

PRIVACY NOTICE

(Revised September 1, 2023)

Digital Ally, Inc. is committed to providing on-line resources to you in a manner that protects your privacy. This Privacy Notice describes how we currently collect and use information we receive from you in relation to your use of our website, applications, products, services, events, and experiences (collectively, “Digital Ally Products and Services”), which may change from time to time. This Privacy Notice does not apply to the data processed and stored by our customers on their Digital Ally cloud-based data storage solutions accounts, nor to the services we provide to our customers as a data processor or service provider, which we perform in accordance with applicable data protection statutes. This Privacy Notice also does not apply to the use of personal information that is collected by third parties, including third parties you may access through links on our website to other websites and applications, and we are not responsible for the privacy policies or practices of such third parties. As we may periodically modify this Privacy Notice, we strongly recommend that you review this Privacy Notice web page often to be aware of any changes to it. By using the Digital Ally Products and Services, including this website, you consent to the privacy procedures set out in this Privacy Notice, as the policy may be amended from time to time. Your continued use of this website, or Digital Ally’s services provided through the website, constitutes your agreement to this Privacy Notice as it is periodically updated.

The terms “you,” “your,” and “yours” refer to persons or entities (“Persons”) using our website. The terms “Company,” “we,” “us,” “our,” and “Digital Ally” refer to Digital Ally, Inc. This Privacy Notice is governed by our Website Terms of Use Agreement.

INFORMATION WE COLLECT.

Digital Ally collects both Personal Information and Non-Personal Information (“Collected Information”) about its customers in order to: (i) provide Digital Ally products and services; (ii) provide customer and technical support; and, (iii) for other business-related purposes, such as billing and marketing. Digital Ally also may collect certain Personal Information and Non-Personal Information from website visitors. “Personal Information” means any information that can be used to identify you. Some examples of Personal Information include your name, address, email address and phone number. “Non-Personal Information” means information that on its own cannot be used to identify you. Some examples of Non-Personal Information include usage data relating to Digital Ally websites and Digital Ally products, language preferences and Digital Ally website page views. Collected Information may be aggregated and/or made anonymous. When information is aggregated, it is combined with information about other customers and users. When information is made anonymous, Personal Information is removed from collected data and the remaining portion of the data, containing only Non-Personal Information, is used for other internal or external uses, such as, for example, to determine ways we can improve Digital Ally products and services or to collect information on usage. Aggregated information that includes Personal Information is considered Personal Information until it has been made anonymous. Information that is made anonymous is considered Non-Personal Information.

We receive Collected Information from you automatically when you visit, interact with, or use Digital Ally Products and Services, upload content to us and/or download content from us, open

emails or click on links in emails from us; and interact or communicate with us. Examples of the Collected Information we may automatically receive include network and connection information, computer and device information, the location of your device or computer, authentication and security credential information, content interaction information, Digital Ally Products and Services metrics, email addresses and phone numbers used to contact us; and identifiers and information contained in cookies.

COOKIES.

This Privacy Notice covers the use of cookies by Digital Ally only, and not by any third party. Cookies are small data strings that are sent to the browser in your computer and stored in the browser in your computer by a website you visit. Cookies generally hold information which allow websites to recognize users and customize the sites for user navigation. When you interact with us online, including through our website, through the use of cookies, we may automatically collect certain Collected Information from your device and your browsing activities. Cookies are useful in helping us to (i) provide you with a good customer experience and (ii) determine which products and services may be of interest to you, and market to you based on those interests. For example, information we can obtain from cookies assists us in determining how our website is performing and how we can improve the customer experience. We may automatically collect through cookies, information about the electronic path you take to our websites, through our websites and when exiting our websites, as well as your usage and activity on our websites and other online services, such as the links and objects you view, click or otherwise interact with. Your internet browser will likely permit you to delete or disable cookies if you choose. However, certain features may not work fully or optimally if you disable cookies. If you prefer not to store cookies which may be shared with us automatically, you can choose not to use our website, set your browser to notify you when you receive a cookie, set your browser to refuse to accept cookies, delete cookies previously stored, and/or set your computer to anonymously browse our website.

