauthorized or illegal activity.
3. That a copy of Plaintiff's verified Complaint was attached to Plaintiff's Motion for Temporary Restraining Order and incorporated therein.

4. That Defendant had been under investigation by Plaintiff for over a year for engaging in the alleged unlicensed activity outlined in Plaintiff's Complaint.

5. That Defendant is subject to a Cease & Desist letter and Defendant is fully aware that a license is required for Defendant to conduct business in North Carolina.

6. That Defendant has applied to be licensed but has not yet completed the process.

7. That although unlicensed, Defendant has continued to advertise, solicit contracts, contract for installation, and install its system for municipalities, universities, and homeowners associations.

8. That Plaintiff contends its cameras do not "detect" unauthorized or illegal activity as prescribed by N. C. Gen. Stat. §74D-2(a)(2) thereby requiring licensure.

9. That Plaintiff Board's interpretation of its licensing requirements is reasonable, and in keeping with its Act, the spirit of the Act, and what the Act seeks to accomplish and there is a likelihood Plaintiff will prevail on the merits of this case.

10. That if the public policy of the State is that there is no irreparable harm from engaging in the alarm systems business without being licensed our legislature would not have passed the Act and thereby required a license. All other licensed businesses, and well as the public, are harmed by the conduct of Defendant and this injury is irreparable.

11. That Defendant has—and continues to—violate the laws of the State of North Carolina even after being advised of the license requirements and ordered to Cease and Desist.

12. That Defendant's actions are an immediate and direct threat to the public health, safety, and welfare, the Defendant's failure to be licensed constitutes irreparable harm, and there is a likelihood of success on the merits of Plaintiff's case.

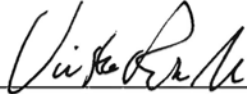
IT IS HEREBY ORDERED that a Preliminary Injunction is entered enjoining Defendant and Defendant's officers, agents, and employees from installing any further camera systems or servicing any existing camera system as such systems are defined by the Act.

IT IS FURTHER ORDERED that Defendant is not enjoined from installing any further camera systems or servicing any existing cameras systems as such systems are defined by the Act if said installation or service is supervised or completed by a third-party company that is licensed by Plaintiff.

IT IS FURTHER ORDERED that the Plaintiff is an agency of the State of North Carolina and no bond shall be required.

IT IS FURTHER ORDERED that Court will hold a status conference during the Court session beginning Monday, November 27, 2023 regarding this Preliminary Injunction and the Defendant's attempts to obtain its license.

This the 30th day of October, 2023.



Vinston M. Rozier, Jr.
Superior Court Judge Presiding

FILED
DATE: October 26, 2023
TIME: 10/26/2023 7:10:43 AM
WAKE COUNTY
SUPERIOR COURT JUDGES OFFICE

STATE OF NORTH CAROLINA BY: SS IN THE GENERAL COURT OF JUSTICE
COUNTY OF WAKE SUPERIOR COURT DIVISION
23CV003667-910

NORTH CAROLINA ALARM)
SYSTEMS LICENSING BOARD,)
)
Plaintiff,)
)
v.)
)
FLOCK GROUP, INC. d/b/a FLOCK)
SAFETY,)
)
Defendant.)

ORDER GRANTING
TEMPORARY
RESTRAINING ORDER

THIS MATTER, coming before the undersigned Judge of Superior Court on Plaintiff's verified Complaint for Injunctive Relief and subsequent Motion for Temporary Restraining Order pending a hearing on Plaintiff's verified Complaint for Injunctive Relief, and based upon a review of the verified Complaint, presentation of documents at the hearing, and argument of counsel for the Plaintiff Board and for the Defendant, the Court finds as follows:

1. The Plaintiff filed a verified Complaint for Injunctive Relief in Wake County Superior Court on March 3, 2023, seeking to enjoin Defendant from violating the Alarm Systems Licensing Act, Chapter 74 of the North Carolina General Statutes, by advertising, contracting, and installing a camera system that reads motor vehicle license plates, stores that information, then uses it to detect criminal, unauthorized or illegal activity.
2. That a copy of Plaintiff's verified Complaint was attached to Plaintiff's Motion and incorporated therein.
3. That Defendant had been under investigation by the Plaintiff Board for over a year for engaging in unlicensed activity related to the Plaintiff's Complaint.

4. That Defendant is subject to a Cease & Desist letter from Plaintiff Board and is fully aware that Plaintiff Board has taken the position that a license to conduct Defendant's business in North Carolina is required.

5. That Defendant disputes that its business activities are governed by the Alarm Systems Licensing Act, Chapter 74 of the North Carolina General Statutes.

6. The Defendant has continued to contract for installation of its system for municipalities, universities, and homeowners associations.

7. That Plaintiff Board believes Defendant has—and continues to—violate the laws of the State of North Carolina even after being advised of the license requirements.

8. That Defendant's actions are an immediate and direct threat to the public health, safety, and welfare, the Defendant's failure to be licensed constitutes irreparable harm, and there is a likelihood of success on the merits of Plaintiff's case.

IT IS HEREBY ORDERED that a Temporary Restraining Order is entered enjoining Defendant and Defendant's officers, agents, and employees from contracting new business for (a) fulfill any existing contracts by installation of the system (b) the installation of its camera system, and (c) otherwise providing alarm systems business services of any kind, or otherwise holding itself out as engaged in the alarm systems business services in North Carolina as defined by the Alarm Systems Licensing Act. This Order is hereby issued on this the 9th day of October, 2023, at 10:49 a.m. This Temporary Restraining Order shall be effective until the 23rd day of October, 2023, at 10:00 a.m.

IT IS FURTHER ORDERED that the Plaintiff is an agency of the State of North Carolina and no bond shall be required.

A hearing on the Plaintiff's Preliminary Injunction shall be held at the Wake County Superior Court, Wake County Courthouse, Courtroom 10-A, Raleigh, North Carolina on the 23rd day of October, 2023, at 10:00 a.m. or as soon thereafter as the Court may reach said matter.

10/24/2023



G. Bryan Collins, Jr.
Superior Court Judge Presiding

Sherwin, Paul

From: Sherwin, Paul
Sent: Thursday, August 11, 2022 8:42 AM
To: Gray, Jeffrey
Cc: Odom, Kim; Daniels, George G
Subject: RE: [External] FW: September 15 ASLB Meeting - Flock Safety

Jeff,

No, no problem. We'll defer it.

Thanks,

Paul Sherwin

Director

NCDPS Private Protective Services

[*Alarm Systems Licensing Board*](#)

[*Private Protective Services Board*](#)

Main Office: 919-788-5320

Direct: 984-220-8625

Cell: 919-218-1549

E-mail: paul.sherwin@ncdps.gov

[3101 Industrial Dr, Suite 104](#)

[Raleigh, NC 27609](#)

From: Gray, Jeffrey [REDACTED]
Sent: Wednesday, August 10, 2022 7:26 PM
To: Sherwin, Paul <paul.sherwin@ncdps.gov>
Subject: [External] FW: September 15 ASLB Meeting - Flock Safety

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Paul:

See, below. Do you have any problem with deferring Flock Safety until the November Board meeting?

Jeff

From: Beaver, Ryan [REDACTED]
Sent: Tuesday, August 9, 2022 1:50 PM
To: Gray, Jeffrey [REDACTED]
Subject: September 15 ASLB Meeting - Flock Safety

Jeff,

I hope you are doing well. I have recently been notified that I am on a trial calendar the week of the ASLB Meeting in September. If my notes are correct, the meeting is schedule for 9/15 at 1:00 pm.

Can you please advise whether it would be possible for us to reschedule my appearance before the board to discuss the policy implications of the issues raised by Flock Safety at last month's grievance hearing for the next meeting, which I believe will be in November.

Thank you,

Ryan



Ryan L. Beaver

Partner

e: [REDACTED] w: bradley.com

d: [REDACTED] .782.1671

Bradley Arant Boult Cummings LLP

Truist Center, 214 North Tryon Street, Suite 3700

Charlotte, NC 28202-1078

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North Carolina Department of Public Safety

Alarm Systems Licensing Board

Roy Cooper, Governor
Eddie M. Buffaloe Jr., Secretary

Stephen Wheeler, Chair
Paul Sherwin, Director

COMPLAINT FROM

July 25, 2022

COMPLAINT AGAINST

Garrett Langley
2870 Peachtree Road #708
Atlanta, GA 30305-2918

CASE NUMBER

2022-ASLB-001

BOARD FINDINGS

RE: Review of Complaint by the Alarm Systems Licensing Board

STATUTE / RULE: Possible violation of NCGS 74D-2

This Notice is to inform you that the above-referenced Complaint was presented to the Grievance Committee on Thursday, July 20, 2022, for their informal review. The Committee made the following recommendation:

Defer to the September 2022 Board meeting and refer this matter to the full Board for consideration.

On July 21, 2022, the Alarm Systems Licensing Board took the following action:

Accepted.

Any further questions about this matter should be directed to the Licensing Section of this office.

Sincerely,

Stephen Wheeler
Chairperson

Paul Sherwin
Director

cc: Garrett Langley

Certified Mail/Return Receipt Requested

MAILING ADDRESS:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609



www.ncdps.gov/asl
An Equal Opportunity employer

OFFICE LOCATION:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609
Telephone: (919) 788-5320
Email: ppsasl@ncdps.gov

**MINUTES OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD**

DATE: November 17, 2022

TIME: 1:00 P.M.

PLACE: Hampton Inn and Suites – Raleigh/Crabtree
3920 Arrow Dr.
Raleigh, NC 27609

**SUBMITTED
BY:** Paul Sherwin, Director

MEMBERS PRESENT

Stephen Wheeler (virtual)
Jim Crabtree
Mack Donaldson
Mary Wood
Caroline Brown

MEMBERS ABSENT

Larry Proctor
Robert Graham

STAFF PRESENT

Director Paul Sherwin
Attorney Jeff Gray
Field Services Supervisor Kim Odom
ASLB Board Secretary Syconda Marrow (virtual)
Deputy Secretary Caroline Valand
Gary Bullard
George Daniels
Darla Cole
Lee Kelly
Daniel Cheatham

STAFF ABSENT

VISITORS

Dwayne Guerrero
Jennifer Baratta
William Moore

The November 17, 2022, meeting of the North Carolina Alarm Systems Licensing Board was called to order by Vice-Chair Jim Crabtree at 1:00 P.M.

Attorney Jeff Gray read the following statement:

"In accordance with the State Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and the appearance of conflict. If any Member has any known conflict of interest or appearance of conflict with respect to any matter coming before this Board today, please identify the conflict or appearance of conflict and refrain from the deliberation and vote in that matter."

Vice-Chair Jim Crabtree welcomed all guests.

FINAL AGENCY DECISION

Attorney Jeff Gray recused himself as counsel to the Board and presented the Proposal for Decision written by Administrative Law Judge Stacey Bice Bawtinhimer in the case of James Bryan Talton v. North Carolina Alarm Systems Licensing Board.

CAROLINE BROWN MADE A MOTION TO ACCEPT JUDGE BAWTINHIMER'S RECOMMENDATION THAT JAMES TALTON BE ISSUED AN ALARM REGISTRATION. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

SEPTEMBER 2022 MEETING MINUTES

CAROLINE BROWN MADE A MOTION TO ACCEPT THE NOVEMBER 17, 2022, BOARD MEETING MINUTES. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

COMMITTEE REPORTS

Caroline Brown presented the Grievance Committee report. The Committee met on November 17, 2022, from 9:00 A.M. to 10:19 A.M. and heard a total of nine cases.

See attachment for the full Grievance Committee Report.

MACK DONALDSON MADE A MOTION TO APPROVE THE GRIEVANCE COMMITTEE REPORT. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

Jim Crabtree presented the Screening Committee report. The Committee met on November 17, 2022, from 11:05 A.M. to 11:59 A.M. to review a total of 10 license applications and one license reinstatement denial appeal.

See attachment for the full Screening Committee Report.

CAROLINE BROWN MADE A MOTION TO ACCEPT THE SCREENING COMMITTEE REPORT. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

Mack Donaldson presented the Training and Education Committee Report. The Committee evaluated five applications for new continuing education courses and recommended denying all

five due to three of the courses being too long (24 hours) and two courses lacking enough relevant information.

See attachment for the full Continuing Education Committee Report.

CAROLINE BROWN MADE A MOTION TO ACCEPT THE TRAINING AND EDUCATION COMMITTEE REPORT. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

OLD BUSINESS

None.

NEW BUSINESS

Mack Donaldson discussed attending the annual conference of the International Association of Security and Investigative Regulators (IASIR) in Huntsville, Alabama, October 12-14, 2022. Attorney Jeff Gray and Director Paul Sherwin also attended. Mr. Donaldson explained that the conference included valuable information and topics from various speakers and presented a unique networking opportunity for regulators and industry members.

DIRECTOR'S REPORT

Director Paul Sherwin presented the Director's Report. The report included information about personnel changes, the status of the Board's active licensees and registrants, and a Board finances update.

See attachment for the full Director's Report.

MARY WOOD MADE A MOTION TO ACCEPT THE DIRECTOR'S REPORT. SECONDED BY MACK DONALDSON. MOTION CARRIED. NONE OPPOSED.

ATTORNEY'S REPORT

Attorney Jeff Gray delivered his Attorney's Report, which included updates about the status of consent agreements, pending administrative rules changes, and legislative updates.

See attachment for the full Attorney's Report.

CAROLINE BROWN MADE A MOTION TO ACCEPT THE ATTORNEY'S REPORT. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

GOOD OF THE ORDER

None.

CLOSED SESSION

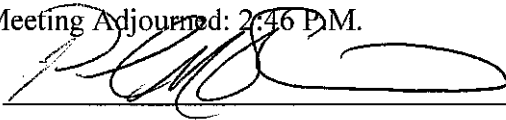
STEPHEN WHEELER MADE A MOTION TO GO INTO CLOSED SESSION TO CONSIDER A MATTER DEFERRED FROM THE JULY 21, 2022, GRIEVANCE COMMITTEE TO THE FULL BOARD AT THE REQUEST OF FLOCK SAFETY, THE SUBJECT OF THE INVESTIGATION. JIM CRABTREE SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.

CAROLINE BROWN MADE A MOTION TO RETURN TO OPEN SESSION. MARY WOOD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.

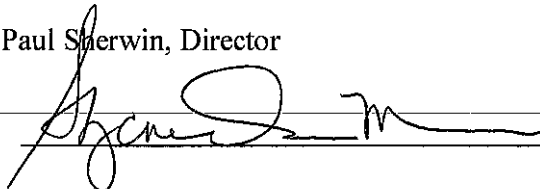
MOTION BY STEVEN WHEELER TO FIND FLOCK SAFETY IN VIOLATION OF G.S. 74D-2(a)(2) FOR INSTALLING CAMERAS USED TO DETECT CRIMES OR OTHER UNAUTHORIZED OR ILLEGAL ACTIVITY WITHOUT A LICENSE. CEASE AND DESIST TO BE CONTINUED. MARY WOOD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.

JIM CRABTREE MADE A MOTION TO ADJOURN. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

Meeting Adjourned: 2:46 P.M.



Paul Sherwin, Director



Syconda Marrow, Board Secretary

**MINUTES OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD
CLOSED SESSION**

DATE: November 17, 2022

TIME: 1:48 P.M.

PLACE: Hampton Inn and Suites – Raleigh/Crabtree
3920 Arrow Dr.
Raleigh, NC 27609

**SUBMITTED
BY:** Paul Sherwin, Director

MEMBERS PRESENT
Stephen Wheeler (virtual)
Jim Crabtree
Mack Donaldson
Mary Wood
Caroline Brown

MEMBERS ABSENT
Larry Proctor
Robert Graham

STAFF PRESENT
Director Paul Sherwin
Attorney Jeff Gray
Board Secretary Syconda Marrow (virtual)
Field Services Supervisor Kim Odom
Investigator George Daniels

THE FULL BOARD ENTERED A CLOSED SESSION ON THURSDAY, NOVEMBER 17, 2022 AT 1:48 P.M. TO CONSIDER A MATTER OF FLOCK SAFETY SINCE THE ISSUE INVOLVED A FACTUAL DETERMINATION UNDER G.S. 74D-2(a)(2).

PRESENT FOR FLOCK SAFETY WERE MIKE MOLINA, GENERAL COUNSEL, AND RYAN L. BEAVER, A PARTNER WITH THE LAW FIRM BRADLEY ARANT BOULT CUMMINGS, LLP, CHARLOTTE, NC.

PRESENT, IN ADDITION TO THE BOARD MEMBERS, WERE DIRECTOR PAUL SHERWIN, FIELD SERVICES SUPERVISOR KIM ODOM, INVESTIGATOR GEORGE DANIELS, BOARD SECRETARY SYCONDA MORROW, AND BOARD LEGAL COUNSEL JEFF GRAY.

FLOCK SAFETY EXPLAINED ITS BUSINESS MODEL AND THE APPLICATION OF, AND USES FOR, ITS PRODUCT, AND EXPLAINED ITS VIEW OF THE BOARD'S LAW AND WHY IT DID NOT APPLY TO THEM. THE SCOPE OF G.S. 74D-2(a)(2) WAS DISCUSSED AND DEBATED AT

LENGTH. THE BOARD MEMBERS VIEWED FLOCK SAFETY'S WEBSITE AND ITS
ASSERTIONS REGARDING THE SYSTEM IT SELLS AND HOW IT CAN BE USED.

Closed Session Adjourned: 2:40 P.M



Paul Sherwin, Director



Syconda Marrow, Board Secretary

Order Number2022-ASLB-008 **Product**

Complaint

Order Received

03/30/2022

StatusInvestigation Complete **Processor**

syconda.marrow

Board

ASLB

Payment History

No payment required.

Investigator: George Daniels george.g.daniels@ncdps.gov 3101 Industrial Drive, Suite 104 Raleigh, NC 27609 984-220-8624

Investigation Due Date: Monday, May 9th 2022

Complaint Submission: C74JSIOUY (/dynamic?orderid=C74JSIOUY)

Complaint Review for Board Meeting Date: 11/17/2022

Committee Result**Note**

Defer to the November 2022 Board meeting and refer this matter to the full Board for consideration.

Board Result

Accepted

Note

Find a violation of NCGS 74D-2. Continue the cease and desist previously issued to Garrett Langley and Flock Safety.

[Edit](#)**Allegation Information****Allegations**

NCGS 74D-2

Company**BPNs****Licensees**

Garrett Langley

[Edit](#)

Complainant Information Not Required to Submit

Your Name

First Name**Middle Name****Last Name****Suffix**

Organization Agency, if applicable

Organization Agency

Your Address

Address Line 1**Address Line 2****City****State**

Select ...

