

IN THE CIRCUIT COURT FOR BALTIMORE CITY

DONTE PEOPLES

5702 Van Dyke Road
Baltimore, Maryland 21206

and

CARNEL MORGAN

4223 Colonial Road
Baltimore, Maryland 21208

and

DAWRON MASON

7101 Abbingdon Drive
Oxon Hill, Maryland 20745

and

LEWIS JONES

1008 Downton Road
Baltimore, Maryland 21227

Plaintiffs,

v.

THE STATE OF MARYLAND

Goldstein Treasury Building
80 Calvert Street
Annapolis, Maryland 21401

Serve on:

Maryland Office of the Attorney General
200 St. Paul Place
Baltimore, Maryland 21202

and

**RAFAEL LÓPEZ, in his official capacity as
Secretary of the Maryland Department of Human
Services**

Office of Secretary
Department of Human Services

Case No. _____

JURY TRIAL DEMANDED

311 West Saratoga Street
Baltimore, Maryland 21201

Serve on:

Maryland Office of the Attorney General
200 St. Paul Place
Baltimore, Maryland 21202

and

**MARYLAND DEPARTMENT OF HUMAN
SERVICES**

25 South Charles Street
Baltimore, Maryland 21201

Serve on:

Maryland Office of the Attorney General
200 St. Paul Place
Baltimore, Maryland 21202

and

CHILD SUPPORT ADMINISTRATION

Mondawmin Mall
2401 Liberty Heights Ave, Suite 4645
Baltimore, Maryland 21215

Serve on:

Maryland Office of the Attorney General
200 St. Paul Place
Baltimore, Maryland 21202

and

VERITAS HHS, LLC

1120 Lincoln Street, Suite 1300
Denver, Colorado 80203

Serve on:

CSC – Lawyers Incorporating Service
7 St. Paul Street, Suite 820
Baltimore, Maryland 21202

Defendants.

COMPLAINT

Donte Peoples, Carnel Morgan, Dawron Mason, and Lewis Jones (“Plaintiffs”) hereby sue Defendants the State of Maryland (the “State”), Secretary Rafael López (“Secretary López”), the Maryland Department of Human Services (“DHS”), the Maryland Child Support Administration (“CSA”), and Veritas HHS (“Veritas”) (collectively, “Defendants”), and allege, upon knowledge to themselves and upon information and belief as to all other matters, as follows:

INTRODUCTION

1. This case seeks to correct a serious breakdown in Maryland’s child support enforcement system—the repeated and improper suspension of driver’s licenses without providing individuals notice or the opportunity to be heard prior to the suspensions. Despite repeated requests to Defendants to correct their illegal system of driver’s license suspension, Defendants continue to deprive Plaintiffs, and other Marylanders, of their constitutionally protected property interest in their driver’s licenses without due process protections and in violation of Maryland and federal law. Defendants’ actions have caused widespread harm and must be corrected.

2. The United States Supreme Court and the Supreme Court of Maryland recognize that a driver’s license is a property interest protected by the Fourteenth Amendment to the United States Constitution. The Supreme Court of Maryland has extended that protection through Article 24 of the Maryland Declaration of Rights. As a consequence, a driver’s license cannot be suspended or revoked without the fundamental constitutional protections of notice and an opportunity for a pre-revocation hearing. Despite these fundamental protections, Defendants illegally and repeatedly suspend parents’ driver’s licenses for alleged child support arrears without first providing individual notice or the opportunity to be heard. Further,

Defendants ignore laws that prohibit suspension of driver's licenses for parents who need their licenses for employment and for parents who are unable to pay because they are very low-income or disabled and unable to work.

3. The experiences of Plaintiffs Donte Peoples, Carnel Morgan, Dawron Mason, and Lewis Jones demonstrate how illegal driver's license suspensions severely harm low-income families.

4. In April 2017, the Circuit Court for Baltimore City terminated Plaintiff Donte Peoples's child support obligation and ordered his child support case to be closed by CSA because he had custody of his child. At the time CSA closed his case, he did not owe any child support. Nonetheless, in September 2017, CSA erroneously reopened Mr. Peoples's child support case, without informing him, and began to charge him a monthly child support obligation without his knowledge. This led to the accrual of an asserted arrearage balance that he did not in fact owe, for which CSA illegally suspended his license at least five times between 2017 and 2023, before finally admitting the mistake and again closing his case. CSA did not provide notice or the opportunity for a hearing to Mr. Peoples prior to suspending his license on any of these occasions. Mr. Peoples only discovered his license was suspended because of a routine background check as part of his employment as a professional truck driver. As a result of the illegal license suspensions, Mr. Peoples lost his job and endured a cascade of economic hardships for himself and his teenage son.

5. Similarly, CSA did not provide Plaintiff Dawron Mason notice or the opportunity for a hearing prior to suspending his driver's license. Mr. Mason only discovered that CSA had suspended his license when a police officer informed him of it during a traffic stop for a minor driving infraction. As a result of the suspended license, the police officer impounded Mr.

Mason's car and issued him criminal citations for driving on a suspended license. At the time of the suspension, CSA was aware that Mr. Mason had already been granted sole legal and physical custody of his child and that he had a pending court case actively disputing any potential arrears.

6. Plaintiff Lewis Jones also discovered that CSA had suspended his license during a traffic stop for a minor driving infraction. The police officer informed Mr. Jones that his driver's license had been suspended for child support and issued Mr. Jones a criminal citation for driving on a suspended license. This incident took place after CSA had assured Mr. Jones that his license would not be suspended, due to his agreement to make payments demanded by his CSA caseworker and due to his enrollment in a trade school program that required he have a valid driver's license. CSA's actions put Mr. Jones at risk of potential jail time and potential termination from his trade school.

7. Plaintiff Cernel Morgan's children are all now adults. His only income is from federal Supplemental Security Income ("SSI") disability benefits. SSI is a subsistence benefit for persons whom the Social Security Administration ("SSA") has determined to be both very low-income and disabled. Under federal and Maryland law, CSA is prohibited from garnishing SSI disability benefits. Yet, despite having uncontroverted documentation of Mr. Morgan's receipt of SSI, CSA continues to repeatedly and illegally threaten him with license suspension, insisting that, to retain or reinstate his license, he must make payments from his SSI subsistence income—a monthly payment of \$967 that hardly covers his basic necessities.

8. CSA has conceded errors in its suspensions of Plaintiffs' licenses. Its excuse is that the suspensions are a feature of its automated system, which "no human" can override.

9. Plaintiffs bring this case to require Defendants to correct these statewide, systemic problems and implement procedures that: (1) adhere to Maryland and federal law by providing reliable notice and the opportunity for a hearing prior to suspension; and (2) ensure those who are exempt under the law from driver's license suspension are not continuously threatened with such suspension through an automated system programmed to re-suspend licenses every 60 days, even after CSA learns that a parent is lawfully exempt from suspension. Plaintiffs also seek compensation for the loss of income and other harm they have experienced as a direct consequence of Defendants' wrongful, repeated suspensions of their driver's licenses.

JURISDICTION

10. This Court has jurisdiction over the subject matter of this action pursuant to Md. Code Ann., Cts. & Jud. Proc. § 1-501.

11. This Court has jurisdiction over the State, Secretary López, DHS, CSA, and Veritas pursuant to Md. Code Ann., Cts. & Jud. Proc. § 6-102, as they regularly conduct business in the State of Maryland.

12. This Court is a proper venue under Md. Code Ann., Cts. & Jud. Proc. § 6-201.

13. Pursuant to Md. Code Ann., State Gov't. § 12-107, on July 23, 2024, Mr. Peoples, Mr. Mason, and Mr. Morgan each sent a notice of claim by first class mail and fax to Treasurer Dereck Davis. The Treasurer's office acknowledged receipt of Mr. Peoples's, Mr. Mason's, and Mr. Morgan's claims on July 26, 2024, but the claims remain unresolved.

PARTIES

14. Donte Peoples is a resident of Baltimore County, Maryland. His child support case was handled and enforced, however, by CSA's local Baltimore City child support enforcement office. As set forth in paragraphs 58 through 88 of this complaint, CSA wrongfully

and repeatedly suspended Mr. Peoples's driver's license, and Mr. Peoples is at risk of having his driver's license wrongfully suspended in the future.

15. Cernel Morgan is a resident of Baltimore County, Maryland. His child support cases have been handled and enforced by CSA's local Baltimore County and Baltimore City child support enforcement offices. As set forth in paragraphs 89 through 121 of this complaint, CSA wrongfully and repeatedly suspended Mr. Morgan's driver's license, and Mr. Morgan is at risk of having his driver's license wrongfully suspended in the future.

16. Dawron Mason is a resident of Prince George's County, Maryland. His child support case was established in the Circuit Court for Baltimore City, and it was therefore handled and enforced by CSA's local Baltimore City child support enforcement office. As set forth in paragraphs 122 through 148 of this complaint, CSA wrongfully suspended Mr. Mason's driver's license, and Mr. Mason is at risk of having his driver's license wrongfully suspended in the future.

17. Lewis Jones is a resident of Baltimore City, Maryland. His child support cases are handled and enforced by CSA's local Baltimore City child support enforcement office. As set forth in paragraphs 149 through 198 of this complaint, CSA wrongfully suspended Mr. Jones's driver's license, and Mr. Jones is at risk of having his driver's license wrongfully suspended in the future.

