**E-FILED; Baltimore County Circuit Court**
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**TAKI ALLEN**
by and through his next friends and guardians,
**JERRIE DAVIS** and **LAMONT DAVIS**
19 Tomahawk Terrance
Middle River, Maryland 21220

and

**YUI-OSA OGBEIDE**
713 Nellis Road
Middle River, Maryland 21220

and

**DEVON THOMPSON JR.**
11 Shirehall Court
Middle River, Maryland 21220

and

**KEITH WINFIELD III**
5074 Springhouse Circle
Rosedale, Maryland 21237,

*Plaintiffs,*

v.

**OMNILERT, LLC**
880 Harrison St. SE
Leesburg, VA 20175,

and

**BALTIMORE COUNTY, MARYLAND**
**nominal defendant for the**
**BALTIMORE COUNTY POLICE DEPARTMENT**
720 Bosley Avenue
Towson, Maryland 21204

**Serve On:**
James Benjamin, County Attorney
Historic Courthouse
400 Washington Avenue
Towson, Maryland 21204

and

**BOARD OF EDUCATION OF BALTIMORE COUNTY, d/b/a BALTIMORE COUNTY PUBLIC SCHOOLS**
6901 Charles Street

**IN THE CIRCUIT COURT FOR BALTIMORE COUNTY, MARYLAND**

Case No.

Towson, Maryland 21204
**Serve On:** Margaret-Ann F. Howie,
General Counsel
Baltimore County Public Schools
6901 Charles Street
Towson, Maryland 21204

and

**ERIC KNOX**
in his official capacity,
Executive Director, Department of School Safety, Baltimore County Public Schools
c/o Margaret-Ann F. Howie, General Counsel
6901 Charles Street
Towson, Maryland 21204

and

**CATHERINE ("KATE") SMITH**
in her individual and official capacities,
Principal, Kenwood High School
501 Stemmers Run Rd
Baltimore, MD 21221

and

**CORPORAL MICHAEL FOEHRKOLB #5551**
in his individual and official capacities,
Baltimore County Police Department
700 East Joppa Road
Towson, Maryland 21286

and

**OFFICER TIMOTHY KENT #5223**
in his individual and official capacities,
Baltimore County Police Department
700 East Joppa Road
Towson, Maryland 21286

and

**OFFICER SCOTT MUSO #6416**
in his individual and official capacities,
Baltimore County Police Department
700 East Joppa Road
Towson, Maryland 21286

and

**OFFICER JOSEPH PFEIFER #6543**
in his individual and official capacities,
Baltimore County Police Department
700 East Joppa Road
Towson, Maryland 21286

and

**OFFICER SHANE STONE #6800**
in his individual and official capacities,
Baltimore County Police Department
700 East Joppa Road
Towson, Maryland 21286

and

**JOHN DOES 1-2 and JANE DOE 1,**
in their individual and official capacities,
Baltimore County Police Department
700 East Joppa Road
Towson, Maryland 21286,

*Defendants.*

# COMPLAINT AND DEMAND FOR JURY TRIAL

## INTRODUCTION

1. On October 20, 2025, an artificial-intelligence ("AI") surveillance system falsely and dangerously labeled an innocent Black high school student as a gunman. He did not, in fact, have a gun—he was actually holding a bag of chips.

2. This case is about the people who turned that machine error into a traumatic police takedown of four teenagers at their own school: the police officers who, guns drawn, forced the students to their knees on the concrete, handcuffed them, and searched them; the school officials who unleashed this technology on their own students with no standards or protocols to protect against false Alerts; and the company that designed, sold, and monitored the faulty technology. The students whose peaceful evening was suddenly and baselessly transformed into moments of terror now seek accountability from each of them.

3. At around 6:30 PM on October 20, 2025, Plaintiffs Taki Allen ("Taki"), Yui-Osa ("Osa") Ogbeide, Devon Thompson Jr. ("Devon"), and Keith Winfield III ("Keith") were standing outside Kenwood High School in Baltimore County, Maryland, waiting for a ride home from football practice. They were talking and joking around. Taki was eating a bag of Cool Ranch Doritos his coach had given him after practice. They were doing nothing wrong.

4. Then the police arrived. At least six Baltimore County Police Department ("BCoPD") cruisers converged on the school without warning. Officers poured out of their vehicles, many with guns drawn. No one told the students what they were suspected of. Officers separated the students, ordered them to their knees on the concrete, handcuffed them, and searched their persons and property.



5. The encounter was terrifying and life-threatening. With armed police encircling them for no apparent reason, each student feared for his life and the lives of his friends.

6. The officers' search of the students turned up nothing. Only after the search did one of the officers reveal why they had been dispatched: "it's the Omnilert."