**Zip****Country**

United States

**County**☒ Mailing is same address as physical.

Your Phone Number

Primary Number

Your Email

Email Address

Who the complaint is against

Name of Company Manager/QA

First Name

Garrett

Middle Name

Last Name

Langley

Suffix

Company Name

Name of Company

Flock Safety

DBA

Company Address

Address Line 1

1170 Howell Mill Rd NW UNIT 210

Address Line 2

City

Atlanta

State

Georgia

Zip

30318

Country

United States

County

fulton

☒ Mailing is same address as physical.

Company Phone Numbers

Company Phone Number

(866) 901-1781

Company Fax Number

Enter Phone Number

Company Email QA/Licensee email if available

Email Address

Violation Information

Alleged Violation Date**Alleged Violation Location**

Witnesses

Are there any witnesses?

Witness List

Details of Complaint

★ Please give a description of complaint.

<https://www.wsoc.tv.com/news/local/license-plate-readers-added-concord-mills-monitor-criminal-activity/P7ERF7WXBGGCXJMP2VY5ZGTHHU/>

I've also seen these cameras in Matthews, NC

Additional Documentation Upload

Additional Documentation 1. **Additional Documentation 2.**

Additional Documentation 3.

Browse

Select file (.jpg, .jpeg, .png, .pdf)

Background Check:

Process	Status	Initials	Date	
CRC CHECK				
FP SENT				
FP RESULTS				

Comments:

Deferred to November 2022, per a request from Flock's attorney. See attached. -Paul 8/11/22

Re-Notice for date, time and place of July meeting sent 6/22/2022. SM

From: Sherwin, Paul <paul.sherwin@ncdps.gov>

Sent: Wednesday, May 4, 2022 8:30 AM

To: Odom, Kim <kim.odom@ncdps.gov>; Daniels, George G <george.g.daniels@ncdps.gov>

Subject: RE: [External] Re: FW: 2022-ASLB-008, Flock

Kim,

Deferral approved.

George: Please let Flock know this is the final deferral. They will need to appear at the July 2022 Grievance Committee hearing to request additional deferrals from the Committee.

Thanks,

Paul Sherwin
Director

Cease and desist issued in case 2022-ASLB-001, set for May 2022. ---Kim

PHOTO				
AUTHORIZED RELEASE				
CE CREDITS				

Process	Status	Initials	Date	
CE EXEMPT				
Deputy Director				
Comments:				
CWC				
Date Received				
TERMINATION DATE				

Investigator Notes (/interviewQuestions/complaintquestions/2022-ASLB-008)

Work Comments:

+ 8 Attached Documents

+ Add files...

File Name

Description

Attached By

Attached

Flock 2nd complaint form.pdf (/attachedFiles/2022-ASLB-008/1648672331448)
kim.odom

03/30/22 16:32



↓ Flock Nov 2022 Deferral Request.pdf (/attachedFiles/2022-ASLB-008/1660222030831)

paul.sherwin

08/11/22 08:47



↓ Flock 2nd Complaint Full Case File.pdf (/attachedFiles/2022-ASLB-008/1666984759902)

william.raften

10/28/22 15:19



↓ Flock agreement 2.jpg (/attachedFiles/2022-ASLB-008/1684946180551)

paul.sherwin

05/24/23 12:36



↓ Flock agreement.jpg (/attachedFiles/2022-ASLB-008/1684946183486)

paul.sherwin

05/24/23 12:36



↓ Gray letter to Flock Safety.pdf (/attachedFiles/2022-ASLB-008/1694028579186)

paul.sherwin

09/06/23 15:29



↓ Flock Prelim Injunc 23CV003667-910.pdf (/attachedFiles/2022-ASLB-008/1698942413442)

paul.sherwin

11/02/23 12:26



↓ Flock Safety TRO 23CV003667-910.pdf (/attachedFiles/2022-ASLB-008/1698942414927)

paul.sherwin

11/02/23 12:26

**Action Date:****Action User:****Action Type:****Description / Notes:**

3/30/22 4:29 PM

kim.odom

CreatedComplaint

Created complaint 2022-ASLB-008 from complaint submission C74JSIOUY

3/30/22 4:29 PM

kim.odom

OwnerChange

The application was moved to user 'george.g.daniels'.

3/30/22 4:30 PM

kim.odom

SaveProgress

The application data was updated.

5/4/22 3:55 PM

kim.odom

SaveProgress

The application data was updated.

5/4/22 3:55 PM

kim.odom

SaveProgress

The application data was updated.

6/23/22 10:20 AM

syconda.marrow

SaveProgress*The application data was updated.*

6/23/22 10:20 AM

syconda.marrow**SaveProgress***The application data was updated.*

6/23/22 10:25 AM

syconda.marrow**SaveProgress***The application data was updated.*

7/6/22 5:24 PM

george.g.daniels**InterviewUpdated***Interview Information Updated*

7/6/22 5:24 PM

george.g.daniels**OwnerChange***The application was moved to user 'kim.odom'.*

7/6/22 5:36 PM

kim.odom**InterviewUpdated***Interview Information Updated*

7/6/22 5:37 PM

kim.odom**InterviewUpdated***Interview Information Updated*

7/6/22 5:38 PM

kim.odom**InterviewUpdated***Interview Information Updated*

7/6/22 5:38 PM

kim.odom**InterviewUpdated***Interview Information Updated*

7/6/22 5:39 PM

kim.odom**OwnerChange***The application was moved to user 'amanda.rolle'.*

7/7/22 11:46 AM

george.g.daniels**InterviewUpdated***Interview Information Updated*

7/7/22 11:47 AM

george.g.daniels**OwnerChange***The application was moved to user 'kim.odom'.*

7/7/22 5:12 PM

kim.odom**InterviewUpdated***Interview Information Updated*

7/7/22 5:12 PM

kim.odom**InterviewUpdated***Interview Information Updated*

7/7/22 5:12 PM

kim.odom**InterviewUpdated***Interview Information Updated*

7/7/22 5:13 PM

kim.odom

OwnerChange

The application was moved to user 'amanda.rolle'.

7/13/22 11:20 AM

paul.sherwin

OwnerChange

The application was moved to user 'syconda.marrow'.

7/20/22 4:43 PM

syconda.marrow

SaveProgress

The application data was updated.

7/20/22 4:43 PM

syconda.marrow

SaveProgress

The application data was updated.

7/20/22 7:03 PM

paul.sherwin

SaveProgress

The application data was updated.

7/28/22 2:42 PM

syconda.marrow

SaveProgress

The application data was updated.

8/11/22 8:46 AM

paul.sherwin

SaveProgress

The application data was updated.

8/11/22 8:46 AM

paul.sherwin

SaveProgress

The application data was updated.

8/11/22 8:47 AM

paul.sherwin

SaveProgress

The application data was updated.

8/11/22 8:47 AM

paul.sherwin

SaveProgress

The application data was updated.

10/28/22 3:18 PM

william.raften

File Deleted

File attachment (Floc 2nd Complaint Full Case File.pdf) was deleted

11/21/22 2:38 PM

syconda.marrow

SaveProgress

The application data was updated.

11/21/22 2:38 PM

syconda.marrow

SaveProgress

The application data was updated.

5/24/23 12:36 PM

paul.sherwin

SaveProgress

The application data was updated.

8/30/23 11:41 AM

kim.odom

InterviewUpdated
Interview Information Updated
9/6/23 3:29 PM
paul.sherwin
SaveProgress
The application data was updated.
11/2/23 12:26 PM
paul.sherwin
SaveProgress
The application data was updated.

Move Order
Assign Inv
Order Pending
Request Documentation
Add Invoice (/dynamicapp/invoice/new?associatedOrderId=2022-ASLB-008)
Approve Order
Withdraw Order
Deny Order
Assess Fine
Allegations
Audit
Print Letter

Background Check		
CRC CHECK	☒	☐
FP SENT	☒	☐
FP RESULTS	☒	☐
PHOTO	☒	☐
AUTHORIZED RELEASE	☒	☐
CE CREDITS	☒	☐
CE EXEMPT	☒	☐
Deputy Director	☒	☐
CWC	☒	☐
Date Received	☒	☐
TERMINATION DATE	☒	☐

Save Progress
Print
Search Archive

11/20/2023

FINAL INVESTIGATIVE REPORT**FILE NUMBER:**

2022-ASLB-008

TO: Alarm Systems Licensing Board**FROM:** Investigator George Daniels**RE:****COMPLAINT FILED AGAINST:**Garrett Langley
Flock Safety
1170 Howell Mill Rd
NW UNIT 210
Atlanta, GA 30318**COMPLAINT FILED BY:**

OVERVIEW

Flock Safety and Security, Inc., is servicing and installing license reader camera systems in the NC area without the proper license in violation of NC74D-2. The information was obtained from a local television news report by Susanna Black (WSOC-TV, Charlotte, NC).

INTRODUCTION

An anonymous complaint was filed alleging that Mr. Langley, owner of Flock Safety Inc., Atlanta, GA was advertising and operating a license plate reader and surveillance camera service and installation business, without being properly licensed. The complainant provided information from a local news story that was aired in Charlotte, North Carolina where Flock had contracted with a mall in the area (Concord Mills Mall, Concord, NC) to install and monitor license plate readers throughout the mall parking lot. The news story stated that the company was working with the mall owners and local law enforcement in using possible information gathered in criminal investigations when suspicious activity is observed. Previous information had been documented that Flock Safety was selling and installing license plate reader camera systems to various locations throughout North Carolina to include local and state government. Further information disclosed that Flock Safety was operating without being properly licensed in accordance with NCGS 74-D. In viewing the website, information was found that Flock had advertised their business as a security systems service and installation company. The website of Flock Safety and Security states that the company installs security cameras and license plate readers at entrances and exits of neighborhoods and other locations.

During the initial interview of Mr. Robert Koon, Regional Director of Flock Safety and Security on February 15, 2022, he stated that his company were unaware of the need to be licensed by the NCASLB as the work they provided was in close coordination with local law enforcement to be used as a tool to assist in enforcing regulations and observing activities in the area. Mr. Koon was verbally advised of the Cease and Desist at which time he requested a deferral of the case to be heard on May 2022 NCASLB grievance meeting.

A Cease and Desist order was issued January 5, 2022.

These allegations would be possible violations of NCGS 74-D which states the following:

74D-2. License Required.

(a) License Required. - No person, firm, association, corporation, or department or division of a firm, association or corporation, shall engage in or hold itself out as engaging in an alarm systems business without first being licensed in accordance with this Chapter. A department or division of a firm, association, or corporation may be separately licensed under this Chapter if the distinct department or division, as opposed to the firm, association, or corporation as a whole, engages in an alarm systems business. The department or division shall ensure strict confidentiality of private security information, and the private security information of the department or division must, at a minimum, be physically separated from other premises of the firm, association, or corporation. For purposes of this Chapter an "alarm systems business" is defined as any person, firm, association or corporation that does any of the following:

- (1) Sells or attempts to sell an alarm system device by engaging in a personal solicitation at a residence or business to advise, design, or consult on specific types and specific locations of alarm system devices.
- (2) Installs, services, monitors, or responds to electrical, electronic or mechanical alarm signal devices, burglar alarms, monitored access control, or cameras used to detect burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity. This provision shall not apply to a locking device that records entry and exit data and does not transmit the data in real time to an on-site or off-site monitoring location, provided the installer is duly licensed by the North Carolina Locksmith Licensing Board

The following procedures were used in order to conduct a special review of these allegations:

Interviews:

Robert Koon, Flock Safety, Atlanta, GA

Mike Molina, Attorney, FS, Atlanta, GA

Ryan Beaver, Attorney, Beaver and Bradly, Raleigh, NC

Documents Reviewed:

ASL documentation pertaining to Flock Safety

Flock website and Facebook information

Alarm complaint case 2022-ALSB-001

WITNESS STATEMENTS AND INTERVIEWS

Robert Koon, Regional Supervisor, Flock Safety and Security, Inc., Morrisville, North Carolina (866) 901-1781:

On February 15, 2022, Mr. Koon was interviewed by this office pertaining to this complaint. Mr. Koon stated that he had several years' experience working with installing license reading cameras used at neighborhoods and malls for random and targeted (entrance and exits) surveillance. Mr. Koon stated that they are usually contacted by the interested party (HOA, Shopping Centers or Law Enforcement) to install and monitor the cameras. The information that is obtained from the cameras is coordinated with local law enforcement and/or contracted party for further action. Mr. Koon stated that he was unaware of any regulation or necessity for the company to obtain alarm license. Mr. Koon stated that he would consult with his company for further action on this issue. Mr. Koon stated that the position of Flock is to maximize neighborhood security with Flock Safety's License Plate Reading Cameras. License plate reading cameras work because most crime is committed with a vehicle. Therefore, whether it's vandalism, theft, or other suspicious activity, Flock Safety's technology quickly and objectively identifies a suspect's vehicle. If a crime does occur, Flock can automatically alert local law enforcement. He stated that Flock Safety is now in over 1,500 communities and partners with 1,200 law enforcement agencies in the nation.

Contact was again made with Mr. Koon in April 2022 pertaining to this case. Mr. Koon stated that the company attorney would be handling this matter and would be in contact with this office.

Mike Molina, Attorney for Flock Safety, Inc., Atlanta, Georgia, (415) 805-6738:

On April 2, 2022, contact was made with Mr. Molina via email. Mr. Molina stated that he would be representing the company and further requested additional time to prepare for the NCASLB grievance committee. The case was deferred until July 2022. All the pertinent documentation was sent to Mr. Molina for his review.

Ryan Beaver, Attorney at Law, Bradley Law Firm, Charlotte, NC (704) 338-6038:

On May 3, 2022, contact was made with Mr. Beaver pertaining to this investigation. Mr. Beaver was briefed on this investigation after informing this office that he was the local representative of Flock for this complaint. Mr. Beaver requested all documentation on this investigation, he was given copies of the complaint and corresponding documentation.

Flock Safety's website

Flock Safety's website was reviewed. Under the "products" tab is a heading for "Flock cameras" with the statement "Stop missing investigative leads. Flock has cameras for both neighborhood and police use." The website also states: "7/10 crimes are committed with the use of a vehicle. Capture the vehicle details you need to track leads and solve crime. Flock Safety's patented Vehicle Fingerprint™ technology lets you search by vehicle make, color, type, license plate, state of the license plate, missing plate, covered plate, paper plate, and unique vehicle details like roof racks, bumper stickers, and more."

Sgt. James Russ, Security Supervisor, Concord Security Police, 8111 Concord Mills Blvd., Concord, NC 28027, (704) 886-5000:

On June 29, 2022, contact was made with Sgt Russ pertaining to the operating procedures of the license plates cameras used at the mall. Sgt Russ stated that the system was installed and is serviced by Flock Safety, Inc. However, he stated that the system is controlled and monitored by the Concord Police Department, Concord, NC. He stated that if there is an investigation or a need for the security to be informed of any incidents they (mall security) are notified by the Police Department.

LICENSING/REGISTRATION HISTORY

None

DISCIPLINARY ACTIONS

No prior disciplinary history

SUMMARY OF INVESTIGATION

A complaint was made to this office that Flock Safety, Inc, was installing and servicing surveillance cameras at Concord Mills Mall, Concord, North Carolina area without being properly licensed. A cease-and-desist order was issued on 01/05/2022.

Mr. Koon (area representative for Flock Safety, Inc) was informed of this investigation and the fact that he could not operate an alarm company in NC without being properly licensed through the NCASLB. Mr. Koon stated that Flock Safety is a company developing public safety operating system that helps communities and law enforcement through use of surveillance camera and license readers. He stated that their services provide wireless and infrastructure-free cameras to capture the evidence police need to solve crimes.

From the information retrieved from the website and from the complainant, it was noted that Flock Safety was working in North Carolina without NCAS License.

Flock Safety violated the NCGS 74D-2 (a) (1) and (2) installing surveillance camera systems without being properly licensed.

VIOLATIONS

NCGS74D-2 (a) (1):

a) License Required. - No person, firm, association, corporation, or department or division of a firm, association or corporation, shall engage in or hold itself out as engaging in an alarm systems business without first being licensed in accordance with this Chapter. A department or division of a firm, association, or corporation may be separately licensed under this Chapter if the distinct department or division, as opposed to the firm, association, or corporation as a whole, engages in an alarm systems business. The department or division shall ensure strict confidentiality of private security information, and the private security information of the department or division must, at a minimum, be physically separated from other premises of the firm, association, or corporation. For purposes of this Chapter an "alarm systems business" is defined as any person, firm, association or corporation that does any of the following:

- (1) Sells or attempts to sell an alarm system device by engaging in a personal solicitation at a residence or business to advise, design, or consult on specific types and specific locations of alarm system devices
- (2) Installs, services, monitors, or responds to electrical, electronic or mechanical alarm signal devices, burglar alarms, monitored access control, or cameras used to detect burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity

Any alleged allegations or suggested resolution by the staff has not yet been reviewed by the North Carolina Alarm Systems Licensing Board or one of its Committees. You should understand that the once presented to the Board or Committee, the staff's position may be adopted, amended, or reversed.



North Carolina Department of Public Safety

Private Protective Services

Roy Cooper, Governor
Eddie Buffaloe, Jr., Secretary

Caroline Valand, Deputy Secretary
Paul Sherwin, Director

COMPLAINT FORM

Your Name _____
First Middle Last

Address _____
Street & Number City State

Complaint Against:

Name of Licensee _____ Garrett Langley

Company _____ Flock Safety

Address _____ 1170 Howell Mill Rd NW UNIT 210, Atlanta, GA 30318
Street & Number City State

Telephone _____ (866) 901-1781

Date(s) of Alleged Violation _____ February 17, 2022

Location of Alleged Violation _____ Concord, NC

Are there any witnesses? Yes ___ No ___ If yes, list their name(s), address(es) and telephone number(s):

Explain the nature of your complaint in detail (you may attach additional sheets):

<https://www.wsoc.tv.com/news/local/license-plate-readers-added-concord-mills-monitor-criminal-activity/P7ERF7WXBGCXJMP2VY5ZGTHHU/>

I've also seen these cameras in Matthews, NC

MAILING ADDRESS:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609



www.ncdps.gov/pps
An Equal Opportunity employer

OFFICE LOCATION:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609
Telephone: (919) 788-5320
Email: ppsasl@ncdps.gov

IMPORTANT NOTE: In accordance with the North Carolina Public Records Act [N.C.G.S. 132] this form will be sent to the individual you are complaining about along with any attachments you submit with this complaint.

“I hereby certify that all statements and allegations set forth in the complaint are true and accurate to the best of my knowledge.”

Sherwin, Paul

From: Sherwin, Paul
Sent: Thursday, August 11, 2022 8:42 AM
To: Gray, Jeffrey
Cc: Odom, Kim; Daniels, George G
Subject: RE: [External] FW: September 15 ASLB Meeting - Flock Safety

Jeff,

No, no problem. We'll defer it.