18. Secretary López is the Secretary of DHS. He is sued here in his official capacity. As the Secretary of DHS, Secretary López is responsible for ensuring that DHS and CSA comply with federal and Maryland law.

19. DHS is responsible for child support establishment, collection, and enforcement within the State of Maryland.

20. CSA is the division of DHS charged with carrying out child support establishment, collection, and enforcement. CSA has local child support offices in each county in Maryland.

21. Veritas is a limited liability company formed in Colorado with its principal place of business in Denver, Colorado. It claims on its website to “specialize[] in child support enforcement services.”

22. Since December 2017, Veritas has been under contract with the State of Maryland, DHS, and CSA to conduct child support services, including enforcement operations, in Baltimore City. As DHS’s agent for child support operations in Baltimore City, Veritas is jointly responsible with CSA for administration of Baltimore City’s local child support offices. All allegations in this complaint of wrongful conduct by CSA’s Baltimore City office after November 2017 are made against both CSA and Veritas as CSA’s agent.

23. Specifically, under Veritas’s contract with DHS, Veritas is responsible for “the operation of a full cadre of child support services in Baltimore City which includes the following: Case Documentation, Intake, Location of Noncustodial Parents, Establishment of Paternity, Establishment of Support Orders, Enforcement of Support Orders, Review and Adjustment of Support Orders, Interstate Case Processing, Case Closure Procedures, Required Case Management Reports, Collection Services, Centralized Collection and Payment Processing, Collection of IV-D and Non-IV-D Payments, Undistributed Collections (UDC) Processing, Customer Services.”

24. Veritas’s contract with DHS also requires that it comply with all federal, state, and local laws and regulations applicable to its activities under the contract.

STATEMENT OF FACTS

Federal Requirements as to Driver's License Suspensions for Child Support Arrears

25. Maryland receives federal funds to operate its child support enforcement programs, and, therefore, must administer those programs in accordance with federal law.

26. Federal law requires that each state, including Maryland, has “[p]rocedures under which the State has (and uses in appropriate cases) authority to withhold or suspend, or to restrict the use of driver’s licenses . . . of individuals owing overdue support or failing, after receiving appropriate notice, to comply with subpoenas or warrants relating to paternity or child support proceedings.” 42 U.S.C.A. § 666(a)(16).

Maryland Requirements as to Driver's License Suspensions for Child Support Arrears

27. Maryland statutes and regulations provide due process protections that Defendants are required to follow prior to suspending a parent’s driver’s license for alleged child support arrears.

28. CSA may notify the Maryland Motor Vehicle Administration (“MVA”) to suspend the driver’s license of a parent who owes 60 days or more of arrears (for a noncommercial license) or 120 days or more of arrears (for a commercial license). Md. Code Ann., Family Law § 10-119.

29. Upon notification from CSA, the MVA must suspend the driver’s license, with limited exception for mistaken identity. Md. Code Ann., Family Law § 10-119.

30. However, before referring any parent to the MVA for license suspension, CSA is required by law to provide the parent with written notice of the proposed action and the opportunity to contest the suspension by requesting an investigation. Md. Code Ann., Family Law § 10-119; COMAR 07.07.15.03.

31. The notice must inform the parent of their right to request an investigation to challenge the impending suspension on any of the following grounds:

- a. “the information regarding the reported arrearage is inaccurate;”
- b. “suspension of the obligor’s license or privilege to drive would be an impediment to the obligor’s current or potential employment;”
- c. “suspension of the obligor’s license or privilege to drive would place an undue hardship on the obligor because of the obligor’s: A. documented disability resulting in a verified inability to work; or B. inability to comply with the court order [requiring child support payments].”

Md. Code Ann., Family Law § 10-119(c)(1)(i).

32. A parent has 30 days from the date of the notice to request an investigation before CSA is lawfully permitted to refer the parent to the MVA for license suspension.

COMAR 07.07.15.03.

33. Maryland law requires that, upon receipt of a request for investigation, CSA “**shall** conduct an investigation to determine if any of the [above-mentioned] grounds exist.”

Md. Code Ann., Family Law § 10-119(c)(2) (emphasis added).

34. Further, upon completion of the investigation, CSA must notify the parent of the results of the investigation, provide the parent with a written summary of CSA’s conclusions, and advise the parent of the right to appeal CSA’s determinations by requesting a hearing with the Office of Administrative Hearings (“OAH”). Md. Code Ann., Family Law § 10-119;

COMAR 07.07.15.05.

35. If a parent requests an appeal, whether that request is communicated orally or in writing, or “formally or informally,” Maryland regulations require CSA to provide the parent assistance concerning the appeal. COMAR 07.01.04.03.

36. CSA is required to assist parents with reducing oral requests to writing, and CSA is required to assist parents with properly filling out hearing request forms so that those requests can be processed by OAH. COMAR 07.01.04.03.K–L.

37. CSA must “immediately” report any appeal request, whether communicated “formally or informally,” to a designated hearing coordinator within CSA. COMAR 07.01.04.03.I.

38. If CSA finds, after its internal investigation or after an appeal to OAH, that an exemption ground exists, then CSA *is not lawfully permitted to refer* the parent to the MVA for license suspension. Md. Code Ann., Family Law § 10-119(c)(4).

39. Further, CSA *is not lawfully permitted to refer* a parent to the MVA for license suspension if the parent is complying with either an agreement with CSA or a court order regarding payment of the alleged arrears. Md. Code Ann., Family Law § 10-119(c)(5).

40. Further, if a parent has already been referred to the MVA for license suspension, but CSA later finds that one of the exemption grounds exists, Maryland law *requires* CSA to notify the MVA to reinstate the parent’s driver’s license. Md. Code Ann., Family Law § 10-119(d)(1).

41. Finally, if a parent has already been referred to the MVA for license suspension, but CSA learns the parent is a participant in a CSA-approved employment program, Maryland law *requires* CSA to notify the MVA to reinstate the parent’s driver’s license. Md. Code Ann., Family Law § 10-119(d)(1).

CSA's Automated Process for Suspending Driver's Licenses for Child Support Arrears

42. Remarkably, and contrary to the requirements of the state law outlined above, CSA's electronic Child Support Management System ("CSMS") *automatically* refers all parents to the MVA for license suspension whom the system identifies as owing arrears of 60 days or more, *even those for whom an exemption ground applies*.

43. Contrary to both state and federal law, CSA routinely fails to provide notice to parents before referring them to the MVA for license suspension.

44. In fact, CSA's automated CSMS system regularly refers parents to the MVA for license suspension without providing notice of the suspension or the right to request an investigation prior to suspension.

45. Many parents only learn that their driver's license has been suspended after the fact, through alternate sources. For instance, a parent may learn that their driver's license was suspended during a routine background check by an employer, as was the case for Mr. Peoples, or from a police officer during a traffic stop, as was the case for Mr. Mason and Mr. Jones.

46. A CSA worker must manually intervene in the automated suspension process to stop a parent from being referred to the MVA for license suspension by the automated CSMS system or to reinstate a parent's license after referral to the MVA has already taken place.

47. Even after an automated referral has been manually stopped by a CSA worker, or a driver's license has been reinstated by a CSA worker, the CSMS system is programmed to automatically re-suspend the parent's license after 60 days by again re-starting the automated MVA referral process.

48. The automated re-suspension process ensnares all parents who are identified by the CSMS system as owing arrears of 60 days or more, even those who are legally exempt from suspension.

49. The CSMS system continually re-refers parents to the MVA every 60 days for suspension unless the parent reduces their arrearage balance to less than 60 days' worth of arrears, or unless their child support case is closed out entirely within the electronic system.

Supplemental Security Income ("SSI") Disability Benefits Are Exempt

50. SSI is a means-tested federal program for disabled individuals whose income falls well below the federal poverty level.

51. A person qualifies for SSI disability benefits only after the Social Security Administration finds that the person is medically disabled from working and is extremely low-income.

52. SSI recipients receive a maximum of \$967.00 per month in SSI benefits.

53. By definition, SSI recipients have a documented disability resulting in a medically verified inability to work.

54. Under Maryland law, CSA is not legally permitted to refer parents to the MVA for license suspension for child support arrears if they are unable to pay due to a "documented disability resulting in a verified inability to work." Md. Code Ann., Family Law § 10-119(c).

55. Under Maryland and federal law, SSI cannot be counted as income for child support purposes, and CSA is prohibited from collecting SSI for child support. Md. Code Ann., Family Law § 12-201(b)(5); 5 C.F.R. § 581.104(j).

56. Under federal law, Maryland's electronic child support system must identify noncustodial parents who receive SSI benefits "to prevent garnishment of these funds."

45 C.F.R. § 307.11(c)(3).

57. Federal and Maryland law permits CSA to close a child support case when the noncustodial parent does not have the ability to pay due to a medically verified disability and has no income or assets that can be attached for child support. 45 C.F.R. § 303.11; COMAR 07.07.02.05.