7. Omnilert Gun Detect ("OGD") is an AI weapon-detection system that scans security-camera footage for firearms. OGD had been watching Kenwood's students through the school's cameras. That night, it mistook Taki's bag of chips for a gun.

8. The officers on the scene knew OGD was unreliable. One told the students that "AI is not the best." Another muttered "stupid AI cameras" and "fucking Omnilerts." Yet officers relied on the Alert to initiate this painful encounter with the students.

9. Defendant FOEHRKOLB's parting comments underscored the danger the unwarranted stop posed to the students. As he left, he told them: "hey, thanks for not running away, that would have been a real problem."

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10. None of this should have happened. After OGD flagged Taki's chip bag as a gun, it sent a text Alert to the cell phones of a group of Baltimore County Public Schools ("BCPS") administrators and members of BCoPD (the "OGD Alert" or "Alert"). Defendant Eric KNOX (BCPS Executive Director of School Safety), Laura Marvin-Basta (BCPS School Safety Manager), Sgt. Christopher Robinson (Maryland Safe Schools Facilitator with BCoPD), and Kenwood High School Principal Kate Smith, among others, received the Alert.

11. The image in the OGD Alert showed a teenager holding a bag of chips casually at his side.[1]

12. Within two minutes, designated representatives of the school and police department—Defendant KNOX, Marvin-Basta, and Robinson—reviewed the Alert, determined there was no gun, and canceled it.

13. OGD automatically generated and sent a second text to the same group of school and police officials noting the cancelation.

14. But Defendant Catherine "Kate" SMITH, principal of Kenwood High School, never acknowledged the Alert's cancelation or took any steps to verify whether the Alert remained active.

15. Instead, more than ten minutes after the Alert was canceled, Defendant SMITH viewed the text message containing the OGD Alert, opened the website linked in the text message, took a screenshot of the video footage of Taki holding the chip bag from that website, and sent the screenshot to School Resource Officer ("SRO") John Douglas on his personal cell phone. SRO Douglas then forwarded the screenshot to BCoPD, prompting an armed police response.

[1] Kenwood High School's surveillance footage shows Taki standing outside the school on October 20, 2025, eating a bag of Doritos. That footage is available at https://youtu.be/MvYr93bBOK0.

16. Later that night, Defendant SMITH learned she had sent armed police to detain and search her own students over a bag of chips. She made light of the incident in texts with fellow administrators:




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17. OGD is made and operated by Defendant OMNILERT, LLC ("Omnilert").

18. OMNILERT touts the accuracy of OGD in its marketing materials, promising school districts "reliable 24x7 monitoring." It says the system—which in this case combined AI monitoring of school security footage with human review of threats flagged by the AI—distinguishes guns from "inert objects such as cell phones, hand tools, common office objects and more," which are identified "to diminish possible false positives."

19. The record says otherwise. Maryland's Office of the Inspector General for Education ("OIGE") found that more than 99% of OGD Alerts in Baltimore County Public Schools were false positives that required no police response.

20. This case illustrates that failure. OGD's AI system flagged Taki's chip bag as a firearm with 90% confidence. OMNILERT's human review team then reviewed the image of Taki and his bag of chips, failed to identify the mistake, and forwarded the Alert to BCPS and BCoPD, leading to the students' armed detention.

21. OMNILERT defended its product afterward, saying the process "had functioned as intended."

22. Plaintiffs bring this action pursuant to 42 U.S.C. § 1983, the Fourth and Fourteenth Amendments to the United States Constitution, the Maryland Declaration of Rights (Article 26), and Maryland common law, seeking compensatory damages, punitive damages, injunctive relief, and any other relief determined by the Court to be just and proper.

## JURISDICTION AND VENUE

23. This Court has concurrent jurisdiction over Plaintiffs' federal civil rights claims pursuant to 42 U.S.C. § 1983 with the federal courts. This Court has original jurisdiction over

Plaintiffs' state law claims arising under the Maryland Declaration of Rights and Maryland common law.

24. Venue is proper in the Circuit Court for Baltimore County, Maryland pursuant to (i) Md. Code Ann., Cts. & Jud. Proc. § 6-201, because the events giving rise to this Complaint occurred within Baltimore County, and all Defendants but OMNILERT either reside, are employed, or maintain their principal offices in Baltimore County; and (ii) Md. Code Ann., Cts. & Jud. Proc. § 6-202(8), because this Complaint includes tort claims based in negligence arising in Baltimore County.

25. Plaintiffs have complied with the notice requirements of the Maryland Tort Claims Act, State Gov't Code Ann. §12-101, et seq., and the Local Government Tort Claims Act (LGTCA), Md. Code Ann., Cts. & Jud. Proc. § 5-301 et seq.