Thanks,

Paul Sherwin

Director

NCDPS Private Protective Services

[*Alarm Systems Licensing Board*](#)

[*Private Protective Services Board*](#)

Main Office: 919-788-5320

Direct: 984-220-8625

Cell: 919-218-1549

E-mail: paul.sherwin@ncdps.gov

[3101 Industrial Dr, Suite 104](#)

[Raleigh, NC 27609](#)

From: Gray, Jeffrey [REDACTED]
Sent: Wednesday, August 10, 2022 7:26 PM
To: Sherwin, Paul <paul.sherwin@ncdps.gov>
Subject: [External] FW: September 15 ASLB Meeting - Flock Safety

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Paul:

See, below. Do you have any problem with deferring Flock Safety until the November Board meeting?

Jeff

From: Beaver, Ryan [REDACTED]
Sent: Tuesday, August 9, 2022 1:50 PM
To: Gray, Jeffrey [REDACTED]
Subject: September 15 ASLB Meeting - Flock Safety

Jeff,

I hope you are doing well. I have recently been notified that I am on a trial calendar the week of the ASLB Meeting in September. If my notes are correct, the meeting is schedule for 9/15 at 1:00 pm.

Can you please advise whether it would be possible for us to reschedule my appearance before the board to discuss the policy implications of the issues raised by Flock Safety at last month's grievance hearing for the next meeting, which I believe will be in November.

Thank you,

Ryan



Ryan L. Beaver

Partner

e: [REDACTED] w: bradley.com

d: [REDACTED] .782.1671

Bradley Arant Boult Cummings LLP

Truist Center, 214 North Tryon Street, Suite 3700

Charlotte, NC 28202-1078

[LinkedIn](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [Blogs](#) | [My Bio](#)

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Signatures on reverse

5-18-23

Proposed Settlement

- ① Flock Safety will apply for licensure w/ ASLB by June 1, 2023.

(a) It is understood that licensure will not be final until electrical license by qualifier is obtained

~~②~~

- ② Flock Safety will not pursue, bid, or enter new contracts until licensed.

(a) Flock will note on its website that licensure is pending NC

- ③ Flock Safety will partner w/ a licensed installer to perform existing contracts.

- ④ Flock will provide information re: first work and # of open contracts in NC for purposes of determining Past license fees due.

~~⑤~~

- ⑤ Board will consider Flock's application @ July 20, 2023 meeting

Ryan Lee Beaver

Ryan Beaver for
Flock Safety

Jeff Gray

Jeff Gray for
ADLB

Flock Safety will not receive bid or
enter new contracts until license

(2) Flock will note on its website
that license is pending NC.

(3) Flock Safety will enter into a
license installer to perform
existing contracts.

(4) Flock will provide information re:
first work and # of open contracts
in NC for purposes of determining
past license fees due.

(5) Board will consider Flock's
application @ July 50, 2053 meeting

September 6, 2023

Via Electronic Mail & U. S. Mail

Ryan L. Beaver
Bradley
214 North Tryon Street, Suite 3700
Charlotte, NC 28202

Re: *N. C. Alarm Systems Licensing Board v. Flock Group, Inc. d/b/a Flock Safety, 23 CVS 3667-910 Wake County*
Our File: 3394,000001

Dear Ryan:

I realize "formal" letters are rarely used by attorneys (and others) anymore, but I wish to convey the seriousness of this matter.

I recognize that you and I have tentatively resolved this case, however, I see no signs your client takes this matter seriously. Flock Safety is subject to a Cease and Desist from the Board but continues to solicit business, and sign contracts, as recently as July 1st with the Town of Apex. I have received calls and e-mails from municipal and police attorneys advising me that representatives of Flock Safety have told them that the lawsuit is settled and it is licensed to do business; it is not.

Flock Safety's attempts at licensure have been half-hearted, at best:

- Flock's Qualify Agent, Daniel Moreno, missed the agreed upon application deadline of June 1, 2023.
- To date, Mr. Moreno has not provided documentation of experience to qualify for the license. Nor has he completed the Certified Alarm Technician Level 1 course. Therefore, we don't know if he qualifies for the license.
- To date, Mr. Moreno does not hold a N. C. electrical license and Flock Safety has not given the Board the name of any person employed with Flock in N. C. who does.
- To date, Mr. Moreno has failed to provide detailed disposition information related to criminal charges in California from 2002 and 2007.
- To date, Mr. Moreno has failed to provide an explanation for his unfavorable credit report.

I have been consistent in asking you the status of the proposed Settlement Agreement and insistent it now be a Consent Order signed by a Superior Court Judge due to Flock Safety's pattern of conduct. I have received no response.

Ryan L. Beaver
September 6, 2023
Page 2

Here is how this is going to go: I will give Flock seven (7) days from the date of this letter to file an Answer. Whether it does or not, on the eighth day I will file and calendar either a Motion for Summary Judgment or calendar the hearing on the injunction.

Further, at the Board's next meeting, which is Thursday, September 21st, I will ask that the offer of settlement be withdrawn.

Very truly yours,

BAILEY & DIXON, LLP



Jeffrey R. Gray

JPG:alb

cc: Stephen Wheeler, Chair (via e-mail)
Paul Sherwin, Director (via e-mail)

00591257



BAILEY & DIXON, LLP

FILED
DATE: October 31, 2023
TIME: 10/31/2023 11:52:38 AM
WAKE COUNTY
SUPERIOR COURT JUDGES OFFICE

STATE OF NORTH CAROLINA BY: S. Smallwood IN THE GENERAL COURT OF JUSTICE
COUNTY OF WAKE SUPERIOR COURT DIVISION
23CV003667-910

NORTH CAROLINA ALARM)
SYSTEMS LICENSING BOARD,)
)
Plaintiff,)
)
v.)
)
FLOCK GROUP, INC. d/b/a FLOCK)
SAFETY,)
)
Defendant.)

ORDER
PARTIALLY GRANTING
PRELIMINARY
INJUNCTION

THIS MATTER, coming before the undersigned Judge of Superior Court on Plaintiff's verified Complaint for Injunctive Relief, subsequent Motion for Temporary Restraining Order and resulting Order Granting Temporary Restraining Order ("TRO"), and based upon a review of the verified Complaint, Affidavit, Order Granting TRO, case law, exhibits, Memorandum of Law, and Affidavits, and the arguments of counsel for Plaintiff and Defendant, the Court finds as follows:

1. That Plaintiff filed a verified Complaint for Injunctive Relief in Wake County Superior Court on March 3, 2023, seeking to enjoin Defendant from violating the Alarm Systems Licensing Act, Chapter 74 of the North Carolina General Statutes (the "Act").
2. That Plaintiff's verified Complaint alleges Defendant is violating the Act, by advertising, contracting, and installing a camera system that reads motor vehicle license plates, stores that information, then uses it to detect criminal, unauthorized or illegal activity.
3. That a copy of Plaintiff's verified Complaint was attached to Plaintiff's Motion for Temporary Restraining Order and incorporated therein.

4. That Defendant had been under investigation by Plaintiff for over a year for engaging in the alleged unlicensed activity outlined in Plaintiff's Complaint.

5. That Defendant is subject to a Cease & Desist letter and Defendant is fully aware that a license is required for Defendant to conduct business in North Carolina.

6. That Defendant has applied to be licensed but has not yet completed the process.

7. That although unlicensed, Defendant has continued to advertise, solicit contracts, contract for installation, and install its system for municipalities, universities, and homeowners associations.

8. That Plaintiff contends its cameras do not "detect" unauthorized or illegal activity as prescribed by N. C. Gen. Stat. §74D-2(a)(2) thereby requiring licensure.

9. That Plaintiff Board's interpretation of its licensing requirements is reasonable, and in keeping with its Act, the spirit of the Act, and what the Act seeks to accomplish and there is a likelihood Plaintiff will prevail on the merits of this case.

10. That if the public policy of the State is that there is no irreparable harm from engaging in the alarm systems business without being licensed our legislature would not have passed the Act and thereby required a license. All other licensed businesses, and well as the public, are harmed by the conduct of Defendant and this injury is irreparable.

11. That Defendant has—and continues to—violate the laws of the State of North Carolina even after being advised of the license requirements and ordered to Cease and Desist.

12. That Defendant's actions are an immediate and direct threat to the public health, safety, and welfare, the Defendant's failure to be licensed constitutes irreparable harm, and there is a likelihood of success on the merits of Plaintiff's case.

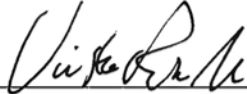
IT IS HEREBY ORDERED that a Preliminary Injunction is entered enjoining Defendant and Defendant's officers, agents, and employees from installing any further camera systems or servicing any existing camera system as such systems are defined by the Act.

IT IS FURTHER ORDERED that Defendant is not enjoined from installing any further camera systems or servicing any existing cameras systems as such systems are defined by the Act if said installation or service is supervised or completed by a third-party company that is licensed by Plaintiff.

IT IS FURTHER ORDERED that the Plaintiff is an agency of the State of North Carolina and no bond shall be required.

IT IS FURTHER ORDERED that Court will hold a status conference during the Court session beginning Monday, November 27, 2023 regarding this Preliminary Injunction and the Defendant's attempts to obtain its license.

This the 30th day of October, 2023.



Vinston M. Rozier, Jr.
Superior Court Judge Presiding

FILED
DATE: October 26, 2023
TIME: 10/26/2023 7:10:43 AM
WAKE COUNTY
SUPERIOR COURT JUDGES OFFICE

STATE OF NORTH CAROLINA BY: SS IN THE GENERAL COURT OF JUSTICE
COUNTY OF WAKE SUPERIOR COURT DIVISION
23CV003667-910

NORTH CAROLINA ALARM)
SYSTEMS LICENSING BOARD,)
)
Plaintiff,)
)
v.)
)
FLOCK GROUP, INC. d/b/a FLOCK)
SAFETY,)
)
Defendant.)

ORDER GRANTING
TEMPORARY
RESTRAINING ORDER

THIS MATTER, coming before the undersigned Judge of Superior Court on Plaintiff's verified Complaint for Injunctive Relief and subsequent Motion for Temporary Restraining Order pending a hearing on Plaintiff's verified Complaint for Injunctive Relief, and based upon a review of the verified Complaint, presentation of documents at the hearing, and argument of counsel for the Plaintiff Board and for the Defendant, the Court finds as follows:

1. The Plaintiff filed a verified Complaint for Injunctive Relief in Wake County Superior Court on March 3, 2023, seeking to enjoin Defendant from violating the Alarm Systems Licensing Act, Chapter 74 of the North Carolina General Statutes, by advertising, contracting, and installing a camera system that reads motor vehicle license plates, stores that information, then uses it to detect criminal, unauthorized or illegal activity.
2. That a copy of Plaintiff's verified Complaint was attached to Plaintiff's Motion and incorporated therein.
3. That Defendant had been under investigation by the Plaintiff Board for over a year for engaging in unlicensed activity related to the Plaintiff's Complaint.

4. That Defendant is subject to a Cease & Desist letter from Plaintiff Board and is fully aware that Plaintiff Board has taken the position that a license to conduct Defendant's business in North Carolina is required.

5. That Defendant disputes that its business activities are governed by the Alarm Systems Licensing Act, Chapter 74 of the North Carolina General Statutes.

6. The Defendant has continued to contract for installation of its system for municipalities, universities, and homeowners associations.

7. That Plaintiff Board believes Defendant has—and continues to—violate the laws of the State of North Carolina even after being advised of the license requirements.

8. That Defendant's actions are an immediate and direct threat to the public health, safety, and welfare, the Defendant's failure to be licensed constitutes irreparable harm, and there is a likelihood of success on the merits of Plaintiff's case.

IT IS HEREBY ORDERED that a Temporary Restraining Order is entered enjoining Defendant and Defendant's officers, agents, and employees from contracting new business for (a) fulfill any existing contracts by installation of the system (b) the installation of its camera system, and (c) otherwise providing alarm systems business services of any kind, or otherwise holding itself out as engaged in the alarm systems business services in North Carolina as defined by the Alarm Systems Licensing Act. This Order is hereby issued on this the 9th day of October, 2023, at 10:49 a.m. This Temporary Restraining Order shall be effective until the 23rd day of October, 2023, at 10:00 a.m.

IT IS FURTHER ORDERED that the Plaintiff is an agency of the State of North Carolina and no bond shall be required.

A hearing on the Plaintiff's Preliminary Injunction shall be held at the Wake County Superior Court, Wake County Courthouse, Courtroom 10-A, Raleigh, North Carolina on the 23rd day of October, 2023, at 10:00 a.m. or as soon thereafter as the Court may reach said matter.

10/24/2023



G. Bryan Collins, Jr.
Superior Court Judge Presiding

**MINUTES OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD**

DATE: November 17, 2022

TIME: 1:00 P.M.

PLACE: Hampton Inn and Suites – Raleigh/Crabtree
3920 Arrow Dr.
Raleigh, NC 27609

**SUBMITTED
BY:** Paul Sherwin, Director

MEMBERS PRESENT
Stephen Wheeler (virtual)
Jim Crabtree
Mack Donaldson
Mary Wood
Caroline Brown

MEMBERS ABSENT
Larry Proctor
Robert Graham

STAFF PRESENT
Director Paul Sherwin
Attorney Jeff Gray
Field Services Supervisor Kim Odom
ASLB Board Secretary Syconda Marrow (virtual)
Deputy Secretary Caroline Valand
Gary Bullard
George Daniels
Darla Cole
Lee Kelly
Daniel Cheatham

STAFF ABSENT

VISITORS
Dwayne Guerrero
Jennifer Baratta
William Moore

The November 17, 2022, meeting of the North Carolina Alarm Systems Licensing Board was called to order by Vice-Chair Jim Crabtree at 1:00 P.M.

Attorney Jeff Gray read the following statement:

"In accordance with the State Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and the appearance of conflict. If any Member has any known conflict of interest or appearance of conflict with respect to any matter coming before this Board today, please identify the conflict or appearance of conflict and refrain from the deliberation and vote in that matter."

Vice-Chair Jim Crabtree welcomed all guests.

FINAL AGENCY DECISION

Attorney Jeff Gray recused himself as counsel to the Board and presented the Proposal for Decision written by Administrative Law Judge Stacey Bice Bawtinhimer in the case of James Bryan Talton v. North Carolina Alarm Systems Licensing Board.

CAROLINE BROWN MADE A MOTION TO ACCEPT JUDGE BAWTINHIMER'S RECOMMENDATION THAT JAMES TALTON BE ISSUED AN ALARM REGISTRATION. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

SEPTEMBER 2022 MEETING MINUTES

CAROLINE BROWN MADE A MOTION TO ACCEPT THE NOVEMBER 17, 2022, BOARD MEETING MINUTES. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

COMMITTEE REPORTS

Caroline Brown presented the Grievance Committee report. The Committee met on November 17, 2022, from 9:00 A.M. to 10:19 A.M. and heard a total of nine cases.

See attachment for the full Grievance Committee Report.

MACK DONALDSON MADE A MOTION TO APPROVE THE GRIEVANCE COMMITTEE REPORT. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

Jim Crabtree presented the Screening Committee report. The Committee met on November 17, 2022, from 11:05 A.M. to 11:59 A.M. to review a total of 10 license applications and one license reinstatement denial appeal.

See attachment for the full Screening Committee Report.

CAROLINE BROWN MADE A MOTION TO ACCEPT THE SCREENING COMMITTEE REPORT. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

Mack Donaldson presented the Training and Education Committee Report. The Committee evaluated five applications for new continuing education courses and recommended denying all

five due to three of the courses being too long (24 hours) and two courses lacking enough relevant information.

See attachment for the full Continuing Education Committee Report.

CAROLINE BROWN MADE A MOTION TO ACCEPT THE TRAINING AND EDUCATION COMMITTEE REPORT. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

OLD BUSINESS

None.

NEW BUSINESS

Mack Donaldson discussed attending the annual conference of the International Association of Security and Investigative Regulators (IASIR) in Huntsville, Alabama, October 12-14, 2022. Attorney Jeff Gray and Director Paul Sherwin also attended. Mr. Donaldson explained that the conference included valuable information and topics from various speakers and presented a unique networking opportunity for regulators and industry members.

DIRECTOR'S REPORT

Director Paul Sherwin presented the Director's Report. The report included information about personnel changes, the status of the Board's active licensees and registrants, and a Board finances update.

See attachment for the full Director's Report.

MARY WOOD MADE A MOTION TO ACCEPT THE DIRECTOR'S REPORT. SECONDED BY MACK DONALDSON. MOTION CARRIED. NONE OPPOSED.

ATTORNEY'S REPORT

Attorney Jeff Gray delivered his Attorney's Report, which included updates about the status of consent agreements, pending administrative rules changes, and legislative updates.

See attachment for the full Attorney's Report.

CAROLINE BROWN MADE A MOTION TO ACCEPT THE ATTORNEY'S REPORT. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

GOOD OF THE ORDER

None.

CLOSED SESSION

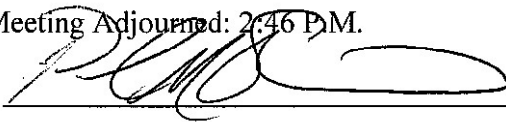
STEPHEN WHEELER MADE A MOTION TO GO INTO CLOSED SESSION TO CONSIDER A MATTER DEFERRED FROM THE JULY 21, 2022, GRIEVANCE COMMITTEE TO THE FULL BOARD AT THE REQUEST OF FLOCK SAFETY, THE SUBJECT OF THE INVESTIGATION. JIM CRABTREE SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.

CAROLINE BROWN MADE A MOTION TO RETURN TO OPEN SESSION. MARY WOOD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.

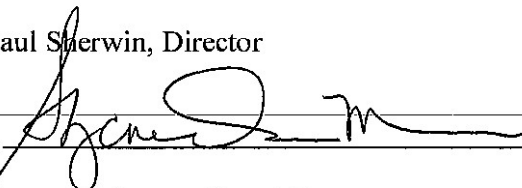
MOTION BY STEVEN WHEELER TO FIND FLOCK SAFETY IN VIOLATION OF G.S. 74D-2(a)(2) FOR INSTALLING CAMERAS USED TO DETECT CRIMES OR OTHER UNAUTHORIZED OR ILLEGAL ACTIVITY WITHOUT A LICENSE. CEASE AND DESIST TO BE CONTINUED. MARY WOOD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.

JIM CRABTREE MADE A MOTION TO ADJOURN. SECONDED BY MARY WOOD. MOTION CARRIED. NONE OPPOSED.

Meeting Adjourned: 2:46 P.M.



Paul Sherwin, Director



Syconda Marrow, Board Secretary

**MINUTES OF THE
NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD
CLOSED SESSION**

DATE: November 17, 2022

TIME: 1:48 P.M.