FACTS AS TO DONTÉ PEOPLES

58. Plaintiff Donté Peoples is the father of one minor child, his now 16-year-old son.

59. On March 20, 2009, Mr. Peoples was ordered to pay child support, pursuant to a Consent Judgment for Child Support in the Circuit Court for Baltimore City, Case No. 24-P-09-000726.

60. After Mr. Peoples became the primary custodial parent for his son, he filed a Motion to Modify Child Support. The Circuit Court for Baltimore City granted his motion and terminated his obligation to pay child support, effective August 19, 2016, pursuant to an Order Regarding Modification of Child Support dated April 24, 2017.

61. Following the Order Regarding Modification of Child Support, CSA closed Mr. Peoples's child support case. At the time CSA closed his case, Mr. Peoples did not owe any arrearages.

62. CSA erroneously reopened Mr. Peoples's child support case in September 2017.

63. CSA admitted in a 2023 court filing that its reopening of Mr. Peoples's child support case in September 2017 was in error.

64. CSA did not notify Mr. Peoples that it had reopened his case or that it intended to do so.

65. After wrongfully reopening his case without his knowledge, CSA began to charge Mr. Peoples a monthly child support obligation that it had no authority to charge, as his child support obligation had been terminated by the Circuit Court for Baltimore City.

66. CSA proceeded to treat Mr. Peoples as if he had failed to pay his monthly child support obligation and was accruing arrears, when, in fact, he did not owe any child support.

67. CSA then used various enforcement mechanisms to attempt to collect from Mr. Peoples ongoing child support payments and arrears he did not owe. Among other things, it repeatedly suspended his driver's license and garnished his wages.

68. CSA suspended Mr. Peoples's driver's license on March 7, 2017, July 27, 2021, February 22, 2022, and June 22, 2023, each time for alleged failure to pay child support that he did not owe.

69. CSA never provided Mr. Peoples notice or an opportunity for a hearing prior to its repeated wrongful suspensions of his license.

70. CSA never informed Mr. Peoples of his right to request an investigation with CSA or a subsequent hearing with OAH prior to any of its wrongful suspensions.

71. Each time he became aware that CSA had suspended his license, Mr. Peoples notified CSA that he did not owe child support, that his child support case had been and should have remained closed, and that license suspension was improper. In addition, Mr. Peoples repeatedly provided CSA with the court's 2017 Order Regarding Modification of Child Support terminating his child support obligation and ordering CSA to close his child support case.

72. Despite Mr. Peoples repeatedly notifying CSA of its errors, and despite his having been awarded custody of his minor child, CSA continued to charge him child support, suspend his license, and garnish his earnings.

73. CSA repeatedly demanded that Mr. Peoples make payments to reinstate his driver's license.

74. On July 28, 2023, Mr. Peoples was employed as an over-the-road driver for Alite Global Services, LLC. He was making a delivery that day to Grissom Air Reserve Base, a United States Airforce base in Indiana, when the Base denied him admission after its routine background check revealed that CSA had suspended his driver's license for alleged child support arrears.

75. CSA did not provide notice to Mr. Peoples prior to the suspension that led to his denial of admission to Grissom Air Reserve Base. He was therefore unaware that CSA had suspended his license until Base personnel informed him of the suspension and denied him entry.

76. Mr. Peoples needed his driver's license to complete his work delivery and to drive home to Maryland from Indiana.

77. Mr. Peoples's counsel immediately contacted CSA, via email, with an emergency request to reinstate his license.

78. The emergency request to reinstate Mr. Peoples's license was emailed to Lori Keel, the Executive Director of the Baltimore City child support office and Vice President of Operations for Veritas, as well as Jarnice Johnson, the now Executive Director of CSA for the state, who, at the time, served as the Deputy Executive Director of Programs for CSA for the state.

79. In response to the emergency reinstatement request from Mr. Peoples's counsel, Lori Keel ("Ms. Keel") refused, via email on July 28, 2023, to reinstate Mr. Peoples's license

unless she was provided proof of his employment and his employer's address, even though CSA had previously and repeatedly been provided proof that Mr. Peoples owed no child support.

80. Ms. Keel only agreed to notify the MVA to reinstate Mr. Peoples's license after Mr. Peoples's counsel provided her with a copy of his employment contract with Alite Global Services, LLC. She also demanded Alite's address before she would agree to reinstate his license. Upon information and belief, she required the address so that an earnings withholding order could be sent to Mr. Peoples's employer.

81. As a result of CSA's suspension of Mr. Peoples's driver's license, Alite Global Services terminated his employment contract.

82. In a September 2023 court filing in the Circuit Court for Baltimore City, Case No. 24-P-09-000726, CSA conceded that its reopening of Mr. Peoples's child support case in September 2017 was in error and that all of its suspensions thereafter were wrongful.

83. In recognition of its mistaken reopening of his case and wrongful collection activities, CSA refunded Mr. Peoples \$1,900.66, a portion of the payments it had unlawfully collected after erroneously reopening his case.

84. After Alite Global Services terminated his contract, Mr. Peoples was unable to obtain employment as a professional truck driver for more than six months due to the many erroneous suspensions on his driving record.

85. In addition, and as a direct consequence of the loss of employment, Mr. Peoples and his son were evicted because he was unable to pay rent.

86. Mr. Peoples has endured significant emotional distress proximately caused by CSA's unlawful license suspensions.

87. As a direct consequence of the erroneous suspensions on his driving record, Mr. Peoples has been denied employment opportunities from large-scale trucking companies that offer full benefits packages and higher pay than smaller, independent trucking companies like Alite Global Services.

88. Mr. Peoples reasonably fears that Defendants will again erroneously reopen his child support case, and, without notice or an opportunity to be heard, charge him for child support he does not owe and again wrongfully suspend his driver's license.

FACTS AS TO CARNEL MORGAN

89. Plaintiff Carnel Morgan's children are all now adults.

90. Mr. Morgan had child support cases in both Baltimore City and Baltimore County.

91. Mr. Morgan owes no arrears in the Baltimore City case.

92. Mr. Morgan still owes arrears in the Baltimore County case.

93. In 2015, the Social Security Administration determined that Mr. Morgan is totally disabled from work as a result of a degenerative bone condition from which he has suffered since he was a child and that worsens as he ages.

94. Since 2015, Mr. Morgan's only income has been SSI, a means-tested benefit for disabled individuals whose income falls below the federal poverty level. He receives \$967.00 per month from SSI.

95. CSA has had proof that Mr. Morgan is disabled from work since at least 2017, when it brought a contempt action against him for failure to pay child support in the Circuit Court for Baltimore County, Case No. 03-C-00-012221. On April 18, 2017, the court dismissed the case due to "medical documentation showing that [Mr. Morgan] is currently unable to work."

96. Under Maryland and federal law, Mr. Morgan cannot legally be held in contempt for child support arrears because he is unable to pay due to his disability.

97. Under Maryland and federal law, Mr. Morgan's SSI cannot be subjected to collection actions, nor can it be considered income for child support purposes.

98. Under Maryland law, Mr. Morgan is exempt from driver's license suspension because of his documented disability and resulting inability to pay.

99. Despite its knowledge that Mr. Morgan is exempt from both collections and driver's license suspension, CSA has repeatedly coerced payments from Mr. Morgan by suspending, or threatening to suspend, his driver's license.

100. In response to CSA's threats to suspend his driver's license, Mr. Morgan repeatedly provided both the Baltimore County and Baltimore City child support offices documentation of his total disability as demonstrated by his SSI disability benefits.

101. Despite receipt of documentation showing that Mr. Morgan receives SSI and is therefore exempt from collections actions and license suspension, CSA repeatedly forced him to make payments from his SSI disability benefits to retain or reinstate his license.

102. CSA initiated suspensions of Mr. Morgan's license by referring him to the MVA for license suspension at least five times since March 2023.

103. Mr. Morgan's MVA driving record shows that CSA referred Mr. Morgan to the MVA for license suspension on March 6, 2023, July 3, 2023, November 21, 2023, February 22, 2024, and April 23, 2024. The MVA records show that one of those suspensions came from the Baltimore City child support office, and the remainder came from the Baltimore County child support office.

104. Mr. Morgan received notice from CSA prior to some but not all of the initiated suspensions and was then forced to make payments to CSA from his SSI disability benefits to stop his license from being suspended by the MVA.

105. CSA failed to provide Mr. Morgan any prior notice of its January 25, 2024, license suspension.

106. After the January 2024 license suspension, Mr. Morgan retained counsel, and, on February 22, 2024, Mr. Morgan's counsel provided CSA, via email, with a Benefit Verification Letter from SSA dated February 7, 2024 showing his continued receipt of SSI disability benefits.

107. The February 7, 2024 Benefit Verification Letter sent to CSA on February 22, 2024, confirmed that Mr. Morgan receives SSI and "became disabled under [SSA] rules on March 15, 2015."

108. After extracting from Mr. Morgan a payment in February 2024 to reinstate his license that it should not have suspended in the first place, and after receiving the February 7 letter confirming that he had been disabled since 2015, CSA's supervising attorney for the Baltimore County child support office refused Mr. Morgan's request to close his case within CSA's electronic system to stop future recurrent suspensions.

109. In an email dated March 4, 2024, CSA's supervising attorney stated: "We are aware that Mr. Morgan has Social Security Disability [But] [a]s the case is open we can use any tools for enforcement at this time."