USE OF INFORMATION.

Digital Ally is not in the business of selling your information. We consider this information to be an important part of our relationship with you.

Digital Ally uses Personal Information and other Collected Information in a manner that is consistent with this Privacy Notice (collectively, “Business Purposes”), which includes our use of your Personal Information to operate, provide, and improve Digital Ally Products and Services. Our Business Purposes for using Personal Information include to: (i) provide and deliver Digital Ally Products and Services and process related transactions such as those relating to registrations, subscriptions, purchases, and payments; (ii) measure, support, and improve Digital Ally Products and Services; (iii) recommend Digital Ally Products and Services that might be of interest to you, identify your preferences, and personalize your website experience; (iv) comply with legal obligations; (v) communicate with you in relation to Digital Ally Products and Services and respond to your requests; (vi) market and promote Digital Ally Products and Services, including new products and services; (vii) prevent and detect fraud and abuse in order to protect the security of our customers, the Company, and others; and (viii) assess and manage credit risks. We may also ask for your consent to use your Personal Information for a specific purpose that we communicate

to you. Personal Information may also be used for the purpose of notifying you concerning technical matters or policy changes, to improve website content and functioning, to assist us in meeting customer needs, or for similar business purposes.

We will retain Personal Information we obtain from our customers for as long as is reasonably necessary to achieve the purposes for which it was collected, as required by law, or as otherwise communicated to you. We will retain and use Personal Information as is reasonably necessary to comply with legal obligations, resolve disputes, enforce our agreements, and provide the Digital Ally Products and Services. How long we retain specific Personal Information will vary depending on the purpose for its use, and we will delete your Personal Information in accordance with applicable law.

Without additional notice, in certain instances we may share your Personal Information with certain third parties. We may share Personal Information you provide to us with service providers we have retained to perform services on our behalf, including for marketing, mailing information, maintaining databases and processing payments purposes. In addition, we may disclose information about you (i) if we are required to do so by law, (ii) to law enforcement authorities or other government officials, or (iii) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation of suspected or actual illegal activity. We reserve the right to transfer any Personal Information we have about you in the event we sell or transfer all or a portion of our business or assets, and/or to our parent, subsidiary, and affiliate companies that are either subject to this Privacy Notice or that follow practices at least as protective as those contained in this Privacy Notice. Should a sale or transfer of our business assets occur, we will use reasonable efforts to direct the transferee to use Personal Information you have provided to us in a manner that is consistent with this Privacy Notice. Additional instances where we may share your Personal Information include the circumstances where you elect to use one or more third party applications that interoperate with Digital Ally's Products and Services, or where we share your Personal Information with an entity that is affiliated with us for purposes consistent with this Privacy Notice. Other than as set out above, you will receive notice when your Personal Information might be shared with third parties, and you will have an opportunity to choose not to share such Personal Information.

CUSTOMER INFORMATION MODIFICATIONS.

If you have submitted Personal Information to us, you may update or modify that information by editing your account profile or by emailing or otherwise contacting us to make the requested changes.

SECURITY.

Because the security of your Personal Information is important, we take commercially reasonable and appropriate precautions to protect your Personal Information, including by designing our systems to protect your Personal Information in our possession from loss, misuse, destruction, unauthorized disclosure and alteration. We will follow generally accepted industry standards to protect the Personal Information that you provide. However, no company can fully eliminate the

security risks associated with the collection, transmission and storage of personal information and therefore, we cannot guarantee absolute security. Therefore, any transmission is at your own risk.

LOCATION OF PERSONAL DATA.

