WAUSAU, WISCONSIN · FOR MEMBERS OF THE COMMON COUNCIL · OCTOBER 2026

Flock's contracts are bad now and get worse over time

Research Report · October 13 · Felix Gallo, for UnflockWausau.org

The contract Wausau signed in 2023 already lets Flock keep anonymized data from the city's 20 cameras with no time limit and disclose footage on its own judgment. Waiting does not fix that: the contract renews automatically in 2028, and the terms Flock offers today, which it rewrote twice this year, are worse for the city on four of the five points compared below. The 2023 contract lets the city leave now at no cost, so the time to start separating from Flock is this budget.

Two clauses the city signed in 2023

Section 4.3 · Anonymized data

Flock may strip identifying details from the city's camera data and then:

- keep the result with no time limit. The 30-day deletion covers footage only.
- train its machine-learning models on it.
- use and distribute it in "other Flock offerings."
- hand these rights to any company that buys Flock (Section 11.3).

The city gets no notice, no report and no right to audit. Flock alone decides what counts as anonymized.

Racine County's sheriff removed his cameras after Flock confirmed it keeps such a dataset for up to five years. Flock offered Sheboygan up to five years of traffic data from that city's own cameras. Whether Wausau's data is included is not public.

Section 5.3 · Disclosure of footage

For 30 days after capture, Flock may access, preserve and disclose the city's footage to police, officials or other third parties:

- on its own "good faith belief" that this is reasonably necessary for security, fraud, technical, emergency or contract-enforcement purposes.
- without a warrant or court order.
- without telling the city, before or after.
- outside the sharing settings the police department controls.

Flock's current standard terms no longer allow this. Wausau's contract still does.

What each contract gives Flock

	Keep the 2023 contract Renews automatically, Dec. 2028 to 2030	**Sign Flock's current terms** Standard terms updated Aug. 21, 2026
City data Flock may use in its products	Anonymized data, perpetually	**All camera data**, perpetually and irrevocably. No anonymizing step
Who owns what Flock builds	Flock "does not own" the anonymized data	**Flock** owns the analyses, reports and models its services generate
Disclosure on Flock's judgment	**Allowed** (Section 5.3)	Not allowed; unauthorized sharing is a breach
Leaving through the budget	Any time, 30 days' notice, no cost	**Only at fiscal year end**; amounts incurred still owed
Disputes	Wisconsin law and courts	**Georgia law**, private arbitration

The 2028 terms cannot be known. Flock changed its standard terms in February 2026 and again in August, deleting and then restoring its promise not to sell customer data. In 2028 it may raise the price (Section 6.2), or decline to renew and offer only its terms of the day (Section 7.1). Fixing either clause above takes Flock's signature (Section 11.4). The last annual payment falls due in December 2027, and notice not to renew is due by Nov. 15, 2028.

What the council can do now

1. **Leave the $50,000 Flock payment out of the 2027 budget.** Section 11.16 makes every payment conditional on appropriated funds.
2. **Direct 30 days' written notice of termination.** The same section allows it "without penalty or other cost."
3. **Ask the city attorney for a written opinion** on Sections 11.16, 4.3 and 5.3 before the November budget vote.
4. **Ask Flock in writing** what data derived from Wausau's cameras it holds, in which products and for how long, and require it to certify deletion.

Sources. 2023 Master Services Agreement and order form: Common Council packet of Oct. 24, 2023, PDF pages 156 to 176. That copy is unsigned, so the city attorney should confirm the executed version. Flock's current terms: flocksafety.com/legal/terms-and-conditions. February 2026 changes: Footnote4a, the ACLU and Wausau Pilot & Review. Racine County and Sheboygan: Wausau Pilot & Review, Sept. 24, 2026. **Flock's position:** it says it does not sell customer data and calls its perpetual license a standard software provision. This handout is a reading of the contract text, not legal advice.