110. CSA's supervising attorney also acknowledged that Mr. Morgan's SSI disability benefits are exempt from collections, further stating in the March 4, 2024 email: "We cannot garnish SSI so he needs to pay on his own."

111. After Mr. Morgan's counsel provided CSA's supervising attorney, via email, citations to the relevant federal regulations that allow CSA to close his case due to his verified disability and inability to pay based upon that disability, the CSA supervising attorney responded in an email dated March 27, 2024: "We will not close nor do we ever close." She then emphasized her "twenty-four years with the agency" and stated she is "duty bound to continue enforcing the case."

112. On or around April 23, 2024, approximately two months after CSA instructed the MVA to reinstate Mr. Morgan's suspended license, Mr. Morgan received notice that CSA again intended to suspend his license.

113. On April 30, 2024, Mr. Morgan went to the Baltimore County child support office to request an investigation contesting the suspension by submitting the "Request for Investigation of Driver's License Suspension" form that he received in the mail with the notice of license suspension. He checked the box on the form indicating the reason for his investigation was: "Suspension of my driver's license would place an undue hardship on me because of my documented disability that prevents me from working."

114. CSA wrongfully refused Mr. Morgan's request for an investigation, instead incorrectly insisting that the only way to avoid suspension would be to make a payment of approximately \$200.00.

115. When Mr. Morgan questioned CSA's demand that he make a payment and again requested an investigation, CSA staff threatened to call the police if Mr. Morgan did not leave the CSA office.

116. Only after Mr. Morgan's counsel intervened, via email to CSA's supervising attorney for the Baltimore County child support office, did CSA agree to notify the MVA that

Mr. Morgan could retain his driver's license. CSA coupled its agreement to stop the pending license suspension, however, with a threat to file for contempt against Mr. Morgan and suspend his license again in 60 days if Mr. Morgan did not make a payment.

117. CSA's supervising attorney stated in an email dated May 1, 2024, "I spoke with . . . the Director for Baltimore County Child Support Administration. She will have Mr. Morgan's license renewed. It will suspend again in another 60 days if he doesn't make a payment."

118. CSA's supervising attorney then responded to Mr. Morgan's counsel in another email, dated May 2, 2024, stating: "It is an automatic suspension set by the computer not by any human. The system is designed to automatically suspend if no payments are made in 60 days. A human would then have to go in and override the system. There is nothing we can do to stop the automatic suspension as it is not done by a human. That being said, your client needs to start paying something or a contempt will likely be filed against him."

119. Mr. Morgan has suffered economic and emotional damage as a result of CSA's repeated threats to suspend his license. Mr. Morgan was forced to use his SSI subsistence income, which is lawfully exempt, to make payments in response to CSA's unlawful threats. Because of his disability and limited mobility, repeated visits to the child support office caused him to incur transportation and other costs, pain, suffering, and significant anxiety.

120. Mr. Morgan has endured significant emotional distress proximately caused by CSA's relentless unlawful efforts to suspend his license.

121. Mr. Morgan reasonably fears that Defendants will continue to ignore his exempt status under the law and will again unlawfully suspend his driver's license, as they have already repeatedly done and declared they will continue to do.

FACTS AS TO DAWRON MASON

122. On June 6, 2011, Mr. Mason was ordered to pay child support for his now 15-year-old son, pursuant to a Consent Judgment for Child Support in the Circuit Court for Baltimore City, Case No. 24-P-11-001158.

123. Mr. Mason now has sole legal and physical custody of his son, who has resided with him since 2019.

124. Mr. Mason works as a Maintenance Attendant for Prince George's County, and he is the sole financial provider for his six-person blended family that includes himself, his 15-year-old son, his wife, their 4-year-old daughter, and his two teenage step-sons, one of whom is disabled.

125. Mr. Mason lives in Prince George's County, Maryland, so that is where he sought formal recognition of custody. On January 6, 2023, the Circuit Court for Prince George's County granted Mr. Mason sole legal and physical custody of his son.

126. Years prior, CSA had administratively closed Mr. Mason's child support account. But, in 2022, without notice to Mr. Mason and even though he had been his son's custodial parent since 2019, CSA reopened the case and began charging him ongoing child support.

127. Mr. Mason requested that the Circuit Court for Prince George's County address the matter of child support during his custody hearing and order CSA to close his child support case that it had reopened in 2022.

128. However, because the child support was originally established in the Circuit Court for Baltimore City, the Circuit Court for Prince George's County declined to address the issue of child support during Mr. Mason's custody hearing.

129. Mr. Mason informed CSA's Baltimore City child support office that he had been granted sole legal and physical custody of his son and requested that CSA close his case, but CSA declined to close his child support case or to assist him in modifying his child support order in court.

130. After the Circuit Court for Prince George's County declined to resolve the issue of child support and CSA declined to assist him, on February 28, 2023, Mr. Mason filed a Motion to Modify Child Support, pro se, in the Circuit Court for Baltimore City, Case No. 24-P-11-001158.

131. Mr. Mason served CSA with a copy of his Motion to Modify Child Support, and CSA filed a responsive pleading to his motion. The responsive pleading was signed on March 28, 2023 by Lori Keel, Executive Director of the Baltimore City child support office and Vice President for Operations of Veritas.

132. On or around May 26, 2023, Mr. Mason received notice that his license would be suspended if he did not pay the alleged arrears that it claimed had accumulated since it reopened his child support case in 2022.

133. At the time it threatened to suspend his license in May 2023, CSA knew that Mr. Mason had already been granted sole legal and physical custody of his son and that a Motion to Modify Child Support was pending in the Circuit Court for Baltimore City.

134. After receiving the May 2023 notice that his license would be suspended, Mr. Mason immediately contacted CSA, via email, and contested the license suspension.

135. Despite being aware of Mr. Mason's circumstances, CSA still demanded payment from Mr. Mason in order to stop the pending license suspension.

136. On May 26, 2023, CSA's Senior Lead Case Manager told Mr. Mason, via email, that to avoid having his license suspended, he would have to make a payment of \$965.00 (to pay off his arrears balance in total and close his case) or \$365.00 towards the balance.

137. Mr. Mason contested his license suspension in writing and in a timely manner to CSA. However, CSA afforded him neither an investigation, as is his right under Maryland law, nor any of the procedural safeguards that Maryland law requires, including the right to a decision letter that includes the results of the investigation and that informs him of his further, post-investigation right to appeal the decision by requesting a hearing with OAH.

138. After Mr. Mason questioned CSA's demand for payment and urged it not to suspend his license, he was assured, via e-mail on May 26, 2023, by the same Senior Lead Case Manager, that the license issue would be "addressed," and his license would be in good standing as of May 31, 2023.

139. The email from the Senior Lead Case Manager stated: "I did get authorization from my superiors to address your license without a payment at this time. Due to the holiday weekend if you are suspended it may not update until Wednesday."

140. Mr. Mason relied on CSA's assurance that his license would not be suspended.

141. Mr. Mason did not receive any subsequent notices of license suspension.

142. On December 27, 2023, Mr. Mason was pulled over for a minor traffic violation in Virginia and discovered that his license had been suspended when the police officer ran a routine background check.

143. The police officer issued criminal citations to Mr. Mason for driving on a suspended license and impounded his car. Mr. Mason's wife and their four-year-old daughter had to travel from Maryland to Virginia to pick him up and to get his car out of impound.

144. Mr. Mason's MVA driving record shows that CSA referred him to the MVA for suspension on July 26, 2023, two months after assuring him his license would not be suspended. CSA did not provide Mr. Mason the required notice or opportunity to request an investigation or a subsequent hearing with OAH prior to this suspension.

145. When CSA wrongfully suspended Mr. Mason's license, Mr. Mason was working as an on-call emergency maintenance technician—a job that required him to have a valid driver's license. Unknowingly driving on a suspended license put his job, and, therefore, his ability to support his family, at risk on a daily basis.

146. CSA conceded in a March 13, 2024 Consent Order that it had erred by suspending Mr. Mason's driver's license.

147. As a proximate result of CSA's wrongful suspension of his license, Mr. Mason sustained economic and emotional damage. He incurred expenses associated with the release of his impounded car and lost wages when he had to attend court proceedings in Virginia to defend the charge of driving on a suspended license. The suspension and its direct consequences caused him significant emotional distress.

148. Mr. Mason reasonably fears that Defendants will erroneously reopen his child support case, and without notice or an opportunity to be heard, erroneously charge him for child support and again suspend his driver's license.

FACTS AS TO LEWIS JONES

149. Plaintiff Lewis Jones is the father of five minor children, whom he supports.

150. Two of his children reside with him full-time and he has regular visitation with his other three children. His child support obligations for these three children were established in

Case No. 24-P-12-002839 in 2012 and Case No. 24-P-14-000073 in 2014, both in the Circuit Court for Baltimore City.

151. During periods of intermittent unemployment, Mr. Jones fell behind on his child support payments and accumulated arrears, and CSA suspended his driver's license.

152. CSA did not provide Mr. Jones notice prior to suspending his license.

153. On April 26, 2015, Mr. Jones learned for the first time that CSA had suspended his license when he was pulled over for a minor traffic violation. Although Mr. Jones was unaware that he was driving on a suspended license, the police officer issued him a criminal citation.