PLACE: Hampton Inn and Suites – Raleigh/Crabtree
3920 Arrow Dr.
Raleigh, NC 27609

**SUBMITTED
BY:** Paul Sherwin, Director

MEMBERS PRESENT
Stephen Wheeler (virtual)
Jim Crabtree
Mack Donaldson
Mary Wood
Caroline Brown

MEMBERS ABSENT
Larry Proctor
Robert Graham

STAFF PRESENT
Director Paul Sherwin
Attorney Jeff Gray
Board Secretary Syconda Marrow (virtual)
Field Services Supervisor Kim Odom
Investigator George Daniels

THE FULL BOARD ENTERED A CLOSED SESSION ON THURSDAY, NOVEMBER 17, 2022 AT 1:48 P.M. TO CONSIDER A MATTER OF FLOCK SAFETY SINCE THE ISSUE INVOLVED A FACTUAL DETERMINATION UNDER G.S. 74D-2(a)(2).

PRESENT FOR FLOCK SAFETY WERE MIKE MOLINA, GENERAL COUNSEL, AND RYAN L. BEAVER, A PARTNER WITH THE LAW FIRM BRADLEY ARANT BOULT CUMMINGS, LLP, CHARLOTTE, NC.

PRESENT, IN ADDITION TO THE BOARD MEMBERS, WERE DIRECTOR PAUL SHERWIN, FIELD SERVICES SUPERVISOR KIM ODOM, INVESTIGATOR GEORGE DANIELS, BOARD SECRETARY SYCONDA MORROW, AND BOARD LEGAL COUNSEL JEFF GRAY.

FLOCK SAFETY EXPLAINED ITS BUSINESS MODEL AND THE APPLICATION OF, AND USES FOR, ITS PRODUCT, AND EXPLAINED ITS VIEW OF THE BOARD'S LAW AND WHY IT DID NOT APPLY TO THEM. THE SCOPE OF G.S. 74D-2(a)(2) WAS DISCUSSED AND DEBATED AT

LENGTH. THE BOARD MEMBERS VIEWED FLOCK SAFETY'S WEBSITE AND ITS
ASSERTIONS REGARDING THE SYSTEM IT SELLS AND HOW IT CAN BE USED.

Closed Session Adjourned: 2:40 P.M



Paul Sherwin, Director



Syconda Marrow, Board Secretary



North Carolina Department of Public Safety

Alarm Systems Licensing Board

Roy Cooper, Governor
Eddie M. Buffaloe Jr., Secretary

Stephen Wheeler, Chair
Paul Sherwin, Director

COMPLAINT FROM

July 25, 2022

COMPLAINT AGAINST

Garrett Langley
Flock Group Inc. dba Flock Safety
1170 Howell Mill Rd NW UNIT 210
Atlanta, GA 30318

CASE NUMBER

2022-ASLB-008

BOARD FINDINGS

RE: Review of Complaint by the Alarm Systems Licensing Board

STATUTE / RULE: Possible violation of NCGS 74D-2

This Notice is to inform you that the above-referenced Complaint was presented to the Grievance Committee on Thursday, July 20, 2022, for their informal review. The Committee made the following recommendation:

Defer to the September 2022 Board meeting and refer this matter to the full Board for consideration.

On July 21, 2022, the Alarm Systems Licensing Board took the following action:

Accepted.

Any further questions about this matter should be directed to the Licensing Section of this office.

Sincerely,

Stephen Wheeler
Chairperson

Paul Sherwin
Director

cc: Garrett Langley

Certified Mail/Return Receipt Requested

MAILING ADDRESS:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609



www.ncdps.gov/asl
An Equal Opportunity employer

OFFICE LOCATION:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609
Telephone: (919) 788-5320
Email: ppsasl@ncdps.gov

EXHIBIT

C

Flock's Compliance Through a Licensed North Carolina Licensee

Flock registrant/order file; personal identifiers of the licensee redacted.

Order NumberDCD6X3F4I **Product**

License Application (new) Alarm

Order Received

06/02/2023

StatusInvestigator Assigned **Processor**

darla.cole

Board

ASLB

Payment History\$ 197.87 Refund**Background**[View Report \(/attachedFiles/DCD6X3F4I/1685753613572\)](#)Refresh**Background**

complete

SSN**CRC Token**

5bb342f3fa330955124c

Investigator: Darla G. Cole

Investigation Due Date: Monday, September 11th 2023**Applicant will be charged \$50 Education fee:** ☒

Application Review for Board Meeting Date: 01/18/2024

Director ResultNote

Committee ResultNote

Board Result

Note

Edit

Licensee Name

★ First Name

Daniel

Middle Name

★ Last Name

Moreno

Suffix

Demographics

★ Gender

Male

★ Race

Hispanic

★ Military Veteran or Current Servicemember

☒ Yes ☐ No

★ Spouse of Active Duty Servicemember

☐ Yes ☒ No

Birth Info

★ Birth County

[REDACTED]

★ Country

[REDACTED]

★ Birth State

[REDACTED]

★ Birth Date

[REDACTED]

Citizenship Info

★ Citizenship

☒ U.S. Citizen ☐ Resident Alien ☐ Other?

Drivers License

Do you possess a valid motor vehicle operator's license?

☒ Yes ☐ No

★ Drivers License #

[REDACTED]

★ State Issued

Residential Address Must Provide Street or Road Name and/or Number.

Current Address

★ Address Line 1

Address Line 2

★ City

★ State

★ Zip

★ Country

★ County

☒ Mailing is same address as home.

Period of residence at this address, to the present

★ From Year

2022

★ From Month

October

Previous Addresses A 60 month history is required

Address	From	To	Edit	Delete
			Edit	Delete

Add Previous Address

Phone Numbers

★ Primary Number

Secondary (Cell,Home,etc.) Number

Enter Phone Number

Office Number

Enter Phone Number

Fax Number

Enter Phone Number

Email

★ Email Address

[REDACTED]

Out Of State Licenses

Type	State	Expiration Date	Edit	Delete
------	-------	-----------------	------	--------

Add Out-Of-State License

Experience

★ List all experience within the past five (5) years you believe you have to qualify for the burglar alarm business license in accordance with G.S. 74D and 14B NCAC 17. Note: A Board investigator will contact you to obtain the relevant documentation. Examples of documentation to substantiate your experience will include evaluations, job descriptions, investigative logs and reports.

Installer Tech for Spectrum and SEC installing voice/video/data and alarm services to residential and commercial businesses.

Education

★ Have you graduated from high school, passed the high school equivalency test, or graduated from an accredited college or university?

☒ Yes ☐ No

★ Upload proof of High School Graduation, General Education Certificate, College or University diploma.

Browse AA Degree.pdf

Education History

School	Course	Edit	Delete
--------	--------	------	--------

Add Previous Education

Marital Status

★ **Select Marital Status**

☐ Single ☒ Married ☐ Separated or Divorced

★ **Family** Add spouse if married. Add father and mother if applicable.

Full Name	Relationship	Age	Address	Edit	Delete
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	<button>Edit</button>	<button>Delete</button>

Add Family Member

Military Status

★ **Select Military Status**

☐ Active ☐ Retired ☒ Discharged ☐ Reserve ☐ N/A

★ **Armed Services Number**

[REDACTED]

★ **Your DD214 or Discharge must be attached.**

Browse DD214.pdf

Previous Application

★ **Have you ever applied for a license or registration with either the NC Private Protective Services Board or the NC Alarm Systems Licensing Board?**

☐ Yes ☒ No

CE Course Attendance Certificate

★ ☐ Yes ☒ No

Applicants for a new burglar alarm license who have been licensed for any period during the previous two years must submit a North Carolina ASLB continuing education course attendance certificate. If you have possessed a license in the previous two years, please upload the signed continuing education course attendance certificate.

If Yes, please upload signed NC ASLB CE course attendance certificate.

Browse Select file (.jpg, .jpeg, .png, .pdf)

Employment History

Company	Supervisor	Work Dates	Edit	Delete
Name: Flock Safety Address: 1160 Howell Mill Road Northwest Atlanta, GA 30318 Fulton County Phone: (866) 901-1781	Name: Tyler Webb Title: Field Service Manager Phone: (470) 833-8280	Start: 06/06/2022 End:	<button>Edit</button>	<button>Delete</button>
Name: Southeastern Communications Address: 3931 Camden Rd Fayetteville, NC 28310 Cumberland County Phone: (540) 450-7408	Name: Michael Lantz Title: Field Ops Manager Phone: (540) 450-7408	Start: 06/15/2020 End: 06/29/2022	<button>Edit</button>	<button>Delete</button>
Name: Osmose Utilities Address: 635 Hwy 74 S. Peachtree City, GA 30269 Fayette County Phone: (770) 632-6700	Name: Edwaun Perez Title: Field Manager Phone: (770) 632-6700	Start: 09/25/2019 End: 04/14/2020	<button>Edit</button>	<button>Delete</button>
Name: Spectrum Address: 2805 Freedom Pkwy Dr. Suite 1 Fayetteville , NC 28314 Cumberland County Phone: (866) 234-8826	Name: James Jones Title: Technician Supervisor Phone: (866) 234-8826	Start: 09/09/2013 End: 07/10/2019	<button>Edit</button>	<button>Delete</button>
Name: Lowes Address: 1801 Fordham Blvd Chapel Hill, NC 27514 Orange County Phone: (919) 967-3289	Name: Shaun Silver Title: Delivery Dept. Manager Phone: (919) 967-3289	Start: 07/06/2011 End: 09/10/2013	<button>Edit</button>	<button>Delete</button>

Add Previous Employment

At least 10 years history is required.

Background Questions

★ ☒ Yes ☐ No

Have you ever been involuntarily dismissed, fired, or allowed to resign in lieu of firing?

★ **Explanation**

Was relieved of my foreman duties due to performance on a contract but was offered a crewmember position at half the pay doing the same type of job. I humbly denied the position.

★ ☐ Yes ☒ No

Have you ever been charged, arrested, convicted, pled guilty or granted a Prayer for Judgement to a criminal offense other than a minor traffic violation?

★ ☐ Yes ☒ No

Have you ever been convicted of, or pled guilty to, a violation of the UCMJ at a special or general court martial?

★ ☐ Yes ☒ No

Have you ever been denied an occupational license or had an occupational license suspended or revoked?

★ ☐ Yes ☒ No

Are you currently a sworn court official, a sworn law enforcement officer, or a commissioned company police officer?

★ ☐ Yes ☒ No

Have you ever been judged incompetent by a court or committed to a mental health facility for treatment of a mental illness?

Office Setup

★ Type of office associated with this application?

Establishing a main office for a company not yet registered with the board.



Company Name

★ Name of Company

Flock Safety

DBA

Company Address

★ Address Line 1

1160 Howell Mill Road Northwest

Address Line 2

★ City

Atlanta

★ State

Georgia



★ Zip

30318

★ Country

United States



★ County

Fulton

☒ Mailing is same address as physical.

Company Phone Numbers

★ Company Phone Number

(866) 901-1781

Company Fax Number

Enter Phone Number

Position At The Company

★ Will your position be managerial?

☒ Yes ☐ No

★ Will you exercise direct control and supervision over the registered employees?

☒ Yes ☐ No

Company Licensing

★ Select Business Type

Corporation



Please upload business license and corporate documents.

Browse

Flock Business License.pdf

Company Principals

Title

Full Name

Email

Edit

Delete

Add Company Principal

Qualifying Agent

Qualifying Agent's Full Name

★ First Name

Daniel

Middle Name

★ Last Name

Moreno

Suffix

Nickname (optional)

Qualifying Agent's Address

★ Address Line 1

[REDACTED]

Address Line 2

★ City

[REDACTED]

★ State

[REDACTED]



★ Zip

[REDACTED]

★ Country

[REDACTED]



★ County

[REDACTED]

North Carolina Electrical Contractors License

★ ☐ Yes ☒ No

Does your company currently hold either the special low-voltage (SP-LV), limited, intermediate, or unlimited North Carolina Electrical Contractor's License?

★ Copy of your company's current North Carolina electrical contractors license.

Browse

Flock Business License.pdf

Photo of Applicant

★ One (1) recent color head and shoulders JPEG digital photo. The photo must have been taken in the past five (5) years.

Browse

profile pic.jpg

Notarized Release of Records From

★ Upload a copy notarized release of records form.

Browse

Alarm Application notary.pdf

I hereby certify that all answers and statements in this application are true and accurate to the best of my knowledge. I am aware that should an investigation disclose any misrepresentation or falsification, my application may be denied.

★ Sign with your initials

DM

Background Check:

Process	Status	Initials	Date	
CRC CHECK				
FP SENT	Pass	syconda.marrow	6/26/2023	
FP RESULTS	Fail	syconda.marrow	7/21/2023	

Process	Status	Initials	Date	
Comments:				
**no character references KO 6/26/23				
PHOTO				
AUTHORIZED RELEASE	Pass	syconda.marrow	6/26/2023	
CE CREDITS				
CE EXEMPT				
Deputy Director				
Comments:				
CWC				
Date Received				
TERMINATION DATE				

Investigator Notes (/interviewQuestions/ccwInterview/DCD6X3F4I)

Work Comments:

Applicant requested continuance by phone 10/24/23, P Sherwin agreed to continue to January 2024 meeting - dgc

Applicant requested continuance until November - 8/28/23 - dgc

From:

Sent: Monday, August 28, 2023 11:45 AM

To: Cole, Darla G <darla.cole@ncdps.gov>

Subject: [External] Re: Alarm license

I want to apologize for not getting back to you sooner, work and home life have been hectic. I will need a continuance till November to go in front of the board. I do apologize.

+ 9 Attached Documents

+ Add files...

File Name

Description

Attached By

Attached

BackgroundReport.pdf (/attachedFiles/DCD6X3F4I/1685753613572)

CRC Background Report

system

06/02/23 20:53



AA Degree.pdf (/attachedFiles/DCD6X3F4I/1685753613695)

proofOfGraduation

06/02/23 20:53



DD214.pdf (/attachedFiles/DCD6X3F4I/1685753613935)

otherMilitaryDoc

06/02/23 20:53



Flock Business License.pdf (/attachedFiles/DCD6X3F4I/1685753614107)

companyLicensingUpload

06/02/23 20:53



profile pic.jpg (/attachedFiles/DCD6X3F4I/1685753614362)

photo

06/02/23 20:53



Alarm Application notary.pdf (/attachedFiles/DCD6X3F4I/1685753614547)

releaseForm

06/02/23 20:53



Flock Business License.pdf (/attachedFiles/DCD6X3F4I/1685753614809)

ncecLicense

06/02/23 20:53



Daniel Moreno_Authority For Release of Information & DD214.pdf

(/attachedFiles/DCD6X3F4I/1687788402608)

syconda.marrow

06/26/23 10:06



MORENO REPORT.pdf (/attachedFiles/DCD6X3F4I/1689956537445)

syconda.marrow

07/21/23 12:22



Action Date:

Action User:

Action Type:

Description / Notes:

6/2/23 8:53 PM

StartPayment

Starting payment processing.

6/2/23 8:53 PM

StartPayment

Starting payment processing.

6/26/23 9:46 AM

syconda.marrow

SaveProgress

The application data was updated.

6/26/23 9:46 AM

syconda.marrow

OwnerChange

The application was moved to user 'kim.odom'.

6/26/23 10:06 AM

syconda.marrow

SaveProgress

The application data was updated.

6/26/23 1:27 PM

kim.odom

SaveProgress

The application data was updated.

6/26/23 3:35 PM

kim.odom

OwnerChange

The application was moved to user 'syconda.marrow'.

7/21/23 12:22 PM

syconda.marrow

SaveProgress

The application data was updated.

7/21/23 12:22 PM

syconda.marrow

OwnerChange

The application was moved to user 'kim.odom'.

8/8/23 12:45 PM

kim.odom

OwnerChange

The application was moved to user 'darla.cole'.

8/8/23 12:45 PM

kim.odom

StatusChange

The order status was updated to 'Investigator Assigned'.

8/28/23 12:01 PM

darla.cole

SaveProgress

The application data was updated.

8/28/23 12:01 PM

darla.cole

SaveProgress

The application data was updated.

8/28/23 2:16 PM

kim.odom

SaveProgress

The application data was updated.

10/24/23 11:44 AM

kim.odom

SaveProgress

The application data was updated.

10/24/23 11:44 AM

kim.odom

SaveProgress

The application data was updated.

10/24/23 1:09 PM

darla.cole

SaveProgress

The application data was updated.

10/30/23 3:59 PM

kim.odom

SaveProgress

The application data was updated.

Move Order
Assign Inv
Order Pending
Defer Order
Request Documentation
Add Invoice (/dynamicapp/invoice/new?associatedOrderId=DCD6X3F4I)
Approve Order
Withdraw Order
Deny Order
Assess Fine

Background Check		
CRC CHECK	☒	☐
FP SENT	☒	☐
FP RESULTS	☒	☐
PHOTO	☒	☐
AUTHORIZED RELEASE	☒	☐
CE CREDITS	☒	☐
CE EXEMPT	☒	☐
Deputy Director	☒	☐
CWC	☒	☐
Date Received	☒	☐
TERMINATION DATE	☒	☐

Save Progress
Print
Search Archive

Date Received: 05/26/2023

Date Completed: 06/02/2023

Payment Received:
05/26/2023

Research Completed By: ID#
160825

Order Confirmation# C348230

Personal Information:

Name: Daniel Moreno
Date of Birth: [REDACTED]
SSN: [REDACTED]
Driver's Licenses [REDACTED]

Addresses for Places of Residence

1. [REDACTED] 10/2022 - 5/2023)
2. [REDACTED] (4/2016 - 10/2022)

Addresses for Places of Employment

1. 1160 Howell Mill Road Northwest, Atlanta, GA, 30318 (6/2022 - 5/2023)
2. PO Box 79358, Charlotte, NC, 28271 (6/2020 - 6/2022)
3. 635 Hwy74 S , Peachtree City, GA, 30269 (9/2019 - 6/2020)
4. 2805 Freedom Parkway Drive, Fayetteville , NC, 28314 (9/2013 - 9/2019)

Addresses for Schools Attended

Social Security Number Verifier Results:

State Issued: [REDACTED]
Year Issued: [REDACTED]
Death Index: NO ENTRY FOUND

Names on DANIEL E MORENO
File: DANIEL N MORENO

Address Section:

DANIEL MORENO
[REDACTED]
01/01/2021 - 04/01/2023

DANIEL MORENO
[REDACTED]
01/25/2015 - 11/12/2022

DANIEL MORENO
[REDACTED]
07/01/2013 - 11/01/2022

Jurisdiction(s) Searched:

Georgia Statewide Search
North Carolina Statewide Search

Criminal Background Check:

Georgia Statewide Search
Clear

North Carolina Statewide Search 2 record(s)



Record 1

Court: PENDER DISTRICT
Case Number: 21CR 703480
File Severity: CRIMINAL TRAFFIC
Offense Dates: 06/19/2021
Charges: SPEEDING 071/55 (CRIMINAL TRAFFIC)
Disposition Dates: 10/07/2021
Dispositions: RESPONSIBLE TO LESSER - "IMPROPER EQUIP - SPEEDOMETER" (INFRACTION)
Sentence: FINE / COSTS: \$266.00
PAID: YES

Identifiers on Record:

Name on File: MORENO,DANIEL,
DOB on File: DOB MATCH
Address on File: [REDACTED]
DL# on File: NOT LISTED
SSN on File: NOT LISTED

Record 2

Court: CUMBERLAND DISTRICT
Case Number: 18CR 713871
File Severity: CRIMINAL TRAFFIC
Offense Dates: 06/18/2018
Charges: SPEEDING 062/35 (CRIMINAL TRAFFIC)
Disposition Dates: 07/27/2018
Dispositions: RESPONSIBLE TO LESSER - "IMPROPER EQUIP - SPEEDOMETER" (INFRACTION)
Sentence: FINE / COSTS: \$238.00
PAID: YES
Special Conditions: * AMEND IE; ADA (NAME REDACTED)..