## PARTIES

26. **Plaintiff Taki Allen** is a seventeen-year-old resident of Baltimore County. At all times relevant, Taki was a student at Kenwood High School and a minor. He brings this action by and through his next friends and guardians, Jerrie Davis and Lamont Davis.

27. **Plaintiff Yui-Osa Ogbeide** is an eighteen-year-old resident of Baltimore County. At all times relevant, Osa was a student at Kenwood High School and a minor.

28. **Plaintiff Devon Thompson Jr.** is an eighteen-year-old resident of Baltimore County. At all times relevant, Devon was a student at Kenwood High School and a minor.

29. **Plaintiff Keith Winfield III** is an eighteen-year-old resident of Baltimore County. At all times relevant, Keith was a student at Kenwood High School and a minor.

30. **Defendant Baltimore County, Maryland** is a political subdivision of the State of Maryland and is named as a nominal defendant for the BCoPD. Baltimore County is liable for the policies, practices, and actions of the BCoPD and its employees. BCoPD Sgt. Robinson participated in canceling the OGD Alert, and multiple BCoPD employees received both the original Alert and its cancelation. Despite having received notice that the Alert had been canceled, BCoPD nevertheless dispatched armed officers to Kenwood High School.

31. **Defendant Board of Education of Baltimore County, d/b/a BCPS** (the "Board" or "BCPS") is an elected and appointed body, authorized by Title 3 of the Maryland Education Code to operate and administer a system of public schools in Baltimore County, known as BCPS. Pursuant to Md. Code Ann., Educ. § 4-108, BCPS operates public schools in Baltimore County, including Kenwood High School. BCPS contracted for and deployed OGD across all 165 of its elementary, middle, and high schools between fall 2023 and spring 2024. OGD is integrated into BCPS's more than 7,000 existing surveillance cameras, both inside and outside of schools. BCPS was responsible for creating and implementing policies, procedures, and trainings for the lawful use of OGD and for

overseeing its implementation in schools. BCPS is responsible for training and supervising Defendant SMITH and other BCPS employees. BCPS is responsible for the safety and welfare of school students on school grounds.

32. **Defendant Director Eric Knox** is and was, at all times relevant, Executive Director of the BCPS Department of School Safety, charged with leading that Department. As Executive Director, Defendant KNOX is responsible for developing, implementing, and evaluating school and office safety programs and activities. He "coordinates with Baltimore County Police aspects of the [student resource officer] program, security, investigations, and procedures that impact schools and offices." Defendant KNOX is responsible for review of OGD Alerts, cancelation of false positive Alerts, and implementation of such cancelations. Defendant KNOX is sued in his official capacity.

33. **Defendant Principal Catherine ("Kate") Smith** is and was, at all times relevant, the Principal of Kenwood High School. At Kenwood High School, Defendant SMITH is responsible for implementation of BCPS policy and procedures, training of school staff, and staff discipline. Defendant SMITH is also responsible for the safety and welfare of Kenwood High School students on school grounds. Defendant SMITH received the OGD Alert depicting Taki holding a bag of chips on October 20, 2025, but failed to review the subsequent cancelation of that Alert. Defendant SMITH instead directed a School Resource Officer to summon police to the scene. Defendant SMITH is sued in her individual and official capacities for actions taken under color of state law.

34. **Defendant Corporal Michael Foehrkolb, Officers Timothy Kent, Scott Muso, Joseph Pfeifer, Shane Stone, Jane Doe, and John Does 1-2** (collectively, "Responding Officers" or "Officers") are and were, at all times relevant, employees of the BCoPD. They responded to an OGD Alert from Kenwood High School on October 20, 2025, and participated in the illegal search and seizure of Plaintiffs. All of the Defendant RESPONDING OFFICERS directly received or had access to the OGD Alert's image of Taki holding a bag of chips prior to detaining and searching Plaintiffs without individualized reasonable suspicion. They are sued in their individual and official capacities for actions taken under color of state law.

35. **Defendant Omnilert**, **LLC** is a Virginia limited liability corporation with its principal place of business in Leesburg, Virginia. At all times relevant, OMNILERT conducted business in the state of Maryland.

## FACTS COMMON TO ALL COUNTS

### A. The Evening of October 20, 2025

36. Taki, Osa, Devon, and Keith were all students at Kenwood High School in Baltimore County, Maryland, during the 2025–2026 school year. Taki was a junior, and the other three students were seniors. The four were friends and members of the Kenwood High School football team.

37. On Monday, October 20, 2025, Plaintiffs attended football practice after school. Practice ended at approximately 6:30 PM. After practice, their coach passed out individual bags of Doritos to the team, as he occasionally did after practices. Taki took several.