154. On September 8, 2015, Mr. Jones received a disposition of probation before judgment ("PBJ") for the charge of driving on a suspended license in the Circuit Court for Baltimore City, Case No. 815222012.

155. Mr. Jones attempted to have his driver's license reinstated by CSA for years.

156. On numerous occasions, Mr. Jones either called or went in-person to his local Baltimore City child support office to request reinstatement of his driver's license.

157. Each time Mr. Jones contacted CSA to request a reinstatement of his driver's license, CSA informed him that his license would only be reinstated if he paid his arrears in full or if he made a large lump-sum payment.

158. CSA demanded various payment amounts over the years to reinstate his license, but the amounts were always well beyond what Mr. Jones could afford to pay.

159. Mr. Jones continued to experience intermittent periods of unemployment, and he expressed to CSA that not having a driver's license made it much harder for him to find and keep steady employment.

160. On one occasion in 2021 or 2022, Mr. Jones asked CSA to reinstate his license because he was employed at Irvine Access Floors, Inc., and he had to drive to Laurel for work. He also informed CSA that he had an opportunity to drive commercially for Irvine Access Floors, Inc., if he could get his Commercial Driving License (“CDL”). CSA still refused to reinstate his license unless he made a lump-sum payment of approximately \$1,300, which he could not afford.

161. On or around August 2024, Mr. Jones was able to obtain free legal services to assist him, as a low-income parent, in having his driver’s license reinstated.

162. On September 12, 2024, Mr. Jones, through counsel, requested that CSA reinstate his driver’s license pursuant to Md. Code Ann., Family Law § 10-119(c)(1)(i)(2), because the suspension impeded his potential employment.

163. The request for reinstatement explained that Mr. Jones was unemployed but actively seeking employment and had a pending job opportunity that would require him to have his driver’s license to travel to the worksite.

164. On September 12, 2024, Veritas’s Lori Keel stated, via email, that CSA would only reinstate his license with written documentation of current employment, thereby ignoring the statutory provision entitling him to reinstatement if the suspension impeded his potential employment.

165. Ms. Keel agreed to reinstate Mr. Jones’s license only after Mr. Jones’s counsel provided a written letter confirming the start of his new employment.

166. Mr. Jones’s counsel followed up, via email, requesting a copy of the reinstatement notice sent to the MVA.

167. Ms. Keel declined to provide a copy of the requested notice, but, on October 9, 2024, she informed Mr. Jones's counsel, via email, that his driver's license had been reinstated.

168. Unfortunately, Mr. Jones was ultimately not selected for the position expected to start in September 2024, but he continued to search for other positions and enrolled in trade school in hopes of finally gaining steady, higher-paying employment.

169. On or around February 4, 2025, Mr. Jones received notice that his license would again be suspended for child support arrears.

170. On February 11, 2025, Mr. Jones went to his local Baltimore City child support office to contest the pending suspension of his driver's license and to request an investigation.

171. Mr. Jones told the CSA caseworker who he met with that he wanted to request an investigation under Md. Code Ann., Family Law § 10-119 because suspension of his driver's license would be an impediment to his potential employment.

172. Mr. Jones provided the caseworker documentation of his enrollment in a diesel mechanics technology program with North American Trade Schools, a program that requires him to have a valid driver's license.

173. Mr. Jones told the caseworker that his goal, once he finishes trade school, is to gain steady employment that would enable him to make consistent child support payments and catch up on his arrears.

174. The caseworker informed Mr. Jones that CSA works with North American Trade Schools and that she would take his proof of enrollment to her supervisor to see about resolving the pending license suspension.

175. Following her purported consultation with her supervisor, the caseworker returned and told him that he would have to make a lump sum payment for CSA to agree to stop the pending suspension. This was despite the requirement in Md. Code Ann., Family Law § 10-119(d)(1) that CSA must notify the MVA to reinstate the license of a parent who is a participant in a CSA-approved employment program.

176. The caseworker provided Mr. Jones a handwritten note that said: “\$1312.50 w/o employ” or “\$656.25 w/ employ,” and she told him that, to lift the flag on his license and stop the pending suspension, he needed to pay a lump sum of \$1312.50 since he was unemployed. She stated that, were he to gain employment, then he would need to pay a reduced lump sum of \$656.25.

177. Mr. Jones responded that, because he was unemployed, he was unable to make a lump-sum payment anywhere near that amount.

178. Prefacing what followed with “she’s not really supposed to do this,” the caseworker then told Mr. Jones that, because he was enrolled “in a good trade school,” CSA would lift the flag on his license if he made a “good faith” payment of \$40.

179. The caseworker further told Mr. Jones that, if he continued to make monthly \$40 “good faith” payments while attending trade school, his license would remain in good standing and would not be suspended going forward.

180. On February 14, 2025, Mr. Jones returned to the Baltimore City child support office and made the \$40 payment, as agreed upon with his caseworker. The caseworker told him that she would notify the MVA that his license should not be suspended.

181. Mr. Jones asked his caseworker for a copy of the notice sent to the MVA instructing it to lift the flag on his license, so that he could have proof that his license was in

good standing in case he needed to show it to his trade school or to a police officer if he was pulled over.

182. The caseworker refused to give him a copy of the notice purportedly sent to the MVA or any other written confirmation that his license was in good standing, despite CSA's obligation under Md. Code Ann., Family Law § 10-119(c)(2)(iii) and COMAR 07.07.15.05 to provide such a notice.

183. CSA denied Mr. Jones procedural protections required by Maryland law, including the right to receive a written decision showing the results of CSA's investigation and notice of his post-investigation right to appeal CSA's decision to OAH.

184. Mr. Jones continued to make monthly \$40 payments.

185. On April 11, 2025, Mr. Jones was pulled over for an alleged broken taillight and was informed by the police officer that his driver's license was suspended for child support arrears.

186. The police officer provided Mr. Jones with a printout showing: "2/24/2025 Child Support Suspension."

187. Mr. Jones received a criminal citation for driving on a suspended license, a crime that carries a potential penalty of jail time and/or a \$500 fine.

188. Mr. Jones contacted his CSA caseworker immediately after receiving the citation and told her that his license was suspended despite CSA's assurance that it would not be.

189. Mr. Jones's caseworker told him that his license should not have been suspended.

190. His caseworker said that there was either a malfunction in CSA's internal system or her supervisor had never signed off on or sent the notice to the MVA to lift the flag on his

license. She assured him, however, that her supervisor would take care of it promptly and that his license would be reinstated.

191. Despite assuring Mr. Jones that it was CSA's error that caused his license to be suspended, his caseworker again refused to provide him written confirmation that the suspension was in error, that his license should have been in good standing at the time he was pulled over, or that his license was now in good standing.

192. Mr. Jones's counsel then reached out to his CSA caseworker to request written documentation that the suspension was in error and that he was in good standing when he received the citation for driving on a suspended license.

193. CSA also refused Mr. Jones's counsel's request for written documentation.

194. In an April 24, 2025 email, the caseworker wrote: "MR. JONES DL LICENSE HAVE BEEN ADDRESSED BUT UNFORTUNATELY WE ARE NOT ABLE TO GIVE DOCUMENTATION IN HAND. WE FORWARD ANY COMPLIANCE OVER TO MVA."

195. Only after his counsel contacted DHS's Deputy Principal Counsel for Child Support did CSA provide Mr. Jones documentation in writing confirming that the suspension that led to the criminal citation on April 11, 2025 was due to a CSA error.

196. CSA's error put Mr. Jones's trade school enrollment at risk.

197. Until CSA finally provided him with written documentation stating that the suspension was in error, Mr. Jones remained fearful that he would have to serve jail time and that he would be terminated from his trade school program.

198. As a result of CSA's continued suspension of Mr. Jones's driver's license, Mr. Jones remains fearful that his license will again be wrongfully suspended.

COUNT I

Negligence

(On behalf of Plaintiffs Donte Peoples, Carnel Morgan, and Dawron Mason against Defendants the State, DHS, CSA, and Veritas)

199. Plaintiffs Donte Peoples, Carnel Morgan, and Dawron Mason re-allege and incorporate the allegations contained in each of the foregoing paragraphs of this complaint.

200. Md. Code Ann., Family Law § 10-119 sets forth the procedures that CSA must follow to suspend a driver's license for child support arrears.

201. These procedures were designed to protect individuals at risk of having their driver's license suspended by CSA.

202. Md. Code Ann., Family Law § 10-119(c)(1)(i) and COMAR 07.07.15.03 establish a standard of care by requiring CSA, prior to license suspension, to send written notice to the person at risk of license suspension of the person's right to contest the suspension by requesting an investigation based on any of the statutorily enumerated exemption grounds.

203. Md. Code Ann., Family Law § 10-119(c)(2)(i)–(iii) and COMAR 07.07.15.05(G) and (H) establish a standard of care by requiring CSA, upon a request for investigation and prior to license suspension, to conduct an investigation, inform the person at risk of license suspension of the outcome of the investigation, provide a written summary of CSA's conclusions, and advise of the person's right to appeal the decision to OAH.