Identifiers on Record:

Name on File: MORENO,DANIEL,
DOB on File: DOB MATCH
Address on File: [REDACTED]
DL# on File: NOT LISTED
SSN on File: NOT LISTED



Please contact our offices directly if you wish to dispute any information returned within this Criminal Record Check.

By Mail

PO Box 90998
Raleigh, NC 27675-0998

By Phone

Local - 919-459-1029
Toll Free - (877) 272-0266

By Fax

Toll Free - (800) 650-5992

By Email

licensing@mycrc.com

Please locate the security token on your home page and copy it into the Permitium system to provide this report to the ASLB/PPSB.

Reports are archived after 60 days. If reports need to be accessed after 60 days, please contact us directly using one of the methods provided above.





Date Received: 05/26/2023

Date Completed: 06/19/2023

Payment Received:
06/16/2023

Research Completed By: ID#
160825

Order Confirmation# C348230

Personal Information:

Name: Daniel Moreno
Date of Birth: [REDACTED]
SSN: [REDACTED]
Driver's Licenses: [REDACTED]

Addresses for Places of Residence

1. [REDACTED] (10/2022 - 6/2023)
2. [REDACTED] 4/2016 - 10/2022)

Addresses for Places of Employment

1. 1160 Howell Mill Road Northwest, Atlanta, GA, 30318 (6/2022 - 6/2023)
2. PO Box 79358, Charlotte, NC, 28271 (6/2020 - 6/2022)
3. 635 Hwy74 S , Peachtree City, GA, 30269 (9/2019 - 6/2020)
4. 2805 Freedom Parkway Drive, Fayetteville , NC, 28314 (9/2013 - 9/2019)

Addresses for Schools Attended

Social Security Number Verifier Results:

State Issued: [REDACTED]
Year Issued: [REDACTED]
Death Index: NO ENTRY FOUND

Names on File: DANIEL E MORENO
DANIEL N MORENO

Address Section:

DANIEL MORENO

[REDACTED]
01/01/2021 - 04/01/2023

DANIEL MORENO

[REDACTED]
01/25/2015 - 11/12/2022

DANIEL MORENO

[REDACTED]
07/01/2013 - 11/01/2022

Jurisdiction(s) Searched:



Criminal Background Check:

Georgia Statewide Search
Clear

North Carolina Statewide Search 2 record(s)

Record 1

Court: PENDER DISTRICT
Case Number: 21CR 703480
File Severity: CRIMINAL TRAFFIC
Offense Dates: 06/19/2021
Charges: SPEEDING 071/55 (CRIMINAL TRAFFIC)
Disposition Dates: 10/07/2021
Dispositions: RESPONSIBLE TO LESSER - "IMPROPER EQUIP - SPEEDOMETER" (INFRACTION)
Sentence: FINE / COSTS: \$266.00
PAID: YES

Identifiers on Record:

Name on File: MORENO,DANIEL,
DOB on File: DOB MATCH
Address on File: [REDACTED]
DL# on File: NOT LISTED
SSN on File: NOT LISTED

Record 2

Court: CUMBERLAND DISTRICT
Case Number: 18CR 713871
File Severity: CRIMINAL TRAFFIC
Offense Dates: 06/18/2018
Charges: SPEEDING 062/35 (CRIMINAL TRAFFIC)
Disposition Dates: 07/27/2018
Dispositions: RESPONSIBLE TO LESSER - "IMPROPER EQUIP - SPEEDOMETER" (INFRACTION)
Sentence: FINE / COSTS: \$238.00
PAID: YES
Special Conditions: * AMEND IE; ADA (NAME REDACTED)..

Identifiers on Record:

Name on File: MORENO,DANIEL,
DOB on File: DOB MATCH
Address on File: [REDACTED]
DL# on File: NOT LISTED
SSN on File: NOT LISTED

Reference Summary:

Completed	Reference	Alerts
06/28/2023	Gynn, Robert	
06/30/2023	Lantz, Michael	
06/29/2023	Whitting, Daniel	
06/29/2023	Whitting, Lauren	
06/28/2023	Bunting, Robert	

Reference Details

Reference 1: 06/28/2023



Name: Robert
Gyunn
Email:
IP: 24.12.33.179

How long have you known the applicant?

2 years

Do you know him/her personally or professionally?

Personally

What is your relationship to the applicant?

friend at church

Have you ever known the applicant to have alcohol or drug problems?

no

What kind of person do you think he/she is and how would you summarize his/her moral character?

Excellent husband, father, friend and church member. He is always willing to help others and seeks to do what is right in every aspect of his life.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?

NEVER

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license?

LOVES people and loves spending time with his family.

Would you recommend the applicant for the license that he/she requested?

YES

Name: Lauren Whiting
Address: [REDACTED]
Telephone: [REDACTED]

Signature:



Reference 2: 06/30/2023

Name: Michael Lantz
Email: [REDACTED]
IP: 47.134.11.165

How long have you known the applicant?

2 yrs

Do you know him/her personally or professionally?

Professionally

What is your relationship to the applicant?

Coworker

Have you ever known the applicant to have alcohol or drug problems?

No

What kind of person do you think he/she is and how would you summarize his/her moral character?



Honest, trustworthy

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?

No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license?

He honest, trustworthy and dependable

Would you recommend the applicant for the license that he/she requested?

Yea

Name: Michael Paul Lantz

Address: [REDACTED]

Telephone: [REDACTED]

Signature: 

Reference 3: 06/29/2023

Name: Daniel Whitting

Email: [REDACTED]

IP: 107.122.157.22

How long have you known the applicant?

3 Years

Do you know him/her personally or professionally?

Personally

What is your relationship to the applicant?

Friend

Have you ever known the applicant to have alcohol or drug problems?

No

What kind of person do you think he/she is and how would you summarize his/her moral character?

Always willing to help and do what's right and needed.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?

No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license?

No

Would you recommend the applicant for the license that he/she requested?

Yes

Name: Daniel Whitting

Address: [REDACTED]

Telephone: [REDACTED]



Signature:



Reference 4: 06/29/2023

Name: Lauren Whitting

Email:

IP: 174.228.64.165

How long have you known the applicant?

2 years

Do you know him/her personally or professionally?

Personally

What is your relationship to the applicant?

Friend from church

Have you ever known the applicant to have alcohol or drug problems?

No

What kind of person do you think he/she is and how would you summarize his/her moral character?

Loves his family and always seeks to help others and do what's right

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?

Never

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license?

No

Would you recommend the applicant for the license that he/she requested?

Yes

Name: Lauren Whitting

Address:

Telephone:

Signature:



Reference 5: 06/28/2023

Name: Robert
Bunting

Email:

IP: 174.216.2.127

How long have you known the applicant?



2yrs

Do you know him/her personally or professionally?

Professionally

What is your relationship to the applicant?

Work associate

Have you ever known the applicant to have alcohol or drug problems?

No

What kind of person do you think he/she is and how would you summarize his/her moral character?

A very honest and motivated person

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?

No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license?

He is a very honest and trustworthy, highly motivated person

Would you recommend the applicant for the license that he/she requested?

Yes

Name: Michael lantz

Address: [REDACTED]

Telephone: [REDACTED]

Signature:



Please contact our offices directly if you wish to dispute any information returned within this Criminal Record Check.

By Mail

PO Box 90998
Raleigh, NC 27675-0998

By Phone

Local - 919-459-1029
Toll Free - (877) 272-0266

By Fax

Toll Free - (800) 650-5992

By Email

licensing@mycrc.com

Please locate the security token on your home page and copy it into the Permitium system to provide this report to the ASLB/PPSB.

Reports are archived after 60 days. If reports need to be accessed after 60 days, please contact us directly using one of the methods provided above.



ANY ALTERATIONS IN SHADED
AREAS RENDER FORM VOID

[illegible]

Upon recommendation of the Faculty of the
College of the Sequoias
and under authorization granted by the Board of Governors of the
California Community Colleges

the degree of
Associate of Arts
is hereby conferred upon
Daniel Moreno

with all Rights, Benefits and Privileges pertaining thereto.

Given at Visalia, California,
this twenty-second day of May, two thousand and nine.



William J. Suggs

Superintendent/President

John H. Hager

President, Board of Trustees

Eulmann

Clerk, Board of Trustees

**NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD
AUTHORIZATION FOR RELEASE OF RECORDS**

I, (Print Full Name) Daniel Moreno

Social Security Number [REDACTED] and date of birth of [REDACTED],
hereby request and authorize the following:

Release of General Records

I am applying for a license, registration, certification, or permit from the North Carolina Alarm Systems Licensing Board. I request that all doctors, nurses, hospitals, military organizations, insurance companies, educational institutions, governmental agencies, banks, and other credit agencies, my present and former employers, and any other individuals who may have records or other information about me to release and furnish to the North Carolina Department of Justice and to the Alarm Systems Licensing Board all records and other information concerning me, including internal affairs files, disciplinary files and any information concerning pending and/or closed investigations. The above mentioned agencies are currently conducting a personal background to determine my suitability for a Alarm Systems Board License, Certification and/or Registration. Your assistance and cooperation will be greatly appreciated. A copy of this signed and notarized authorization shall be as effective and valid as the original.

Release of Criminal Records

I am applying for a license, registration, certification, or permit from the North Carolina Alarm Systems Licensing Board. I hereby consent to allow the Alarm Systems Licensing Board and the N.C. Department of Justice to access my criminal record. In order to conduct a thorough criminal record check on me, I authorize the Alarm Systems Licensing Board and the N.C. Department of Justice to use my fingerprints and any other identifying information as may be required by any state or national repository. I acknowledge that my fingerprints may be submitted to the North Carolina State Bureau of Investigation or any other states' criminal record depository for a search of the state criminal history record file. The North Carolina State Bureau of Investigation has my permission to forward my fingerprints and any other identifying information to the Federal Bureau of Investigation for a national criminal history check.

Equifax Credit Check

I am applying for a license from the North Carolina Alarm Systems Licensing Board. I hereby consent to allow the Alarm Systems Licensing Board and the N.C. Department of Justice to access my credit history through Equifax. I acknowledge that it is my responsibility to prove to the Board that I am financially responsible. Once I receive a copy of my Equifax credit check from the Board, I will review the credit information and will contact Equifax should I find any errors or omissions. After review, I will sign the credit check and thereby certify that I am providing a true and accurate copy of my credit history to the Board as part of my application process.

Disclosure Release

Once all General Records and Criminal Records have been obtained, I hereby grant permission to the Alarm Systems Licensing Board, by and through its administrative staff, employees, or agents, to meet with my current employer, sponsor, or potential employer to discuss the complete results of my background investigation, to include a review of the above-referenced documents. I hereby grant permission and allow the Board, its administrative staff, employees, or agents, to discuss all aspects of my background, both positive and negative, with my current employer, sponsor, or potential employer.

Liability Release

By making this request, I release all doctors, nurses, hospitals, military organizations, insurance companies, educational institutions, governmental agencies, banks, and other credit agencies, my present and former employers, and any other individuals who may have records or other information about me from any liability whatsoever and from any damages whatsoever, which may at any time result because of compliance with this authorization and request.

This the 31 day of May, 2023.

[Signature]
Applicant's Signature

CUMBERLAND County, North Carolina

I, Melinda B Murray, do hereby certify
that Daniel Moreno personally appeared
before me this day and acknowledged the due execution of
the foregoing document. Witness my hand and official seal
this the 31st day of May, 2023.

Melinda B Murray
(Official Signature of Notary)
Notary Public

My Commission Expires: 01/06/24



AUTHORITY FOR RELEASE OF INFORMATION

I authorize the North Carolina Department of Justice through the STATE BUREAU OF INVESTIGATION, Special Operations Division, to perform a fingerprint search of the State's criminal history record file and, if applicable, a fingerprint search of the FEDERAL BUREAU OF INVESTIGATION'S files for a national criminal history record check in connection with my application for licensing and/or registration with the ALARM SYSTEMS LICENSING BOARD pursuant to NCGS 74D-2.

(Type or Print clearly)

Last Name

First

Middle

Maiden

Moreno

Daniel

-

-

Social Security Number
(Optional*)

Date of Birth

Sex

Race

[REDACTED]

M

Hispanic

I understand that the North Carolina State Bureau of Investigations, Special Operations Division, and its officials and employees shall not be held legally accountable in any way for providing this information to the above named agency, and I hereby release said agency and persons from any and all liability which may be incurred as a result of furnishing such information. I further understand that the agency cannot provide a **hard copy** of the results of this criminal history record check to me.

*Disclosure of social security number is entirely voluntary and not required. If disclosed, the social security number will be utilized to assist the accurate identification/exclusion of possible criminal history records.

Applicant's/Employee's Signature

Daniel Moreno

Date

5/31/23

This form must be maintained on file with the above named agency for one year. Do not mail this form or a copy of this form to the State Bureau of Investigation.

**CERTIFICATE OF RELEASE OR DISCHARGE
FROM ACTIVE DUTY**

SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)

23. TYPE OF SEPARATION DISCHARGE		24. CHARACTER OF SERVICE (Includes upgrades) HONORABLE	
25. SEPARATION AUTHORITY MILPERMAN 3620300 AND NWOP 013/87		26. SEPARATION CODE JFK	27. REENLISTMENT CODE RE-6
28. NARRATIVE REASON FOR SEPARATION OTHER PHYSICAL/MENTAL CONDITIONS -- PERSONNELLY DESIDER			
29. DATES OF TIME LOST DURING THIS PERIOD FL-10000			30. MEMBER REQUESTS COPY 4 INITIALS

AUTHORITY FOR RELEASE OF INFORMATION

I authorize the North Carolina Department of Public Safety through THE STATE BUREAU OF INVESTIGATION to perform a fingerprint search of the State's criminal history record file and, if applicable, a fingerprint search of the FEDERAL BUREAU OF INVESTIGATION'S files for a national criminal history record check in connection with my application for employment, or my employment with PPS ALARM SYSTEMS LICENSING BOARD pursuant to PRIVATE PROTECTIVE SERV ALARM SYSTEMS LIC - STATE AND FED - NCGS 74D-2. I understand my rights to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or update of an FBI identification record are set forth in Title 28, CFR, 16.34

(Type or print clearly)

Last Name	First	Middle	Maiden
<u>MORENO</u>	<u>DANIEL</u>	<u></u>	<u></u>
Social Security Number	Date of Birth	Sex	Race
<u>[REDACTED]</u>	<u></u>	<u>MALE</u>	<u>HISPANIC</u>

I understand that the North Carolina State Bureau of Investigation and its officials and employees shall not be held legally accountable in any way for providing this information to the above named agency, and I hereby release said agency and persons from any and all liability which may be incurred as a result of furnishing such information. I further understand that the agency cannot provide a HARD COPY of the results of this criminal history record check to me.

*Disclosure of social security number is entirely voluntary and not required. If disclosed, the social security number will be utilized to assist with accurate identification/exclusion of possible criminal history records.

Applicant's/Employee's Signature

Daniel Moreno

Date

6/4/23

NCASLB001

This form must be maintained on file with the above named agency for one year. DO NOT MAIL THIS FORM OR A COPY OF THIS FORM TO THE STATE BUREAU OF INVESTIGATION.

RECEIVED

JUN 21 2023

PPS/ASL

CERTIFICATE OF INCORPORATION
OF
FLOCK GROUP INC

ARTICLE I

The name of the corporation is Flock Group Inc (the "Corporation").

ARTICLE II

The address of the Corporation's registered office in the State of Delaware is 2711 Centerville Road, Suite 400, Wilmington, New Castle County, Delaware 19808. The name of its registered agent at such address is The Company Corporation.

ARTICLE III

The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the Delaware General Corporation Law.

ARTICLE IV

The aggregate number of shares which the Corporation shall have authority to issue is 10,000,000 shares of capital stock all of which shall be designated "Common Stock" and have a par value of \$0.00001 per share.

ARTICLE V

The business and affairs of the Corporation shall be managed by or under the direction of the Board of Directors. Elections of directors need not be by written ballot unless otherwise provided in the Bylaws of the Corporation. In furtherance of and not in limitation of the powers conferred by the laws of the state of Delaware, the Board of Directors of the Corporation is expressly authorized to make, amend or repeal Bylaws of the Corporation.

ARTICLE VI

(A) To the fullest extent permitted by the Delaware General Corporation Law, as the same exists or as may hereafter be amended, a director of the Corporation shall not be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

(B) The Corporation shall indemnify to the fullest extent permitted by law any person made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he, his testator or intestate is or was a director or officer of the Corporation or any predecessor of the Corporation, or serves or served at any other enterprise as a director or officer at the request of the Corporation or any predecessor to the Corporation.

(C) Neither any amendment nor repeal of this Article VI, nor the adoption of any provision of the Corporation's Certificate of Incorporation inconsistent with this Article VI, shall eliminate or reduce the effect of this Article VI in respect of any matter occurring, or any action or proceeding accruing or arising or that, but for this Article VI, would accrue or arise, prior to such amendment, repeal or adoption of an inconsistent provision.

ARTICLE VII

Unless the Corporation consents in writing to the selection of an alternative forum, the Court of Chancery of the State of Delaware shall be the sole and exclusive forum for (A) any derivative action or proceeding brought on behalf of the Corporation, (B) any action or proceeding asserting a claim of breach of a fiduciary duty owed by any director, officer, employee or agent of the Corporation to the Corporation or the Corporation's stockholders, (C) any action or proceeding asserting a claim against the Corporation arising pursuant to any provision of the Delaware General Corporation Law or the Corporation's Certificate of Incorporation or Bylaws, or (D) any action or proceeding asserting a claim governed by the internal affairs doctrine, in each case subject to said Court of Chancery having personal jurisdiction over the indispensable parties named as defendants therein.

ARTICLE VIII

The name and mailing address of the incorporator are as follows:

Garrett Langley
2588 Winslow Drive Northeast
Atlanta, GA 30305

Executed on February 22, 2017.

E-signed using Clerkly (39e47feddb01e1a4c3c8a2ae6ad7d80)



Garrett Langley, Incorporator

Sherwin, Paul

From: Odom, Kim
Sent: Friday, October 6, 2023 2:56 PM
To: Sherwin, Paul
Subject: FW: NC Alarm license

This is Flock's applicant, FYI.