Digital Ally is located in the United States, and we have customers throughout the world. The Personal Information you provide will be transmitted, used, stored and otherwise processed in accordance with this Privacy Notice and as required by the applicable data protection laws in the jurisdiction where the Personal Information originated. All Personal Information processed from the European Economic Area (“EEA”) and the United Kingdom (“UK”) will be processed and protected in accordance with those applicable data protection statutes. For Personal Information processed from other countries, we take steps designed to protect Personal Information in manner required by the laws of the country of origin, and if none, similar to the protections accorded to the Personal Information of our customers pursuant to the federal laws of the United States, and the laws of the State of Kansas, the location of Digital Ally’s principal place of business.

CHILDREN.

This website is not directed to, nor intended for use by, persons under the age of 18 and we do not seek or knowingly collect Personal Information from children under the age of 18. Any person who provides their Personal Information to Digital Ally warrants to us that they are 18 years of age or older. If a child under the age of 18 provides Personal Information to us, we request the child’s parent or guardian to contact us to request that we remove the child’s Personal Information from our information storage systems. We will promptly delete any Personal Information we have obtained if we discover that it has been collected from or about a person under the age of 18.

SPECIFIC STATE LAWS.

If you are a resident of the State of California, Colorado, Connecticut, Nevada, Utah, or Virginia in the United States, please review [Exhibit A](#) to this Privacy Notice for additional state-specific privacy disclosures.

Colorado, Connecticut, Virginia, and Utah each provide their state residents with rights to:

- Confirm whether we process their personal information.
- Access and delete certain personal information.
- Data portability.
- Opt-out of personal data processing for targeted advertising and sales.

Colorado, Connecticut, and Virginia also provide their state residents with rights to:

- Correct inaccuracies in their personal information, considering the information’s processing purpose.
- Opt-out of profiling in furtherance of decisions that produce legal or similarly significant effects.

To exercise any of these rights, or to appeal a decision regarding a consumer rights request, please write to us at the address in the section below, entitled “CONTACTING DIGITAL ALLY.”

Nevada provides its residents with a limited right to opt-out of certain personal information sales. Residents who wish to exercise this sale opt-out right may submit a request by writing to us at the address in the section below, entitled “CONTACTING DIGITAL ALLY.” However, please know we do not currently sell data triggering that statute’s opt-out requirements.

LINKS TO OTHER SITES.

This website may contain links to other sites that are not owned or controlled by Digital Ally. Please be aware that Digital Ally is not responsible for the privacy practices or the content of sites maintained by others and those sites will be governed by their own privacy policies which we encourage you to carefully review.

DISCLAIMER.

The Digital Ally website, and the services provided herein, including without limitation, the cloud storage functions, are provided to you on an “AS-IS” basis, without any guarantee of availability. Digital Ally expressly disclaims responsibility for occurrences beyond our direct control.

CONTACTING DIGITAL ALLY.

If you have questions, suggestions, or comments concerning our Privacy Notice or our privacy practices, or requests regarding your Personal Information, you may contact us at the following address:

Digital Ally, Inc.
14001 Marshall Drive
Lenexa, KS 66215
ATTN: Privacy Officer

If you contact us regarding any concerns about privacy at Digital Ally, please provide a detailed description of your concerns, and we will try to remedy any problem you direct to our attention.

You can view, update, and delete certain information about your account and your interactions with Digital Ally Products and Services through your account on our website. If you cannot access or update your information yourself, you can contact us at the above address for assistance. If you interact with Digital Ally on behalf of, or through, an entity, then your personal information may also be subject to your organization’s privacy practices, and you should direct privacy inquiries to your organization.

You may have certain data rights under state privacy laws, including to request information about the collection of your personal information by us, to access your personal information in a portable format, and to correct or delete your personal information. If you wish to do any of these things and you are a Digital Ally customer, please contact us through our Customer Service Department. If you are not a Digital Ally customer, or you are an authorized agent under applicable state law, please contact us at the above address.