204. Further, Md. Code Ann., Family Law § 10-119(d)(1) establishes a standard of care by requiring CSA to notify the MVA to reinstate a parent's license if CSA learns that the parent is exempt from suspension under any of the grounds listed in Md. Code Ann., Family Law § 10-119(c)(1)(i).

205. Since December 2017, Veritas has operated the Baltimore City child support enforcement office.

206. Specifically, under Veritas's contract with DHS, Veritas is responsible for "the operation of a full cadre of child support services in Baltimore City which includes the following: Case Documentation, Intake, Location of Noncustodial Parents, Establishment of Paternity, Establishment of Support Orders, Enforcement of Support Orders, Review and Adjustment of Support Orders, Interstate Case Processing, Case Closure Procedures, Required Case Management Reports, Collection Services, Centralized Collection and Payment Processing, Collection of IV-D and Non-IV-D Payments, Undistributed Collections (UDC) Processing, Customer Services."

207. Veritas's contract with DHS also requires that it comply with all federal, state, and local laws and regulations applicable to its activities under the contract.

208. As CSA's agent for child support enforcement activities, Veritas is required to comply with the procedures set forth in Md. Code Ann., Family Law § 10-119.

209. Veritas repeatedly suspended or threatened to suspend Plaintiffs' driver's licenses for alleged child support arrears.

210. Defendants the State of Maryland, through its agents DHS, CSA, and Veritas did not comply with the requirements of Md. Code Ann., Family Law § 10-119 when suspending or threatening to suspend the licenses of Mr. Peoples, Mr. Morgan, and Mr. Mason.

211. As a direct and proximate cause of the violations of Md. Code Ann., Family Law § 10-119 by the State of Maryland, DHS, CSA, and Veritas, Plaintiffs' driver's licenses were wrongfully suspended and each suffered economic harm and emotional distress.

WHEREFORE, Donte Peoples, Cernel Morgan, and Dawron Mason request that this Court enter Judgment in their favor and against the State of Maryland, the Maryland Department of Human Services, the Maryland Child Support Administration, and Veritas HHS, LLC:

- A. Granting judgment in favor of Donte Peoples, and against the State, DHS, CSA, and Veritas for compensatory damages in an amount exceeding \$150,000, or such amount as determined at trial;
- B. Granting judgment in favor of Cernel Morgan, and against the State, DHS, CSA, and Veritas for compensatory damages in an amount exceeding \$50,000, or such amount as determined at trial;
- C. Granting judgment in favor of Dawron Mason, and against the State, DHS, CSA, and Veritas for compensatory damages in an amount exceeding \$15,000, or such amount as determined at trial;
- D. Awarding to Donte Peoples, Cernel Morgan, and Dawron Mason and against the State, DHS, CSA, and Veritas the costs that Donte Peoples, Cernel Morgan, and Dawron Mason incurred in instituting and prosecuting this action; and
- E. Providing for such other and further relief as the Court deems just and equitable.

COUNT II

Article 24 of the Maryland Declaration of Rights—Deprivation of Procedural Due Process (On behalf of all Plaintiffs and against Defendants the State, DHS, CSA, and Veritas)

212. Plaintiffs re-allege and incorporate the allegations contained in each of the foregoing paragraphs of this complaint.

213. Article 24 of the Maryland Declaration of Rights prohibits the government from depriving a person of his life, liberty, or property without due process.

214. Plaintiffs each possess a protected property interest under Maryland law in their state issued driver's license.

215. The State, DHS, CSA, and Veritas repeatedly suspended or threatened to suspend Plaintiffs' driver's licenses for alleged child support arrears.

216. At all pertinent times, each Plaintiff was either exempt from license suspension or did not owe child support.

217. In violation of Article 24 of the Maryland Declaration of Rights, the State, DHS, CSA, and Veritas deprived each Plaintiff of his constitutionally protected property interest in his driver's license without notice or the opportunity to be heard prior to suspension.

218. The State, DHS, CSA, and Veritas failed to provide notice, written or otherwise, to Mr. Peoples, Mr. Morgan, Mr. Mason, or Mr. Lewis prior to suspending their driver's licenses. Defendants did not inform Plaintiffs of their right to contest the suspensions by requesting an investigation, nor did they inform Plaintiffs of their post-investigation right to request a hearing with OAH.

219. The State, DHS, CSA, and Veritas failed to reinstate Mr. Peoples's driver's license as required by Md. Code Ann., Family Law § 10-119(d)(1), despite his repeatedly providing proof that he did not owe any ongoing child support obligation or arrearage. Instead, they required Mr. Peoples to make payments on a purported arrearage balance that he did not owe in order to have his license reinstated, wholly in violation of Md. Code Ann., Family Law § 10-119.

220. The State, DHS, CSA, and Veritas denied Mr. Morgan's request for an investigation to contest the threatened suspension of his driver's license. Defendants demanded that he make payments and denied him the procedural safeguards required by Maryland laws

and regulations that include the right to an investigation upon request and the right to a decision letter informing him of the results of the investigation and of his further, post-investigation, pre-suspension right to appeal the decision by requesting a hearing with OAH. Defendants' actions violate Md. Code Ann., Family Law § 10-119 and COMAR 07.07.15.05.

221. When Mr. Mason and Mr. Jones contested the threatened actions to suspend their driver's licenses, they were not afforded investigations with the procedural safeguards required by Maryland laws and regulations that include the right to a decision letter informing them of the results of the investigation and their further, post-investigation, pre-suspension right to appeal the decision by requesting a hearing with OAH. Defendants' actions violate Md. Code Ann., Family Law § 10-119 and COMAR 07.07.15.05.

222. Mr. Mason and Mr. Jones were given misleading assurances that their license issues had been addressed and that their licenses were in good standing. Neither Mr. Mason nor Mr. Jones received any further notice to the contrary prior to CSA suspending their licenses.

223. Had CSA provided Mr. Mason and Mr. Jones official decision letters, as required by Maryland laws and regulations, they could have provided that documentation to the police officers during their individual traffic stops, and, with that documentation, they may have avoided the criminal citations for driving on a suspended license.

224. The State, DHS, CSA, and Veritas denied Mr. Peoples, Mr. Morgan, Mr. Mason, and Mr. Jones the opportunity to be heard prior to the suspension of their driver's licenses.

225. Despite knowing that Mr. Peoples, Mr. Morgan, Mr. Mason, and Mr. Jones were exempt from license suspension or did not owe child support, the State, DHS, CSA, and Veritas repeatedly suspended their driver's licenses.

226. In particular, despite knowing of Mr. Morgan's disability status and that his SSI disability benefits are exempt from collection, CSA repeatedly threatened to suspend his license and forced him to make payments from his SSI disability benefits to retain or reinstate his license. CSA's supervising attorney also refused to close Mr. Morgan's case and vowed, via email, to continue enforcement actions against him, including bringing an action for contempt and future license suspensions by way of CSA's automated system that is designed to re-suspend every 60 days. Defendants' actions violate both Maryland and federal laws and regulations meant to protect one of society's most vulnerable populations, individuals with disabilities who are living in poverty.

227. Further, the State, DHS, CSA, and Veritas erroneously reopened Mr. Peoples's and Mr. Mason's cases and suspended their driver's licenses without proper notice or the opportunity to be heard.

228. Mr. Peoples and Mr. Mason reasonably fear that the State, DHS, CSA, and Veritas will erroneously reopen their child support case, and all four Plaintiffs reasonably fear that the State, DHS, CSA, and Veritas will erroneously suspend their driver's licenses without notice or the opportunity to be heard.

229. As a result, each Plaintiff suffered economic harm and emotional distress.

WHEREFORE, Donte Peoples, Cernel Morgan, Dawron Mason, and Lewis Jones request that this Court enter Judgment in their favor and against the State of Maryland, the Maryland Department of Human Services, the Maryland Child Support Administration, and Veritas HHS, LLC:

- A. Finding and declaring that Defendants' actions as described in this Count violate Article 24 of the Maryland Declaration of Rights;

- B. Granting permanent injunctive relief enjoining the State, DHS, CSA, and Veritas from:
- i. Referring parents to the MVA for driver's license suspension without first providing:
 - a. written notice that includes, in clear, lay language:
 - 1. the amount of arrearages allegedly owed;
 - 2. the parent's right to seek an investigation on any of the grounds stated in Md. Code Ann., Family Law § 10-119(c)(1)(i);
 - 3. the process and timetable for seeking an investigation;
 - 4. all possible bases for exemption from suspension, as provided in Md. Code Ann., Family Law § 10-119(c)(1)(i); and
 - 5. contact information for the parent's local child support office; and
 - b. a reasonable opportunity to contest the suspension; and
 - ii. When a parent has requested an investigation, refusing to conduct an investigation and instead requiring the parent to make a payment to retain their license; and
 - iii. When a parent has requested an investigation, referring the parent to the MVA for driver's license suspension without:
 - a. conducting the investigation; and
 - b. providing a written post-investigation decision that includes:
 - 1. an explanation of the results of the investigation;