From: Cole, Darla G <darla.cole@ncdps.gov>
Sent: Friday, October 6, 2023 2:15 PM
To: [REDACTED]
Subject: NC Alarm license

Good afternoon Mr. Moreno – I wanted to touch base with you about your NC Alarm license application. We continued your case until the November 16th board meeting. We still need the items that I had requested for the September board meeting. If we are to get your application into the November board meeting, I need those items by 10/15 at the latest – normally I ask for the documentation by the first of the month prior to the meeting. Our process requires that I review your documentation and that we then have a personal interview. I have to have my completed background report turned in by Nov. 1. The list below details the items that we need from you and the dates that I have previously requested these items. Please let me know as soon as possible how you plan to proceed. – Darla

***Verifiable proof of years experience:** As mentioned in my 8/18 email and our subsequent phone call, you need to provide me with verifiable proof of 2 years experience (out of the last 5) in alarm systems installation/service or management OR you need to provide proof that you have successfully completed the Level 1 CAT course.

***Written explanation for the charge-off that appears on your credit history:** As mentioned in my 8/21 email, I need a written explanation for a charge-off that has appeared on your credit history.

***Name/license copy of the NC licensed electrical contractor on staff:** As mentioned in my 8/22 email, you are required to have a NC license electrical contractor on staff in order to receive a license. I need a copy of this person's NC Electrical Contractor's license.

***Dispositions of criminal issues that came up on your fingerprints:** Ms Marrow, the ASLB license secretary, has sent you a form to fill out in reference to the issues that came up on your fingerprint card. And, she also informed you of the need for a NC licensed electrical contractor.

Darla G. Cole
Investigator
N.C. Private Protective Services
919-612-3331



Sherwin, Paul

From: Cole, Darla G
Sent: Thursday, October 26, 2023 8:31 AM
To: Sherwin, Paul
Subject: FW: NC Alarm license

Importance: High

Here you go.... I was not exactly nice about it.

From: Cole, Darla G
Sent: Tuesday, October 24, 2023 12:10 PM
To: [REDACTED]
Subject: NC Alarm license
Importance: High

Mr. Moreno – The director is going to allow one additional extension. You will now be scheduled for the January 2024 board meeting. I believe the date will be Jan. 18th. The meeting will be held in Raleigh.

I will need the following items from you by 12/10 in order to review them and for us to have our personal interview before the end of December. If I do not have the necessary items by this time, we will be unable to do the personal interview and I will have no choice but to recommend denial of your license.

The list below details the items that we need from you and the dates that I have previously requested these items. All of these items also were requested in an email on 10/6/2023.

***Verifiable proof of years experience:** As mentioned in my 8/18 email and our subsequent phone call, you need to provide me with verifiable proof of 2 years experience (out of the last 5) in alarm systems installation/service or management OR you need to provide proof that you have successfully completed the Level 1 CAT course.

***Written explanation for the charge-off that appears on your credit history:** As mentioned in my 8/21 email, I need a written explanation for a charge-off that has appeared on your credit history. The board also will want proof that you have paid or are paying off that debt.

***Name/license copy of the NC licensed electrical contractor on staff:** As mentioned in my 8/22 email, you are required to have a NC license electrical contractor on staff in order to receive a license. I need a copy of this person's valid NC Electrical Contractor's license.

***Dispositions of criminal issues that came up on your fingerprints:** Ms Marrow, the ASLB license secretary, has sent you a form to fill out in reference to the issues that came up on your fingerprint card. And, she also informed you of the need for a NC licensed electrical contractor.

Darla G. Cole

Investigator

N.C. Private Protective Services

919-612-3331



Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Sherwin, Paul

From: Cole, Darla G
Sent: Tuesday, October 24, 2023 11:13 AM
To: Odom, Kim
Cc: Sherwin, Paul
Subject: D Moreno Alarm license for Flock order #DCD6X3F4I

Good morning... I had not heard back anything from Mr. Moreno about his alarm license application, so I finally got him on the phone today.

He requested a continuance from the September meeting until November. At the time, he needed:

- 1 – Proof of experience or the Level 1 class
- 2 – Licensed electrical contractor
- 3 – Disposition on charges from California that showed up on his fingerprints
- 4 – Explanation of a credit issue

Today, he said he would need another continuance because getting the criminal disposition stuff from California had been “a nightmare.” I asked him about the Level 1 class. He said his test isn’t until December. He has not gotten an electrical contractor yet.

I told him that since he had already been granted one continuance, I was not sure if he could get another. He asked if he should withdraw and reapply later. So, I am checking with y’all to see.

I am not sure that he has made a good faith effort on any of the things we needed. All of this was communicated to him prior to his requested continuance on 8/28. I followed up at the beginning of October reminding him of all the things he needed to go to the November board meeting and never heard anything back from him.

I have had applicants take the Level 1 class online and get their certificates in about 2 weeks time. I also had a PPS applicant with criminal charges from California and he was able to get the dispositions to me in a fairly timely manner. Maybe each county is different, but he was able to go to an online portal and pull up the dispositions. Just my two cents worth.....

Darla G. Cole

Investigator

N.C. Private Protective Services

919-612-3331



EXHIBIT

D

N.C. Alarm Systems Licensing Board v. Flock Safety, Inc.

Wake County No. 23CV003667-910 — pleadings.

Wake County Clerk of Superior Court
STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
23 CVS 3667-910

NORTH CAROLINA ALARM SYSTEMS
LICENSING BOARD,

Plaintiff,

v.

FLOCK GROUP, INC. d/b/a FLOCK
SAFETY,

Defendant.

MOTION TO DISMISS AND ANSWER

Defendant Flock Group, Inc. d/b/a Flock Safety (“Flock Safety”), by and through their undersigned counsel, hereby respond to Plaintiff’s Complaint as follows:

FIRST DEFENSE AND MOTION TO DISMISS

Defendant moves to dismiss Plaintiff’s Complaint, pursuant to Rule 12(b)(6) of the North Carolina Rules of Civil Procedure, as Plaintiff has failed to state a claim upon which relief can be granted.

SECOND DEFENSE
(Lack of Jurisdiction)

Plaintiff’s claims fail as a matter of law because Plaintiff has no jurisdiction to regulate Flock Safety’s business because under the plain language of the N.C. General Statutes as Flock Safety is not in the alarm systems business.

THIRD DEFENSE

Defendant Flock Safety responds to the individual allegations in Plaintiff's Complaint as follows:

1. The allegations in Paragraph 1 are admitted upon information and belief.
2. The allegations in Paragraph 2 are denied for lack of information or belief.
3. The allegations in Paragraph 3 call for a legal conclusion. Therefore, no response is required. To the extent a response is required, the N.C. General Statutes speak for themselves and the allegations in Paragraph 3, including all subparts, are denied to the extent they contradict the contents of the N.C. General Statutes.
4. The allegations in Paragraph 4 call for a legal conclusion. Therefore, no response is required. To the extent a response is required, the N.C. General Statutes speak for themselves and the allegations in Paragraph 4, including all subparts, are denied to the extent they contradict the contents of the N.C. General Statutes.
5. The allegations in Paragraph 5 call for a legal conclusion. Therefore, no response is required. To the extent a response is required, the N.C. General Statutes speak for themselves and the allegations in Paragraph 5, including all subparts, are denied to the extent they contradict the contents of the N.C. General Statutes.
6. The allegations in Paragraph 6 call for a legal conclusion. Therefore, no response is required. To the extent a response is required, the N.C. General Statutes speak for themselves and the allegations in Paragraph 6, including all subparts, are denied to the extent they contradict the contents of the N.C. General Statutes.
7. The allegations in Paragraph 7 call for a legal conclusion. Therefore, no response is required. To the extent a response is required, the N.C. General Statutes speak for themselves

and the allegations in Paragraph 7, including all subparts, are denied to the extent they contradict the contents of the N.C. General Statutes.

8. The allegations in Paragraph 8 call for a legal conclusion. Therefore, no response is required. To the extent a response is required, the N.C. General Statutes speak for themselves and the allegations in Paragraph 8, including all subparts, are denied to the extent they contradict the contents of the N.C. General Statutes.

9. The allegations in Paragraph 9 are admitted.

10. It is admitted that Flock Safety has never been licensed by the Plaintiff because Flock safety does not operate an “alarm systems business.” Except as expressly admitted, the allegations in Paragraph 10 are denied.

11. The allegations in Paragraph 11 are denied for lack of information or belief.

12. Defendant’s advertising and other promotional and product information are written documents which speak for themselves. The allegations in Paragraph 12 are denied to the extent they contradict the contents of the written documents.

13. It is admitted Flock Safety received a letter from Plaintiff dated January 5, 2022. Except as expressly admitted, the allegations in Paragraph 13 are denied for lack of information or belief.

14. It is admitted that on or about February 15, 2022, Robert Koon met with George Daniels. Except as expressly admitted, the allegations in Paragraph 23 are denied.

15. It is admitted that the Plaintiff contacted Mr. Coon regarding a second complaint regarding Concord Mills Mall. Except as expressly admitted, the allegations in Plaintiff’s complaint are denied.

16. The allegations in Paragraph 16 are denied for lack of information or belief.

17. It is admitted that Flock Safety requested a meeting with the Plaintiff. It is admitted that the meeting was initially scheduled for May 2022. Except as expressly admitted, the allegations in Paragraph 17 are denied.

18. It is admitted that Flock Safety met with the Plaintiff on or about July 21, 2022. Except as expressly admitted, the allegations in Paragraph 18 are denied.

19. It is admitted that Flock Safety met with the Plaintiff on or about November 17, 2022. Except as expressly admitted, the allegations in Paragraph 19 are denied.

20. The allegations in Paragraph 20 are denied for lack of information or belief.

21. The allegations in Paragraph 21 are denied for lack of information or belief.

22. The allegations in Paragraph 22 are denied.

23. The allegations in Paragraph 23 are denied.

24. The allegations in Paragraph 24 are denied.

25. The allegations in Paragraph 25 call for a legal conclusion. Therefore, no response is required. To the extent a response is required, the N.C. General Statutes speak for themselves and the allegations in Paragraph 25, including all subparts, are denied to the extent they contradict the contents of the N.C. General Statutes.

26. The allegations in Paragraph 26 are denied.

ANY AND ALL ALLEGATIONS IN PLAINTIFF'S COMPLAINT WHICH ARE NOT SPECIFICALLY ADMITTED, INCLUDING PLAINTIFF'S PRAYER FOR RELIEF, ARE DENIED.

THIRD DEFENSE
(Reservation of Rights)

Defendant reserves the right to assert additional defenses as may be appropriate based on information received during discovery.

This is the 2nd day of May, 2023.



Ryan L. Beaver [N.C. Bar No. 35156]

Matthew K. Lilly [N.C. Bar No. 38316]

BRADLEY ARANT BOULT CUMMINGS LLP

214 North Tryon Street, Suite 3700

Charlotte, NC 28202

Telephone: 704.338.6000

Facsimile: 704.338.6099

rbeaver@bradley.com

mlilly@bradley.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2023, I served the above and foregoing MOTION TO DISMISS AND ANSWER via United States mail on the following:

Jeffrey P. Gray
Bailey & Dixon, LLP
PO Box 1351
Raleigh, North Carolina 27602
Attorney for Plaintiff



Ryan L. Beaver [N.C. Bar No. 35156]

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
23 CVS _____

NORTH CAROLINA ALARM)
SYSTEMS LICENSING BOARD,)
Plaintiff,)
)
v.)
)
FLOCK GROUP, INC., d/b/a FLOCK)
SAFETY,)
Defendants.)

**COMPLAINT FOR
INJUNCTIVE RELIEF**

NOW COMES PLAINTIFF, North Carolina Alarm Systems Licensing Board, alleges and states the following:

1. North Carolina Alarm Systems Licensing Board (hereinafter known as the "Board") is an agency of the State of North Carolina and is established pursuant to the Alarm Systems Licensing Act, N.C. Gen. Stat. § 74D-1, *et. seq.*
2. The Board is charged with the responsibility and duty to regulate the alarm systems industry which includes, *inter alia*, individuals and business providing alarm services as defined by the Act.
3. An "alarm systems business" is any person, firm, association, or corporation who engages in an alarm service defined by N.C. Gen. Stat. § 74B-2(a) for a fee or other valuable consideration to any other person firm, association, or corporation, by doing any of the following:
 - 1) Sells or attempts to sell an alarm system device by engaging in a personal solicitation at a residence or business to advise, design, or consult on specific types and specific locations of alarm system devices.

- 2) Installs, services, monitors, or responds to electrical, electronic or mechanical alarm signal devices, burglar alarms, monitored access control, or cameras used to detect burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity.
4. North Carolina General Statute § 74D-2(a) provides that it shall constitute a violation of Chapter 74D for a person to engage in the alarm systems business without being licensed.
5. Pursuant to the North Carolina Administrative Code, 14B NCAC 17 .0201, *et seq.*, the owner of an alarm systems business must have experience, apply to the Board, undergo a criminal history record check and submit to a personal interview. The business must also have and maintain liability insurance.
6. Employees who sell or install alarm systems must undergo a criminal history record check and be registered with the Board and can only work for a licensed business.
7. Pursuant to N.C. Gen. Stat. § 74D-11(1) the Board is authorized to apply in its name to the Superior Court for an injunction to prevent any violation or threatened violation of the provisions of the Alarm Systems Licensing Act; therefore, this Court has jurisdiction over this matter.
8. Pursuant to N.C. Gen. Stat. § 74D-5.1 the Director of the Board shall administer the directives set forth in the statute and administrative rules in order to actively regulate the alarm services industry to ensure compliance with the law in all aspects.
9. Defendant Flock Group, Inc. is a foreign corporation created in the State of Delaware. According to the Secretary of State's website section for "Corporations,"

the State of North Carolina's repository of official records, Flock Group, Inc. was issued a Certificate of Authority on May 19, 2021 to conduct business in North Carolina. (Attachment 1.) Flock Group Inc. conducts business under the name "Flock Safety."

10. Defendant Flock Safety is not, and never has been licensed by the Plaintiff Board as an alarm systems business.
11. In January 2022, staff of Plaintiff Board received a complaint of unlicensed activity by Defendant. Defendant was advertising, contracting for, and installing a camera system that reads motor vehicle license plates and stores that information. Defendant had installed vehicle license plate reader cameras in a residential community.
12. Defendant's advertising and other promotional and product information specifically states its system is used for the detection of unauthorized or illegal activity. Defendant's website was reviewed. Under the "Products" tab is a heading for "Flock Cameras" with the statement "Stop missing investigative leads. Flock has cameras for both neighborhood and police use." The website also states: "7/10 crimes are committed with the use of a vehicle. Capture the vehicle details you need to track leads and solve crime. Flock Safety's patented Vehicle Fingerprint™ technology lets you search by vehicle make, color, type, license plate, state of the license plate, missing plate, covered plate, paper plate, and unique vehicle details like roof racks, bumper stickers, and more."
13. Board staff confirmed that Defendant was not licensed in North Carolina and a Cease and Desist letter was issued on January 5, 2022. (Attachment 2.)

14. On February 15, 2022, Robert Koon, Regional Supervisor, Flock Safety and Security, Inc., Morrisville, North Carolina, was interviewed by Board Investigator George Daniels pertaining to this complaint (2022-ASLB-0001). Mr. Koon stated that he had several years' experience working with installing license reading cameras used at neighborhoods and malls for random and targeted (i.e. entrance and exit) surveillance. Mr. Koon stated that they are usually contacted by the interested party, such as a home owners association, shopping center or law enforcement agency, to install and monitor the cameras. The information that is obtained from the cameras is coordinated with local law enforcement and/or the contracted party for further action. Mr. Koon stated that he was unaware of any regulation or the necessity for the company to obtain an alarm license. Mr. Koon stated that he would consult with his company for further action on this issue. Mr. Koon stated that the position of Defendant is to maximize neighborhood security with Flock Safety's license plate reading cameras, and that license plate reading cameras work because most crime is committed with a vehicle therefore, whether it is vandalism, theft, or other suspicious activity, Flock Safety's technology quickly and objectively identifies a suspect's vehicle. If a crime does occur, Defendant can automatically alert local law enforcement. He stated that Flock Safety is now in over 1,500 communities and partners with 1,200 law enforcement agencies in the nation.
15. During the course of investigating the first complaint a second complaint (2022-ASLB-0008) was received by the Board staff regarding Defendant installing and monitoring vehicle license plate readers at Concord Mills Mall, Concord, NC.

Contact was again made with Mr. Koon in April 2022 pertaining to this complaint. Mr. Koon stated that the company attorney would be handling this matter and would be in contact with the Board office.

16. Investigator Daniels then made contact on June 29, 2022 with Sgt. James Russ, Security Supervisor, Concord Mills Mall Security Police, pertaining to the operating procedures of the license plates cameras used at the mall. Sgt Russ stated that the system was installed and is serviced by Flock Safety. However, he stated that the system is controlled and monitored by the Concord Police Department. He stated that if there is an investigation or a need for mall security to be informed of any incidents they (mall security) are notified by the Police Department.
17. Defendant, by and through legal counsel, requested to appear before the Board's Grievance Committee. Initially, it was scheduled to appear at the Board's May 2022 meeting but asked that the matter be deferred to allow more time to prepare a response.
18. On July 21, 2022 representatives of Defendant, including its in-house legal counsel and outside counsel, appeared and argued, essentially, that its system does not constitute a camera used for detection of unauthorized or illegal activity as defined by N. C. Gen. Stat. § 74C-1(2). The Grievance Committee did not agree with Defendant's contentions and determined it was a violation. However, in an unprecedented move, the Committee, at the request of Defendant's representatives, deferred the matter to the Board's September meeting.
19. The Board allowed it to do so and, after a continuance, Defendant's representatives appeared before the full Board – in Closed Session – on November 17, 2022. Their

representatives again argued that its system does not constitute a camera used for detection of unauthorized or illegal activity.

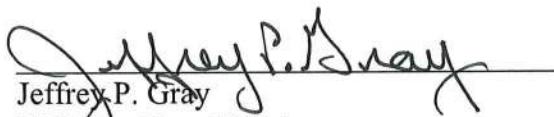
20. The full Board reviewed screenshots from Defendant's website and quotes from its corporate officers and others describing the function and utility of its product, all of which referenced its usefulness in aiding law enforcement and solving crime. *See*, Attachment 3.
21. The full Board rejected Defendant's argument.
22. Defendant's representatives left that meeting knowing and understanding that a license was required for it to continue to engage in business in the State of North Carolina.
23. Investigation has revealed that since the January 5, 2022 Cease and Desist letter, the Defendant has:
 - a. Continued to advertise, contract for, and install security camera in residential communities in North Carolina.
 - b. Contracted to install cameras in the City of Greensboro and the City of Winston-Salem. (*See*, Attachment 4.)
 - c. Contracted with numerous other cities and public and private law enforcement agencies to install cameras.
24. It does not appear as if Defendant intends to comply with North Carolina law.
25. Pursuant to N.C. Gen. Stat. § 74D-2, the purpose of the Alarm Systems Licensing Act is to increase the level of integrity, competency, and performance of the alarm systems industry in order to safeguard the public health, safety and welfare.