EXHIBIT A
State Specific Privacy Disclosures

These additional state-specific privacy disclosures, which serve as a Notice at Collection under the California Privacy Rights Act, are required by the California Consumer Privacy Act, as amended by the California Privacy Rights Act, Colorado Privacy Act, Connecticut Data Privacy Act, Utah Consumer Privacy Act, and Virginia Consumer Data under the California Privacy Rights Act, are required by the California Consumer Privacy Act, as amended by the California Privacy Rights Act, Colorado Privacy Act, Connecticut Data Privacy Act, Utah Consumer Privacy Act, and Virginia Consumer Data.

A. Categories of personal information collected.

The personal information that we may collect, or may have collected from consumers in the preceding twelve months, fall into the following categories (“Collection Categories”) established by the California Privacy Rights Act, depending on how you engage, or have engaged, with Digital Ally’s Products and Services:

1. Identifiers, such as your name, alias, address, phone numbers, or IP address and/or your Digital Ally account log-in information;
2. personal information as described in subdivision (e) of Section 1798.80 of the California Civil Code, such as a credit card number or other payment information;
3. characteristics of protected classifications under California or US federal law, such as age, race, or gender, for example, if we conduct user surveys or analysis;
4. commercial information, including records of products and services purchased, obtained, or considered;
5. internet or other electronic network activity information, including browsing history, search history, and other content interaction information, such as content downloads, streams, and playback details;
6. biometric information, such as your voice or appearance, for example if you choose to participate in a demonstration of image recognition applications;
7. geolocation data, which may in some cases constitute precise geolocation information, such as the location of your device or computer, for example if you enable location services to enhance your experience through event applications we offer;
8. audio, visual, electronic or other similar information, including when you communicate with us by phone or otherwise;
9. professional or employment-related information, for example data you may provide about your business;

10. inference data, such as information about your preferences; and

11. education information, such as information about enrollment status, fields of study, or degrees, honors, and awards received.

We may collect this information from you, automatically through your interaction with Digital Ally Products and Services, or from third parties, for the business and commercial purposes described in the “USE OF INFORMATION” section above.

B. Categories of personal information disclosed for a business purpose.

The personal information that we may have disclosed about consumers for a business purpose in the preceding twelve months fall into the Collection Categories established by the California Privacy Rights Act set forth in Section A, items 1-11, above in this Exhibit A, and may have been used if we used third-party service providers to, as an example, verify your identity; if we used a third-party payment processor; if we conducted user surveys or analyses using a third-party service provider; if a third-party service provider assisted us in providing a product or service to you; if we used a third-party service provider to help us gather reports for analyzing the efficacy of our products and services; if you chose to participate in a demonstration of our products and services that were facilitated by a third-party service provider; if we provided information to a third-party service provider for verification or registration as part of the delivery of Digital Ally Product and Services; and/or if we used a third-party service provider to store information about your preferences.

C. Your Data Rights.

You may have certain data rights under state privacy laws, including to request information about the collection of your Personal Information by us, to access your Personal Information in a portable format, and to correct or delete your Personal Information. If you wish to do any of these things and you are a Digital Ally customer, please contact our Customer Service Department by electronic mail at support@digitalally.com or by telephone at 800-440-4947, or at the address under the section of this Privacy Notice, entitled CONTACTING DIGITAL ALLY. If you are not a Digital Ally customer, or you are an authorized agent under applicable state law, please contact us at the address under the section of this Privacy Notice, entitled CONTACTING DIGITAL ALLY.

To ensure the security of your Digital Ally account, we will generally ask you to verify your request using the contact information you have already provided. If you are an authorized agent making a request on behalf of a consumer pursuant to applicable state law, we may ask you to provide information verifying you have proper authority to make the request on behalf of the consumer or we may ask the consumer to verify their identity with us directly.

D. No sale or sharing of personal information.

We do not sell or share any personal information of consumers, as those terms are defined under the California Privacy Rights Act.

E. California Privacy Rights Act Sensitive Personal Information Disclosure.

The categories of data that we collect and disclose for a business purpose include “sensitive personal information” as defined under the California Privacy Rights Act. We do not use or disclose sensitive personal information for any purpose not expressly permitted by the California Privacy Rights Act.