2. a notification of the parent's right to appeal the outcome of the investigation by requesting a hearing with OAH;
 3. a clear explanation of the process and deadlines for seeking an appeal with OAH; and
 4. the form needed to request an appeal with OAH; and
- iv. When a parent has timely appealed the outcome of the investigation to OAH, referring the parent to the MVA for driver's license suspension before the appeal has concluded; and
 - v. Referring parents to the MVA for driver's license suspension who do not owe child support or are exempt from suspension under Md. Code Ann., Family Law § 10-119; and
 - vi. Referring parents to the MVA for driver's license suspension who are exempt under Md. Code Ann., Family Law § 10-119(c)(1)(i) because suspension is an impediment to their current employment; and
 - vii. Referring parents to the MVA for driver's license suspension who are exempt under Md. Code Ann., Family Law § 10-119(c)(1)(i) because suspension is an impediment to their potential employment and they are making reasonable efforts to become employed; and
 - viii. Failing to consider impediment to potential employment as lawful grounds for a parent to retain their license, and demanding that a parent must already be employed or have an offer letter from an employer to retain their license; and

- ix. Referring parents to the MVA for driver's license suspension who are exempt under Md. Code Ann., Family Law § 10-119(c)(1)(i) because they are unable to work or pay support due to a documented disability, including, but not limited to, parents who receive SSI or SSDI disability benefits.
 - x. Requiring SSI recipients to make payments from their SSI income to retain or reinstate their driver's license.
 - xi. When a parent has already been referred to the MVA, failing to promptly notify the MVA to reinstate their license upon finding that one of the grounds enumerated in Md. Code Ann., Family Law § 10-119(c)(1)(i) exists; and
 - xii. When a parent has already been referred to the MVA, requiring them to make a payment to retain or reinstate their driver's license after finding that one of the grounds enumerated in Md. Code Ann., Family Law § 10-119(c)(1)(i) exists, in violation of Md. Code Ann., Family Law § 10-119(d)(1); and
 - xiii. Using a referral system that is programmed to re-refer parents to the MVA for license suspension automatically at set intervals.
- C. Granting judgment in favor of Donte Peoples, and against the State, DHS, CSA, and Veritas for compensatory damages in an amount exceeding \$150,000, or such amount as determined at trial;

- D. Granting judgment in favor of Carnel Morgan, and against the State, DHS, CSA, and Veritas for compensatory damages in an amount exceeding \$50,000, or such amount as determined at trial;
- E. Granting judgment in favor of Dawron Mason, and against the State, DHS, CSA, and Veritas, for compensatory damages in an amount exceeding \$15,000, or such amount as determined at trial; and
- F. Providing for such other and further relief as the Court deems just and equitable.

COUNT III

**42 U.S.C. § 1983—Deprivation of Federal Procedural Due Process
(On behalf of all Plaintiffs and against Defendant Secretary López in his official capacity
for injunctive relief)**

230. Plaintiffs re-allege and incorporate the allegations contained in each of the foregoing paragraphs of this complaint.

231. The Due Process Clause of the Fourteenth Amendment to the United States Constitution provides, in relevant part, that no state shall deprive an individual of their property “without due process of law”

232. Plaintiffs each possess a constitutionally protected interest in their State of Maryland issued driver’s license.

233. Secretary López, acting in his official capacity as Secretary of DHS and in accordance with State policy, repeatedly suspended or threatened to suspend Plaintiffs’ driver’s licenses for alleged child support arrears.

234. At all pertinent times, each Plaintiff was exempt from license suspension or did not owe child support.

235. In violation of the Due Process Clause of the Fourteenth Amendment to the United States Constitution, Secretary López arbitrarily deprived each Plaintiff of his constitutionally protected interest in his driver's license without notice or the opportunity to be heard prior to suspension.

236. Secretary López failed to provide notice, written or otherwise, to Mr. Peoples, Mr. Mason, Mr. Morgan, and Mr. Jones prior to the suspension of their driver's licenses.

237. Secretary López failed to provide notice, written or otherwise, to Plaintiffs that they had a right to an investigation, the right to the results of the investigation, and the right to appeal the findings of the investigation to OAH prior to the suspension of their driver's licenses. Secretary López did not inform Plaintiffs of their right to contest the suspensions by requesting an investigation, nor did Secretary López inform Plaintiffs of their post-investigation right to request a hearing with OAH.

238. Secretary López denied Mr. Morgan's request for an investigation to contest the threatened suspension of his driver's license.

239. Secretary López denied Plaintiffs the opportunity to be heard prior to the suspension of their driver's licenses.

240. Mr. Mason and Mr. Jones were given false assurances that their license issues had been addressed and that their licenses were in good standing. Neither Mr. Mason nor Mr. Jones received any further notice to the contrary prior to CSA suspending their licenses.

241. Despite knowing that Mr. Peoples, Mr. Morgan, Mr. Mason, and Mr. Jones were exempt from driver's license suspension or did not owe child support, Secretary López repeatedly suspended their driver's licenses.

242. In particular, despite knowing of Mr. Morgan's disability status and that his SSI disability benefits are exempt from collection, Secretary López repeatedly threatened to suspend his license and forced him to make payments from his SSI disability benefits to retain or reinstate his license. Secretary López's agent, CSA's supervising attorney, also refused to close Mr. Morgan's case and vowed, via email, to continue enforcement actions against him, including bringing an action for contempt and future license suspensions by way of CSA's automated system that is programmed to re-suspend every 60 days. Secretary López's actions violate both Maryland and federal laws and regulations meant to protect one of society's most vulnerable populations, individuals with disabilities who are living in poverty.

243. Further, Secretary López erroneously reopened Mr. Peoples's and Mr. Mason's cases and suspended their driver's licenses without proper notice or the opportunity to be heard.

244. Mr. Peoples and Mr. Mason reasonably fear that Secretary López will erroneously reopen their child support case, and all four Plaintiffs reasonably fear that Secretary López will erroneously suspend their driver's licenses without notice or the opportunity to be heard.

245. By failing to provide Plaintiffs notice and an opportunity to be heard prior to the suspension of their drivers' licenses, Secretary López deprived Plaintiffs of their rights protected under the Fourteenth Amendment to the United States Constitution.

246. Secretary López's violations of Plaintiffs' due process rights are actionable under 42 U.S.C. § 1983.

WHEREFORE, Donte Peoples, Carnel Morgan, Dawron Mason, and Lewis Jones request that this Court enter Judgment in their favor and against Secretary López in his official capacity:

- A. Finding and declaring that Secretary López's actions as described in this Count violate the 14th Amendment to the United States Constitution and are therefore actionable under 42 U.S.C. § 1983;
- B. Granting permanent injunctive relief enjoining the State, DHS, CSA, and Veritas from:
 - i. Referring parents to the MVA for driver's license suspension without first providing:
 - a. written notice that includes, in clear, lay language:
 - 1. the amount of arrearages allegedly owed;
 - 2. the parent's right to seek an investigation on any of the grounds stated in Md. Code Ann., Family Law § 10-119(c)(1)(i);
 - 3. the process and timetable for seeking an investigation;
 - 4. all possible bases for exemption from suspension, as provided in Md. Code Ann., Family Law § 10-119(c)(1)(i); and
 - 5. contact information for the parent's local child support office;
 - and
 - b. a reasonable opportunity to contest the suspension; and
 - ii. When a parent has requested an investigation, refusing to conduct an investigation and instead requiring the parent to make a payment to retain their license; and
 - iii. When a parent has requested an investigation, referring the parent to the MVA for driver's license suspension without:
 - a. conducting the investigation; and

- b. providing a written post-investigation decision that includes:
 - 1. an explanation of the results of the investigation;
 - 2. a notification of the parent's right to appeal the outcome of the investigation by requesting a hearing with OAH;
 - 3. a clear explanation of the process and deadlines for seeking an appeal with OAH; and
 - 4. the form needed to request an appeal with OAH; and
- iv. When a parent has timely appealed the outcome of the investigation to OAH, referring the parent to the MVA for driver's license suspension before the appeal has concluded; and
- v. Referring parents to the MVA for driver's license suspension who do not owe child support or are exempt from suspension under Md. Code Ann., Family Law § 10-119; and
- vi. Referring parents to the MVA for driver's license suspension who are exempt under Md. Code Ann., Family Law § 10-119(c)(1)(i) because suspension is an impediment to their current employment; and
- vii. Referring parents to the MVA for driver's license suspension who are exempt under Md. Code Ann., Family Law § 10-119(c)(1)(i) because suspension is an impediment to their potential employment and they are making reasonable efforts to become employed; and
- viii. Failing to consider impediment to potential employment as lawful grounds for a parent to retain their license, and demanding that a parent must

already be employed or have an offer letter from an employer to retain their license; and

- ix. Referring parents to the MVA for driver's license suspension who are exempt under Md. Code Ann., Family Law § 10-119(c)(1)(i) because they are unable to work or pay support due to a documented disability, including, but not limited to, parents who receive SSI or SSDI disability benefits.
- x. Requiring SSI recipients to make payments from their SSI income to retain or reinstate their driver's license.
- xi. When a parent has already been referred to the MVA, failing to promptly notify the MVA to reinstate their license upon finding that one of the grounds enumerated in Md. Code Ann., Family Law § 10-119(c)(1)(i) exists; and
- xii. When a parent has already been referred to the MVA, requiring them to make a payment to retain or reinstate their driver's license after finding that one of the grounds enumerated in Md. Code Ann., Family Law § 10-119(c)(1)(i) exists, in violation of Md. Code Ann., Family Law § 10-119(d)(1); and
- xiii. Using a referral system that is programmed to re-refer parents to the MVA for license suspension automatically at set intervals.