26. Defendant's actions have and continue to threaten the public health, safety, and welfare, and by its action, including upon information and belief through employment of unregistered technicians or installers, present a direct threat to the public.

WHEREFORE, Plaintiff prays the Court as follows:

1. That the Court declare Defendant Flock Group, Inc. d/b/a Flock Safety to be in violation of Chapter 74D of the General Statutes, the Alarm Systems Licensing Act, and the Board's administrative rules by providing alarm services without being properly licensed;
2. That the Court issue a Preliminary and Permanent Injunction that enjoins Defendant Flock Group, Inc. d/b/a Flock Safety, from engaging in the alarm systems services business without a license as required by the Alarm Systems Licensing Act, unless and until they become duly licensed as an alarm systems business;
3. That the costs of this action, including the Plaintiff Board's investigative costs, be taxed against Defendant Flock Group, Inc.; and
4. For such other relief as the court may deem just and proper.

Respectfully submitted this the 21st day of February, 2023.


Jeffrey P. Gray
N.C. Bar No.: 13514
Bailey & Dixon, LLP
Post Office Box 1351
Raleigh, North Carolina 27602
Telephone: (919) 828-0731
E-mail: jgray@bdixon.com
*LEGAL COUNSEL TO THE
ALARM SYSTEMS LICENSING BOARD*

VERIFICATION

Paul Sherwin, being first duly sworn, deposes and says that he is the Director of the North Carolina Alarm Systems Licensing Board, and is familiar with the facts from which this claim arises, that he has read the foregoing **COMPLAINT** in full, and that to his personal knowledge, information and belief, the matters and things stated therein are true, except as to such matters as are stated upon information and belief, and as to them, he is informed and believes that they are true.



Paul Sherwin, Director
North Carolina Alarm Systems Licensing Board

Sworn to and subscribed before me this the
20th day of February, 2023.


NOTARY PUBLIC

Print Name: Augustus Goodson IV

My commission expires: 03-27-2027

State of NC

County of Durham

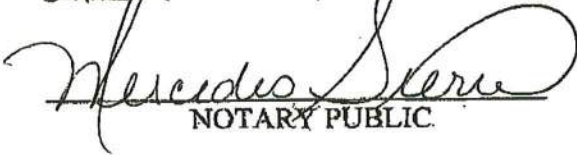
VERIFICATION

George Daniel, being first duly sworn, deposes and says that he is an Investigator for the North Carolina Alarm Systems Licensing Board, and is familiar with the facts from which this claim arises, that he has read the foregoing COMPLAINT in full, and that to his personal knowledge, information and belief, the matters and things stated therein are true, except as to such matters as are stated upon information and belief, and as to them, he is informed and believes that they are true.


George Daniels, Investigator
North Carolina Alarm Systems Licensing Board

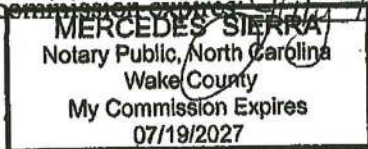
Sworn to and subscribed before me this the

21st day of February, 2023.


NOTARY PUBLIC

Print Name: Mercedes Sierra

My commission expires: July 19, 2027



ATTACHMENT 1

State of North Carolina
Department of the Secretary of State

SOSID: 2196200
Date Filed: 5/19/2021 4:38:00 PM
Elaine F. Marshall
North Carolina Secretary of State
C2021 131 04351

APPLICATION FOR CERTIFICATE OF AUTHORITY

Pursuant to §55-15-03 of the General Statutes of North Carolina, the undersigned corporation hereby applies for a Certificate of Authority to transact business in the State of North Carolina, and for that purpose submits the following:

1. The name of the corporation is Flock Group Inc.;
and if the corporate name is unavailable for use in the State of North Carolina, the name the corporation wishes to use is:

2. The state or country under whose laws the corporation was organized is: DE, United States.

3. The date of incorporation was 02/23/2017.

4. Its period of duration is: ☒s perpetual or a date certain (mm/dd/yyyy) _____.

5. Principal office information: (Select either a or b.)

- a. ☒ The corporation has a principal office.

The street address and county of the principal office of the corporation is:

Number and Street 1170 Howell Mill Road NW Suite 210

City, State, Zip Code Atlanta, GA 30318-8637 USA County Fulton

The mailing address, *if different from the street address*, of the principal office of the corporation is:

Number and Street 2870 Peachtree Road #708

City, State, Zip Code Atlanta, GA 30305-2918 USA County Fulton

- b. ☐ The corporation does not have a principal office.

6. The street address and county of the registered office in the State of North Carolina is:

Number and Street 4030 Wake Forest Road, Ste 349

City: Raleigh State NC, Zip Code: 27609 County: Wake

7. The mailing address, *if different from the street address*, of the registered office in the State of North Carolina is:

Number and Street 4030 Wake Forest Road, Ste 349 Raleigh, NC 27609 United States

City: Raleigh State NC, Zip Code: 27609 County: Wake

8. The name of the registered agent in the State of North Carolina is: Registered Agents Inc.

9. The names, titles, and usual business addresses of the current officers of the corporation are (attach if necessary):

<u>Name</u>	<u>Title</u>	<u>Business Address</u>
Garrett Langley	Chief Executive Officer	1170 Howell Mill Road NW Suite 210 Atlanta GA, 30318-8637 United States
_____	_____	_____
_____	_____	_____
_____	_____	_____

10. Attached is a Certificate of Existence (or document of similar import) duly authenticated by the Secretary of State or other official having custody of corporate records in the state or country of incorporation. **The Certificate of Existence must be an original and less than six months old.**

11. If the corporation is required to use a fictitious name in order to transact business in this State, a copy of the resolution of its board of directors, certified by its secretary, adopting the fictitious name is attached.

12. This application will be effective upon filing, unless a delayed date and/or time is specified: _____.

This is the 11th day of May, 20 21.

_____ Flock Group Inc.

NAME OF CORPORATION

Garrett Langley Chief Executive Officer
Signature

Garrett Langley Chief Executive Officer
Type or Print Name and Title

NOTES:

1. Filing fee is \$250. This document must be filed with the Secretary of State.

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF
DELAWARE, DO HEREBY CERTIFY "FLOCK GROUP INC" IS DULY INCORPORATED
UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND
HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS
OFFICE SHOW, AS OF THE FIFTH DAY OF JANUARY, A.D. 2021.



6325533 8300

SR# 20210005707

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Jeffrey W. Bullock, Secretary of State

Authentication: 202219295

Date: 01-05-21

ATTACHMENT 2



North Carolina Department of Public Safety

Alarm Systems Licensing Board

Roy Cooper, Governor
Eddie Buffaloe, Secretary

Caroline Valand, Chief Deputy Secretary
Paul Sherwin, Director

January 5, 2022

Garrett Langley
Flock Group, Inc. dba Flock Safety
2870 Peachtree Road, #708
Atlanta, GA 30305-2918

RE: CEASE AND DESIST

Dear Mr. Langley:

This office has obtained evidence to indicate that Flock Safety has been advertising and engaging in the alarm services profession in North Carolina without having been properly licensed with the North Carolina Alarm Systems Licensing Board (ASLB).

1. *This is a violation of N.C.G.S. 74D-2(a) which states: "License Required. No person, firm, association, corporation, or department or division of a firm, association or corporation, shall engage in or hold itself out as engaging in an alarm systems business without first being licensed in accordance with this Chapter.*
 - (1) *Sells or attempts to sell an alarm system device by engaging in a personal solicitation at a residence or business to advise, design, or consult on specific types and specific locations of alarm system devices.*
 - (2) *Installs, services, monitors, or responds to electrical, electronic or mechanical alarm signal devices, burglar alarms, monitored access control, or cameras used to detect burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity.*

As a result, **YOU ARE HEREBY DIRECTED TO IMMEDIATELY CEASE AND DESIST CONDUCTING ALL ALARM SYSTEM RELATED ACTIVITIES IN THIS STATE WHICH INVOLVES THE ADVERTISING OF SERVICES, THE SOLICITATION, INSTALLING OR MONITORING OF SECURITY ALARM SERVICES (INCLUDING CAMERA) AND THE INSTALLATION AND MAINTENANCE THEREOF.** Should you fail to immediately comply with this directive, this office will pursue further legal action to include the filing of criminal charges and/or the filing of a civil injunction, if necessary.

Respectfully,

Paul Sherwin, Director
North Carolina Department of Public Safety
Private Protective Services



ATTACHMENT 3

Reduce crime in your community by up to 70%

Flock Safety's license plate reading cameras provide 24/7 monitoring for every home, business, and neighborhood. Protect against property crime, violent crime, stolen vehicles, and more.

Book a Demo

Flock Safety has built the first public safety operating system that helps neighborhoods, businesses, and law enforcement in 2000+ cities work together to eliminate crime, protect privacy, and mitigate bias. Pair devices that capture objective evidence and machine learning to create and deliver unbiased investigative leads to law enforcement.

Flock's Impact

Since 2017, our technology has played a critical role in making communities safer.

>70%

reported reduction in crime

2,000+

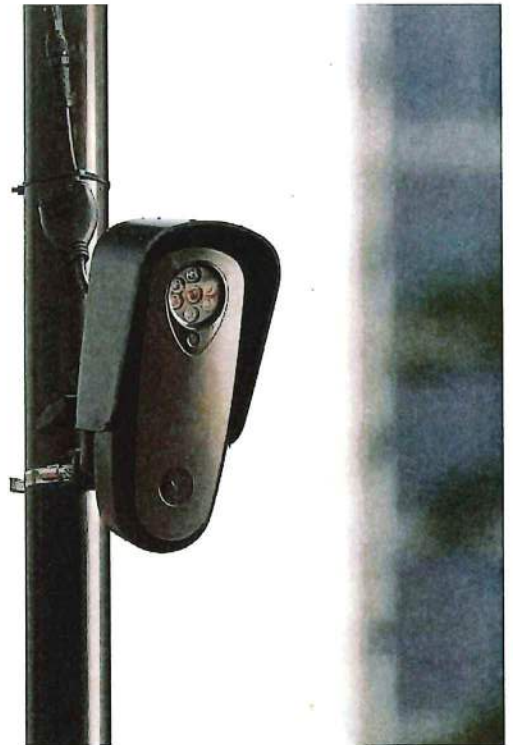
law enforcement agency partners



communities made safer

1B+

vehicles captured per month



01 Detect

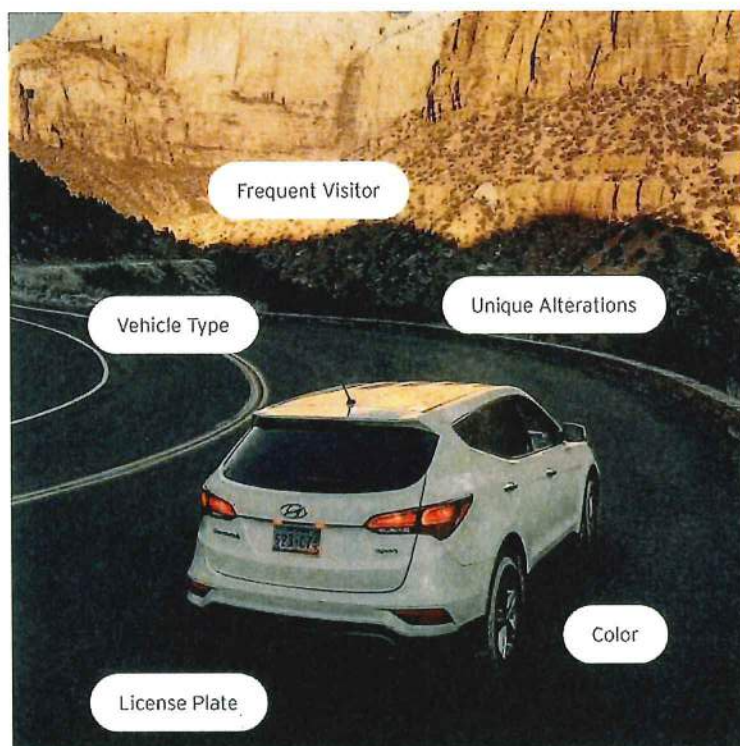
24/7 Monitoring

Not all camera footage provides a lead for an investigation. In fact, many devices miss the most critical information that law enforcement needs to solve crime - a license plate.

Since 7 in 10 crimes are committed with a vehicle, you can obtain objective evidence through purpose built devices.

At Flock, we design and build devices and sensors to capture sight, sound, and situation, which gives you the objective evidence you need for police to investigate and solve crime.

[Learn More](#)



02 Decode

Simple Search

Don't waste time scrolling through hours of footage. Our automatic license plate readers (ALPR) include patented Vehicle Fingerprint™ technology, which leverages machine learning and computer vision to break down the captured evidence into searchable queries.

Now, you go from a crime in progress to instantly find the suspect when you

Visual Evidence

Vehicle make, type, and color

License plate (missing plate, covered plate, state of the license plate)

Unique features (roof rack, bumper stickers, and window stickers)

Contextual Evidence

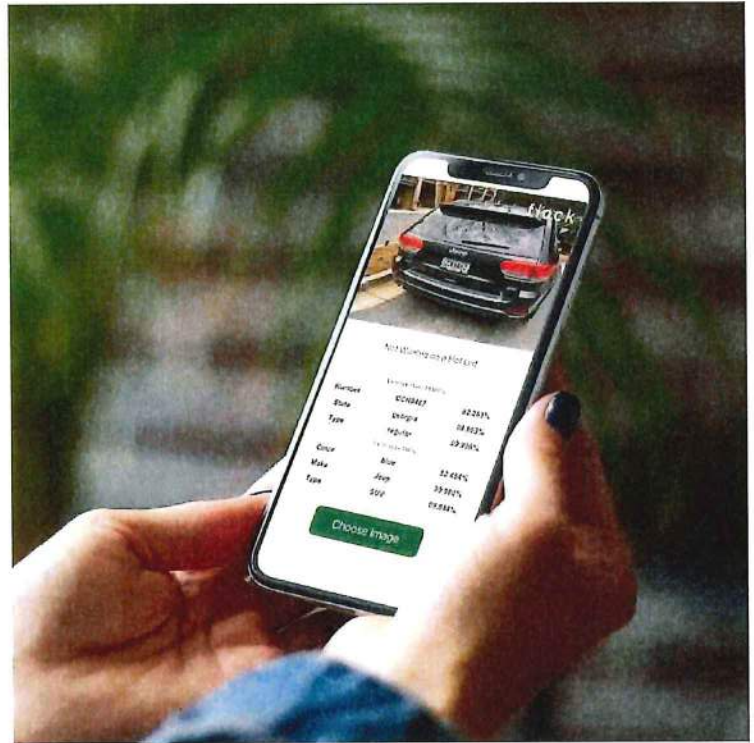
Timestamp

Number of times this vehicle has been seen in the last 30 days

Associated vehicles

Narrow your search results, and find the critical evidence an investigator needs to solve the crime.

[Learn More](#)



03 Deliver

Get the right evidence into the hands of the right person. Instantly.

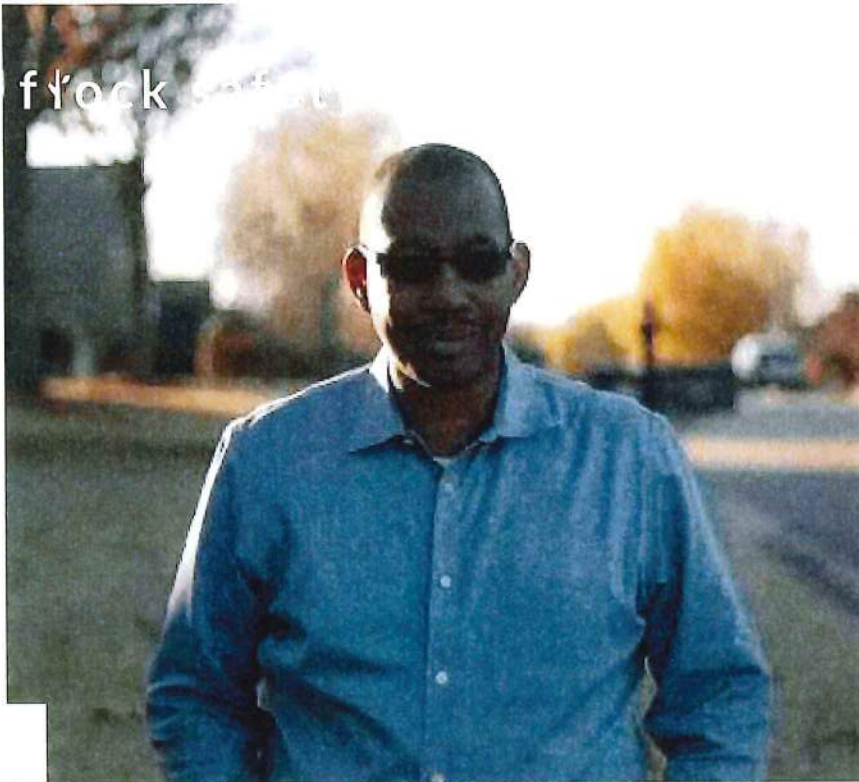
Neighborhoods and businesses can download vehicular evidence, get a case number, and give it to the assigned detective. Vehicle data and license plates are the most requested piece of evidence.

If a known stolen vehicle or wanted person enters the community, local police will

or laptop. Up to 60% of stolen vehicles are associated with additional crime.

[Learn More](#)

Why We're Trusted



"Just knowing that we have a way to deter crime – and if a crime did happen then we have a way to solve it – that's the number-one thing that I like about Flock Safety."

Larry Hubbard

Collierville HOA Board Member

COLLIERVILLE, TN

Featured In

Who we serve

- Neighborhoods
- Law Enforcement
- Business
- Residential
- Improvement Districts



NEIGHBORHOODS LAW ENFORCEMENT BUSINESS RESIDENTIAL IMPROVEMENT DISTRICTS

[Learn More](#)

Help your community stop crime.

Connect with Flock at 866-901-1781, or book a demo today.

[Book a Demo](#)

Solutions



Company



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[ALPR Policy](#)

[Privacy Policy](#)

ATTACHMENT 4

From: Gray, Jeffrey
Sent: Tuesday, January 17, 2023 10:29 AM
To: Stephen Wheeler; Sherwin, Paul
Subject: Flock Safety

Plate Readers

JOHN HINTON, WINSTON-SALEM JOURNAL, 1/13/23

The Winston-Salem City Council has approved a pilot program in which automated license-plate readers will be deployed around Winston-Salem. The council voted unanimously recently for an agreement under which Flock Safety of Atlanta will install and operate 24 automated license-plate readers in the city. The automated license-plate readers will use cameras that will capture license-plate information in Winston-Salem's eight wards, according to a city document.