F. California Privacy Rights Act Retention Disclosure.

We keep your Personal Information to enable your continued use of Digital Ally Products and Services, for as long as it is required in order to fulfill the relevant purposes described in this Privacy Notice, as permitted or as may be required by law, or as otherwise communicated to you.

G. California Privacy Rights Act Non-Discrimination Statement.

We will not discriminate against any consumer for exercising their rights under the California Privacy Rights Act.

H. California Privacy Rights Act, Colorado Privacy Act, Connecticut Data Privacy Act, Virginia Consumer Data Protection Act, and Utah Consumer Privacy Act De-identified Data Disclosure.

Digital Ally may use de-identified data in some instances. Digital Ally either maintains such data without attempting to re-identify it or treats such data as personal data subject to applicable law

I. Colorado Privacy Act Profiling Disclosure.

We do not engage in profiling of consumers in furtherance of automated decisions that produce legal or similarly significant effects, as those terms are defined under the Colorado Privacy Act.

J. Information You Give Us.

You provide information to us when you interact with Digital Ally on our website, by mail, electronically, by telephone, and other forms of communication, including when you: search for, subscribe to, or purchase Digital Ally Products and Services; create or administer your Digital Ally cloud-based data storage solutions accounts; configure your settings for, provide data access permissions for, or otherwise interact with Digital Ally Product and Services; submit an online registration relating to Digital Ally Products and Services; communicate with us by phone, email, or otherwise; complete a questionnaire, a customer service support ticket, or other information request forms; and participate in using our website features.

Depending on your use of Digital Ally’s Products and Services, you might supply us with such information as: your name, email address, physical address, phone number, and other similar contact information; payment information, including credit card and bank account information; information about your location; information about your organization and your contacts, such as colleagues or people within your organization; usernames, aliases, roles, and other authentication and security credential information; content of feedback, testimonials, inquiries, customer service

support tickets, and any phone conversations, letters, and emails with or to us; your image, voice, and other identifiers that are personal to you; information regarding identity, including government-issued identification information; corporate and financial information; and VAT numbers and other tax identifiers.

K. Automatic Information.

We collect information automatically when you: visit, interact with, or use Digital Ally Products and Services (including when you use your computer or other device to interact with Digital Ally Products and Services); download content from us; open emails or click on links in emails from us; and interact or communicate with us (such as when you request customer support).

Examples of the information we automatically collect include: network and connection information, such as the Internet protocol (IP) address used to connect your computer or other device to the Internet and information about your Internet service provider; computer and device information, such as device, application, or browser type and version, browser plug-in type and version, operating system, or time zone setting; the location of your device or computer; authentication and security credential information; content interaction information, such as content downloads, streams, and playback details, including duration and number of simultaneous streams and downloads; Digital Ally Products and Services metrics, such as offering usage, occurrences of technical errors, diagnostic reports, your settings preferences, backup information, API calls, and other logs; the full Uniform Resource Locators (URL) clickstream to, through, and from our website (including date and time) and Digital Ally Products and Services; content you viewed or searched for, page response times, download errors, and page interaction information; email addresses and phone numbers used to contact us; and identifiers and information contained in cookies, as further set forth in the Privacy Notice under the section entitled COOKIES.

L. Information from Other Sources.

Examples of information we receive from other sources include: marketing, sales generation, and recruitment information, including your name, email address, physical address, phone number, and other similar contact information; subscription, purchase, support, or other information about your interactions with products and services offered by us, our affiliates, or third parties in relation to Digital Ally Products and Services; search results and links, including paid listings (such as Sponsored Links); and credit history information from credit bureaus.

M. Information You Can Access.

Examples of information you can access through Digital Ally Products and Services include: your name, email address, physical address, phone number, and other similar contact information; usernames, aliases, roles, and other authentication and security credential information; your subscription, purchase, usage, billing, and payment history; payment settings, such as payment instrument information and billing preferences; tax information; and email communication and notification settings.