- C. Finding and declaring that Secretary López's policy and practice of enforcing alleged child support arrearages through the suspension of driver's licenses violates the Fourteenth Amendment to the United States Constitution and 42 U.S.C. § 1983;

- D. Awarding Donte Peoples, Carnel Morgan, Dawron Mason, and Lewis Jones and against Secretary López in his official capacity, the costs, expenses, and attorneys' fees that Donte Peoples, Carnel Morgan, Dawron Mason, and Lewis Jones incurred in instituting and prosecuting this action; and
- E. Providing for such other and further relief as the Court deems just and equitable.

COUNT IV

42 U.S.C. § 1983—Violation of Federal Procedural Due Process (On behalf of all Plaintiffs and against Veritas)

247. Plaintiffs re-allege and incorporate the allegations contained in each of the foregoing paragraphs of this complaint.

248. The Due Process Clause of the Fourteenth Amendment to the United States Constitution provides, in relevant part, that no state shall deprive an individual of their property “without due process of law”

249. Plaintiffs each possess a constitutionally protected interest in their State of Maryland issued driver's license.

250. Since December 2017, Veritas has operated the Baltimore City child support enforcement office.

251. Specifically, under Veritas's contract with DHS, Veritas is responsible for “the operation of a full cadre of child support services in Baltimore City which includes the following: Case Documentation, Intake, Location of Noncustodial Parents, Establishment of Paternity, Establishment of Support Orders, Enforcement of Support Orders, Review and Adjustment of Support Orders, Interstate Case Processing, Case Closure Procedures, Required Case Management Reports, Collection Services, Centralized Collection and Payment

Processing, Collection of IV-D and Non-IV-D Payments, Undistributed Collections (UDC) Processing, Customer Services.”

252. As CSA’s agent for child support services in Baltimore City, including but not limited to enforcement activities, and at all times relevant to this action, Veritas was a state actor and was acting under color of state law.

253. As CSA’s agent for child support enforcement activities, Veritas repeatedly suspended or threatened to suspend Plaintiffs’ driver’s licenses for alleged child support arrears.

254. At all pertinent times, each Plaintiff was exempt from license suspension or did not owe child support.

255. In violation of the Due Process Clause of the Fourteenth Amendment to the United States Constitution, Veritas arbitrarily deprived Plaintiffs of their constitutionally protected property interest in their State of Maryland driver’s licenses without notice or the opportunity to be heard prior to suspension.

256. Veritas failed to provide notice, written or otherwise, to Plaintiffs prior to the suspension of their driver’s licenses.

257. Veritas failed to provide notice, written or otherwise, to Plaintiffs that they had a right to an investigation, the right to the results of the investigation, and the right to appeal the findings of the investigation to the Office of Administration Hearings prior to the suspension of their driver’s licenses. Veritas did not inform Plaintiffs of their right to contest the suspensions by requesting an investigation, nor did Veritas inform Plaintiffs of their post-investigation right to request a hearing with OAH.

258. Veritas denied Plaintiffs the opportunity to be heard prior to the suspension of their driver's licenses.

259. Mr. Mason and Mr. Jones were given misleading assurances that their license issues had been addressed and that their licenses were in good standing. Neither Mr. Mason nor Mr. Jones received any further notice to the contrary prior to CSA suspending their licenses.

260. Despite knowing that Plaintiffs were exempt from license suspension or did not owe child support, Veritas repeatedly suspended their driver's licenses.

261. In particular, despite knowing of Mr. Morgan's disability status and that his SSI disability benefits are exempt from collection, Veritas repeatedly threatened to suspend his license and forced him to make payments from his SSI disability benefits to retain or reinstate his license. Veritas's actions violate both Maryland and federal laws and regulations meant to protect one of society's most vulnerable populations, individuals with disabilities who are living in poverty.

262. Further, Veritas erroneously reopened Mr. Peoples's and Mr. Mason's cases and suspended their driver's licenses without proper notice or the opportunity to be heard.

263. Mr. Peoples and Mr. Mason reasonably fear that Veritas will erroneously reopen their child support case, and all four Plaintiffs reasonably fear that Veritas will erroneously suspend their driver's licenses without notice or the opportunity to be heard.

264. By failing to provide Plaintiffs notice and an opportunity to be heard prior to the suspension of their driver's licenses, Veritas deprived Plaintiffs of their rights protected under the Fourteenth Amendment to the United States Constitution.

265. Veritas's violations of Plaintiffs' due process rights are actionable under 42 U.S.C. § 1983.

WHEREFORE, Donte Peoples, Cernel Morgan, Dawron Mason, and Lewis Jones request that this Court enter Judgment in their favor and against Veritas HHS, LLC:

- A. Finding and declaring that Veritas's actions as described in this Count violate the Fourteenth Amendment to the United States Constitution and are actionable pursuant to 42 U.S.C. § 1983;
- B. Granting permanent injunctive relief enjoining the State, DHS, CSA, and Veritas from:
 - i. Referring parents to the MVA for driver's license suspension without first providing:
 - a. written notice that includes, in clear, lay language:
 - 1. the amount of arrearages allegedly owed;
 - 2. the parent's right to seek an investigation on any of the grounds stated in Md. Code Ann., Family Law § 10-119(c)(1)(i);
 - 3. the process and timetable for seeking an investigation;
 - 4. all possible bases for exemption from suspension, as provided in Md. Code Ann., Family Law § 10-119(c)(1)(i); and
 - 5. contact information for the parent's local child support office;
 - b. a reasonable opportunity to contest the suspension; and
 - ii. When a parent has requested an investigation, refusing to conduct an investigation and instead requiring the parent to make a payment to retain their license; and

- iii. When a parent has requested an investigation, referring the parent to the MVA for driver's license suspension without:
 - a. conducting the investigation; and
 - b. providing a written post-investigation decision that includes:
 - 1. an explanation of the results of the investigation;
 - 2. a notification of the parent's right to appeal the outcome of the investigation by requesting a hearing with the Office of Administrative Hearings;
 - 3. a clear explanation of the process and deadlines for seeking an appeal with OAH; and
 - 4. the form needed to request an appeal with OAH; and
- iv. When a parent has timely appealed the outcome of the investigation to OAH, referring the parent to the MVA for driver's license suspension before the appeal has concluded; and
- v. Referring parents to the MVA for driver's license suspension who do not owe child support or are exempt from suspension under Md. Code Ann., Family Law § 10-119; and
- vi. Referring parents to the MVA for driver's license suspension who are exempt under Md. Code Ann., Family Law § 10-119(c)(1)(i) because suspension is an impediment to their current employment; and
- vii. Referring parents to the MVA for driver's license suspension who are exempt under Md. Code Ann., Family Law § 10-119(c)(1)(i) because

- suspension is an impediment to their potential employment and they are making reasonable efforts to become employed; and
- viii. Failing to consider impediment to potential employment as lawful grounds for a parent to retain their license, and demanding that a parent must already be employed or have an offer letter from an employer to retain their license; and
 - ix. Referring parents to the MVA for driver's license suspension who are exempt under Md. Code Ann., Family Law § 10-119(c)(1)(i) because they are unable to work or pay support due to a documented disability, including, but not limited to, parents who receive SSI or SSDI disability benefits
 - x. Requiring SSI recipients to make payments from their SSI income to retain or reinstate their driver's license.
 - xi. When a parent has already been referred to the MVA, failing to promptly notify the MVA to reinstate their license upon finding that one of the grounds enumerated in Md. Code Ann., Family Law § 10-119(c)(1)(i) exists; and
 - xii. When a parent has already been referred to the MVA, requiring them to make a payment to retain or reinstate their driver's license after finding that one of the grounds enumerated in Md. Code Ann., Family Law § 10-119(c)(1)(i) exists, in violation of Md. Code Ann., Family Law § 10-119(d)(1); and

- xiii. Using a referral system that is programmed to re-refer parents to the MVA for license suspension automatically at set intervals.
- C. Granting judgment in favor of Donte Peoples, and against Veritas, for compensatory damages in an amount exceeding \$150,000, or such amount as determined at trial;
- D. Granting judgment in favor of Carnel Morgan, and against the State of Maryland, DHS, CSA and Veritas for compensatory damages in an amount exceeding \$50,000, or such amount as determined at trial;
- E. Granting judgment in favor of Dawron Mason, and against Veritas, for compensatory damages in an amount exceeding \$15,000, or such amount as determined at trial; and
- F. Awarding Donte Peoples, Carnel Morgan, Dawron Mason, and Lewis Jones and against Veritas, the costs, expenses, and attorneys' fees that Donte Peoples, Carnel Morgan, and Dawron Mason incurred in instituting and prosecuting this action; and
- G. Providing for such other and further relief as the Court deems just and equitable.

DEMAND FOR JURY TRIAL

Donte Peoples, Carnel Morgan, Dawron Mason, and Lewis Jones demand a trial by jury of all claims in this Complaint so triable.

Respectfully submitted,

MARYLAND LEGAL AID

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Dated: June 18, 2025