Flock Safety and Axon Enterprises Inc. of Scottsdale, Ariz., which provides Winston-Salem police officers with body cameras, will pay \$71,000 for the police department to participate in the 12-month pilot program. "We have been honored to partner with Winston-Salem officials, law enforcement and the community on this important step in promoting a safer Winston-Salem," said Holly Beilin, a spokeswoman for Flock Safety.

The system's cameras will be mounted on metal poles that will stand 13 feet. The technology will allow the Winston-Salem Police Department "to capture vehicle details needed to generate investigative leads to solve crime," according to the city document. The license-plate readers also will generate leads on Amber, Silver and other missing-person alerts, the document said. The technology will complement the police department's gunshot detection system.

Council members spoke with multiple police departments who said that their automated license-plate reader programs "were helpful and useful to them," said Jeff MacIntosh, who represents the Northwest Ward on the city council. The city's automated license-plate readers will comply with state law and store license-plate numbers for 30 days, police administrators have said. State law allows the storage of license-plate numbers gathered by automated readers for 90 days.

Automated license-plate readers are being used by the Forsyth County Sheriff's Office and police departments in Kernersville, Greensboro, Charlotte, Raleigh and Mooresville as well as the Winston-Salem State University and Wake Forest University police departments. [\[Source\]](#)

FILED
DATE: October 31, 2023
TIME: 10/31/2023 11:52:38 AM
WAKE COUNTY
SUPERIOR COURT JUDGES OFFICE

STATE OF NORTH CAROLINA BY: S. Smallwood IN THE GENERAL COURT OF JUSTICE
COUNTY OF WAKE SUPERIOR COURT DIVISION
23CV003667-910

NORTH CAROLINA ALARM)
SYSTEMS LICENSING BOARD,)

Plaintiff,)

v.)

FLOCK GROUP, INC. d/b/a FLOCK)
SAFETY,)

Defendant.)

ORDER
PARTIALLY GRANTING
PRELIMINARY
INJUNCTION

THIS MATTER, coming before the undersigned Judge of Superior Court on Plaintiff's verified Complaint for Injunctive Relief, subsequent Motion for Temporary Restraining Order and resulting Order Granting Temporary Restraining Order ("TRO"), and based upon a review of the verified Complaint, Affidavit, Order Granting TRO, case law, exhibits, Memorandum of Law, and Affidavits, and the arguments of counsel for Plaintiff and Defendant, the Court finds as follows:

1. That Plaintiff filed a verified Complaint for Injunctive Relief in Wake County Superior Court on March 3, 2023, seeking to enjoin Defendant from violating the Alarm Systems Licensing Act, Chapter 74 of the North Carolina General Statutes (the "Act").

2. That Plaintiff's verified Complaint alleges Defendant is violating the Act, by advertising, contracting, and installing a camera system that reads motor vehicle license plates, stores that information, then uses it to detect criminal, unauthorized or illegal activity.

3. That a copy of Plaintiff's verified Complaint was attached to Plaintiff's Motion for Temporary Restraining Order and incorporated therein.

4. That Defendant had been under investigation by Plaintiff for over a year for engaging in the alleged unlicensed activity outlined in Plaintiff's Complaint.

5. That Defendant is subject to a Cease & Desist letter and Defendant is fully aware that a license is required for Defendant to conduct business in North Carolina.

6. That Defendant has applied to be licensed but has not yet completed the process.

7. That although unlicensed, Defendant has continued to advertise, solicit contracts, contract for installation, and install its system for municipalities, universities, and homeowners associations.

8. That Plaintiff contends its cameras do not "detect" unauthorized or illegal activity as prescribed by N. C. Gen. Stat. §74D-2(a)(2) thereby requiring licensure.

9. That Plaintiff Board's interpretation of its licensing requirements is reasonable, and in keeping with its Act, the spirit of the Act, and what the Act seeks to accomplish and there is a likelihood Plaintiff will prevail on the merits of this case.

10. That if the public policy of the State is that there is no irreparable harm from engaging in the alarm systems business without being licensed our legislature would not have passed the Act and thereby required a license. All other licensed businesses, and well as the public, are harmed by the conduct of Defendant and this injury is irreparable.

11. That Defendant has—and continues to—violate the laws of the State of North Carolina even after being advised of the license requirements and ordered to Cease and Desist.

12. That Defendant's actions are an immediate and direct threat to the public health, safety, and welfare, the Defendant's failure to be licensed constitutes irreparable harm, and there is a likelihood of success on the merits of Plaintiff's case.

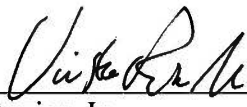
IT IS HEREBY ORDERED that a Preliminary Injunction is entered enjoining Defendant and Defendant's officers, agents, and employees from installing any further camera systems or servicing any existing camera system as such systems are defined by the Act.

IT IS FURTHER ORDERED that Defendant is not enjoined from installing any further camera systems or servicing any existing cameras systems as such systems are defined by the Act if said installation or service is supervised or completed by a third-party company that is licensed by Plaintiff.

IT IS FURTHER ORDERED that the Plaintiff is an agency of the State of North Carolina and no bond shall be required.

IT IS FURTHER ORDERED that Court will hold a status conference during the Court session beginning Monday, November 27, 2023 regarding this Preliminary Injunction and the Defendant's attempts to obtain its license.

This the 30th day of October, 2023.



Vinston M. Rozier, Jr.
Superior Court Judge Presiding

EXHIBIT

E

Board Correspondence Confirming Unlicensed Status

Email of Director Paul Sherwin, August 28, 2026 — Axon, Rekor, PlateRanger, and Leonardo 'not licensed, no records on file.'

Subject: Re: [External] Public Records Request — ALPR Vendor Licensing (Flock Group, Inc. and others) — N.C. Gen. Stat. Ch. 132
Date: Friday, August 28, 2026 at 1:50:34 PM Eastern Daylight Time
From: Sherwin, Paul
To: Mark Williams
Attachments: Outlook-A picture .jpg, Outlook-cidimage00.jpg, Outlook-A picture .gif, Outlook-cidimage00.gif, Flock Safety Registration Roster 8.28.26.csv, LPR complaint 11.11.23 - withdrawn.pdf, Flock Moreno License Application - Redacted.pdf

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Mark,

Thanks for the follow-up. I'm the only person in my office who works on public records requests, so large ones like yours can take a while. I reviewed your original July 15 request, your narrowed July 16 request, and my response and documents I provided on July 17, and here's where I think we are based on your original request.

- A) I've given you what we have, except for the registration files of the 19 employees Flock Safety has registered under its license. These files require extensive redaction to protect sensitive personally identifiable information. Will the attached registered employee roster suffice? Rather than providing the complete application file for each employee?
- B) All documents provided on July 17.
- C) Most documents provided July 17. The emails in (9) are 114 MB and too large to email. I can put them on a flash drive and you can pick it up, or you can arrange for me to "drop" them in a file share system if you have one. You can find (10) online here: <https://www.ncdps.gov/about-dps/boards-and-commissions/alarm-systems-licensing-board/meetings-minutes>
- D) We don't have these records. Use of 3rd-party installers isn't something we track.
- E) Answered on July 17.
- F) See below for specifics. I also attached a complaint we received in 2023 that named a few of the companies. We did not investigate the complaint, due to a lack of specifics and not having a named complainant.
 - a. Rekor, not licensed, no records on file, no complaints
 - b. Verkada, licensed under Dennis Pieta, #625479-CSA, expires 11/30/2027, no complaints
 - c. Motorola, licensed under Robert Tebault, #721547-CAS, expires 7/31/2028, no complaints
 - d. Leonardo, not licensed, no records on file, no complaints
 - e. Plate Ranger, not licensed, no records on file, no complaints
 - f. Axon, not licensed, no records on file, no complaints

The Board does not track which companies provide what kind of services (traditional security, ALPR, etc.) But, reportedly, Hodges Triad Electric was conducting contract work for Flock in 2023. I have no record or memory of what we learned about that.

Thanks, and please let me know if you have additional questions.

Paul Sherwin

Director
NCDPS Private Protective Services
[Security Systems Licensing Board](#)
[Private Protective Services Board](#)

Main Office: 919-788-5320
Direct: 984-220-8625
Cell: 919-218-1549
E-mail: paul.sherwin@ncdps.gov

[3101 Industrial Dr, Suite 104](#)
[Raleigh, NC 27609](#)

From: Mark Williams <mwilliams@ricefamilylaw.com>
Sent: Thursday, August 27, 2026 10:52 PM
To: Sherwin, Paul <paul.sherwin@ncdps.gov>
Subject: Re: [External] Public Records Request — ALPR Vendor Licensing (Flock Group, Inc. and others) — N.C. Gen. Stat. Ch. 132

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Would you please update me on the status of the production?

Thank you,

~Mark

Check Out our Most Recent Video at <https://www.youtube.com/watch?v=IsSOIS3CvK8>



RICE LAW, PLLC
RiceFamilyLaw.com



Mark Spencer Williams

Attorney

910.762.3854 Office
910.304.5360 Direct
910.251.6346 Office Fax
910.317.8930 Direct Fax

mwilliams@ricefamilylaw.com

105 N 6th Street, Wilmington, NC 28401

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From: Sherwin, Paul <paul.sherwin@ncdps.gov>

Date: Friday, July 17, 2026 at 10:54 AM

To: Mark Williams <mwilliams@ricefamilylaw.com>

Subject: Re: [External] Public Records Request — ALPR Vendor Licensing (Flock Group, Inc. and others) — N.C. Gen. Stat. Ch. 132

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Mark,

Sure, I can provide records on a rolling basis.

For starters, I've attached the two complaints from 2022 that initiated the Board's push to require Flock to be licensed. I've also attached Ralph Taylor's initial 2024 license application and 2026 renewal application. Taylor holds the SSLB license for Flock Safety. I think most of what you asked for is included in these four documents. I'll review your original request in the near future to determine what else you've asked for that will require additional document research.

1. Flock's current license or registration (Item A.1) — license number, class, issue date, expiration date, and current licensee record.

License number: 367626-CSA (Ralph Taylor)

Class: Alarm

Issue date: July 23, 2024

Expiration date: August 31, 2026

Current licensee record: I've attached Taylor's 2024 application for a new license.

2. Flock's renewal application for the license expiring July 31, 2026, all correspondence concerning that renewal, and records sufficient to show the renewal's current status (Item A.3).

Taylor submitted a renewal application on July 15, 2026. Board staff reviewed it on July 16 and asked Taylor to submit a corrected certificate of insurance and continuing education certificates. Taylor has 60 days to make the corrections, and the license remains valid during that time. The application is attached.

3. Any determination, interpretation, or legal opinion addressing whether automated license plate readers fall within the Board's jurisdiction under N.C. Gen. Stat. Chapter 74D (Item E).

Automated license plate readers that are used for the purpose of detecting or observing burglary, breaking or entering, intrusion, shoplifting, pilferage, theft, or other unauthorized or illegal activity fall under the Board's jurisdiction. Flock's cameras undoubtedly fall into this definition, which is why the Board required the company to get a Security Systems license.

Paul Sherwin

Director

NCDPS Private Protective Services

[Security Systems Licensing Board](#)

[Private Protective Services Board](#)

Main Office: 919-788-5320
Direct: 984-220-8625
Cell: 919-218-1549
E-mail: paul.sherwin@ncdps.gov

[3101 Industrial Dr, Suite 104](#)
[Raleigh, NC 27609](#)

From: Mark Williams <mwilliams@ricefamilylaw.com>
Sent: Thursday, July 16, 2026 10:32 AM
To: Sherwin, Paul <paul.sherwin@ncdps.gov>
Subject: Re: [External] Public Records Request — ALPR Vendor Licensing (Flock Group, Inc. and others) — N.C. Gen. Stat. Ch. 132

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Mr. Sherwin,

Thank you for acknowledging receipt. I write to request that the Board produce records on a rolling basis as they are located and reviewed, rather than holding production until the full request is complete.

One item within this request carries immediate public significance. Flock Group, Inc. holds a license expiring July 31, 2026 — less than three weeks from today. The renewal application and all correspondence concerning its current status (Item A.3 of the request) directly bear on whether Flock will be authorized to continue operating in North Carolina after that date. This is not an abstract compliance matter. Flock cameras are currently deployed across multiple North Carolina jurisdictions, and the question of whether this vendor is licensed, and under what conditions, is a matter of active public concern over the use of automated license plate reader technology for mass vehicle surveillance on public roads.

Accordingly, I ask that the Board prioritize and produce the following items immediately, or as soon as they are located:

1. Flock's current license or registration (Item A.1) — license number, class, issue date, expiration date, and current licensee record.
2. Flock's renewal application for the license expiring July 31, 2026, all correspondence concerning that renewal, and records sufficient to show the renewal's current status (Item A.3).
3. Any determination, interpretation, or legal opinion addressing whether automated license plate readers fall within the Board's jurisdiction under N.C. Gen. Stat. Chapter 74D (Item E).

The remaining items — the 2022 investigation and litigation records, compliance history, third-party installer records, and records for other ALPR vendors — may follow in the ordinary course. I am not asking the Board to compress the full production. I am asking only that the records bearing on an expiring license be separated from the broader request and produced as soon as practicable.

If the renewal file is already assembled or the license status is readily confirmed, production of those records could be immediate. If any portion is subject to a claimed exemption, please produce the non-exempt portions now and identify the statutory basis for any withholding, so that issue can be addressed without further delay.

With all best wishes,

Mark

Sent from my mobile device often with speech to text. Please forgive any typos.

Mark Spencer Williams
Managing Attorney
NCDRC Certified Mediator – Superior Court & Family Financial
Certified Parent Coordinator

Rice Law PLLC
105 N. 6th Street
Wilmington, NC 28401
(O) 910.762.3854
(D) 910.304.5360
www.RiceFamilyLaw.com

From: Sherwin, Paul <paul.sherwin@ncdps.gov>

Sent: Thursday, 16 July 2026 16:12:47

To: Mark Williams <mwilliams@ricefamilylaw.com>

Subject: Re: [External] Public Records Request — ALPR Vendor Licensing (Flock Group, Inc. and others) — N.C. Gen. Stat. Ch. 132

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Mark,

Received, thanks.

I strive to return public records requests within 30 days, but this one may take longer given the broad scope.

Paul Sherwin

Director

NC DPS Private Protective Services

[Security Systems Licensing Board](#)

[Private Protective Services Board](#)

Main Office: 919-788-5320

Direct: 984-220-8625

Cell: 919-218-1549

E-mail: paul.sherwin@ncdps.gov

[3101 Industrial Dr, Suite 104](#)

[Raleigh, NC 27609](#)

From: Mark Williams <mwilliams@ricefamilylaw.com>

Sent: Wednesday, July 15, 2026 11:10 AM

To: SVC_DPS.PPSASL <PPSASL@ncdps.gov>

Cc: Sherwin, Paul <paul.sherwin@ncdps.gov>

Subject: [External] Public Records Request — ALPR Vendor Licensing (Flock Group, Inc. and others) — N.C. Gen. Stat. Ch. 132

Some people who received this message don't often get email from mwilliams@ricefamilylaw.com. [Learn why this is important](#)

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To the Custodian of Public Records, Security Systems Licensing Board:

Pursuant to the North Carolina Public Records Act, N.C. Gen. Stat. Chapter 132, I request to inspect and obtain copies of the following records held by the Board and by the Department of Public Safety. Where a record exists in electronic form, please produce it electronically (PDF, or native CSV/Excel for any data export).

A. Flock Group, Inc. — licensing file

1. The current license or registration held by **Flock Group, Inc.** (also doing business as **Flock Safety**), including the license number, class, issue date, and expiration date, and the licensee record as maintained by the Board.
2. All applications submitted by Flock Group, Inc. for licensure or registration, with supporting materials.
3. Any **renewal application** for the license expiring **July 31, 2026**, together with all correspondence concerning that renewal, and records sufficient to show the renewal's current status.

B. The 2022 investigation and the resulting litigation

4. The investigative file arising from the Board's investigation, opened in or about **January 2022**, into whether Flock was operating in North Carolina without a license — including the complaint or referral that initiated it, investigative reports, findings, and disposition.
5. All records concerning the Board's action in **Wake County Superior Court**, including the Board's filings, any consent order or settlement, and the **October 2023 order** requiring Flock to cease installing systems in North Carolina except through a licensed third party.
6. All records concerning Flock's agreement, in or about **March 2024**, to submit a license application by June 1, 2024, and the Board's evaluation of that application.

C. Compliance history

7. All **complaints** received by the Board concerning Flock Group, Inc. or Flock Safety since **January 1, 2020**, and the disposition of each.
8. Any notice of violation, cease-and-desist, civil penalty, consent agreement, probation, suspension, revocation, or other disciplinary or enforcement action involving Flock.
9. All correspondence between the Board or DPS staff and Flock, its counsel, or its agents, since **January 1, 2020**.
10. Board agendas and minutes referencing Flock since **January 1, 2020**.

D. Third-party installers

11. Records identifying the **licensed persons or entities that have installed Flock systems in North Carolina**, including any list, notice, or report submitted to the Board identifying installers, and any records showing which North Carolina installations were performed by which licensee.

E. The threshold legal question

12. Any **determination, declaratory ruling, staff interpretation, guidance, or legal opinion** — formal or informal — addressing whether an automated license plate reader constitutes an "alarm system" or otherwise falls within the Board's jurisdiction under N.C. Gen. Stat. Chapter 74D and 14B NCAC Chapter 17. This includes any position Flock advanced to the contrary and the Board's response to it.

F. Other ALPR vendors

13. For each of the following, records sufficient to show **whether the entity holds or has ever held a license or registration from the Board**, the status and expiration of any such license, and any complaints, investigations, or enforcement actions concerning it:
- a. **Rekor Recognition Systems, Inc.** / Rekor Systems (products including "Rekor Scout")
 - b. **Verkada Inc.**
 - c. **Motorola Solutions, Inc.** / Vigilant Solutions
 - d. **Leonardo** / ELSAG North America
 - e. **Plate Ranger**
 - f. **Axon Enterprise, Inc.** / Fusus
14. Any list the Board maintains of licensees whose licensed activity includes license plate recognition, automated license plate readers, or vehicle-recognition systems.

If the Board takes the position that any of these vendors falls outside its jurisdiction, a brief written statement to that effect will satisfy the corresponding portion of item 13, and I would appreciate that confirmation.

I am willing to pay reasonable duplication costs. If you anticipate any fee, including any special service charge under **N.C. Gen. Stat. § 132-6.2(b)**, please notify me with an estimate before incurring it. If you contend any portion of these records is exempt or confidential, please produce all reasonably segregable non-exempt portions and **cite the specific statutory basis** for each withholding or redaction. If no records exist responsive to a numbered item, a written statement to that effect will satisfy it.

Please acknowledge receipt and provide an estimated timeframe for production.

Sincerely,

Mark Spencer Williams

Managing Attorney, Rice Law PLLC

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