38. Plaintiffs then went outside the school to wait for Keith's mom to pick them up, just as they did many days after practice.

39. Plaintiffs convened near the picnic tables near the back entrance of the school. As they waited for their ride, they were talking and eating the Doritos their coach had given to them.

40. Suddenly, at least six BCoPD police cruisers appeared at the school, lights flashing.

41. Defendants FOEHRKOLB, KENT, MUSO, PFEIFER, STONE, JOHN DOEs 1-2, and JANE DOE 1 exited their vehicles. Several officers, including MUSO, PFEIFER, KENT, and JANE DOE 1, unholstered their weapons. As soon as the Defendant RESPONDING OFFICERS exited their vehicles, Plaintiffs put their hands in the air to signal their cooperation.

42. With their firearms still drawn, several of the Defendant RESPONDING OFFICERS approached Taki and ordered him to get on the ground, get on his knees, and put his hands behind his back. Defendants MUSO and JOHN DOE 1 then handcuffed Taki and conducted a search of his person. Other Defendant RESPONDING OFFICERS simultaneously shouted commands at each of the other Plaintiffs, ordering them onto their knees, handcuffing them, and searching them and their backpacks.

43. Once Plaintiffs were handcuffed, Defendants FOEHRKOLB, KENT, MUSO, PFEIFER, STONE, DOEs 1-2, and JANE DOE 1 began questioning them, beginning with Taki. Defendant MUSO asked Taki, "do you have a gun on you?" Completely surprised by this question, Taki responded that he did not. Defendant FOEHRKOLB continued to question Taki.

44. Plaintiffs were in shock and feared for their lives as a result of being stopped, ordered to their knees, handcuffed, and searched by armed BCoPD officers. They knew that a single wrong move could cost them their lives.

45. After Defendants FOEHRKOLB, KENT, MUSO, PFEIFER, STONE, DOEs 1-2, and JANE DOE 1 had searched all Plaintiffs, Defendant MUSO stated, "Appreciate you guys being cool about it I guess," while Defendant PFEIFER added, "Makes it easier for us." Defendant FOEHRKOLB remarked to the students, "Hey, thanks for not running away, that would have been a real problem."

46. Having found no weapons of any kind on Plaintiffs, Defendant FOEHRKOLB asked where the call came from. Defendant MUSO answered, "it's the Omnilert."

## B. The Omnilert Gun Detect System

47. The armed engagement with Plaintiffs—four unarmed teenagers having a snack outside their school—was prompted by an electronic surveillance system created by Defendant OMNILERT.

48. OMNILERT was founded in 2004. It sells what it characterizes as a "military-inspired," "military grade" AI gun-detection system—OGD—that was launched in 2020.

49. OMNILERT claims that OGD can "[d]etect a gun in a fraction of a second." It touts its system as able to overcome the "messy" nature of "real-world gun detection," including variances in lighting, different shapes of weapons, and environments "full of noise and movements." It asserts that its AI is trained to address those scenarios resulting in "[m]ore reliable detection, fewer false positives, and a system that actually works where it matters most."

50. OMNILERT's marketing materials claimed in 2023 that "[a] wide range of handguns, shotguns, rifles and military-style weapons are distinguished by the AI while inert objects such as cell phones, hand-tools, common office objects and more are identified to diminish possible false positives."

51. According to OMNILERT, however, false positives are "a result of system design choices and workflow ownership, not just detection accuracy," and "visual gun detection systems are intentionally designed with a clear priority: not missing a real firearm."

52. OMNILERT further explains that "Because the consequences of failing to detect a genuine threat are severe, these systems are built to surface anything that resembles a gun-like device so that a human can evaluate it."

53. OMNILERT claims that it generates "Near-Zero False Positives" because "AI and human validation ensures false positives are all but eliminated."

54. According to OMNILERT, when OGD identifies a potential threat, it first assesses the likelihood that the detected item is a "true threat." If so, the captured footage is sent to an internal human review team at OMNILERT. If the human review team agrees that the detected item is a threat, an OGD Alert is sent to a designated group of personnel via text message.

55. OGD Alert text messages included both a photo of the threat and a URL link that directs the recipient to a website. On that website, viewers can access a magnified image of the threat, video footage capturing the threat, and the status of the Alert.

56. The OGD program is customizable, such that specified Alert recipients can launch a predetermined set of protocols, for example, notifying law enforcement, triggering a lockdown, or, in the case of a false alarm, canceling the Alert. When any of these actions are taken, *all* Alert recipients are notified via a second text message. The website also indicates which specific action was taken.

57. OMNILERT offers purchasers customized "security workflow automation," including automated notifications to law enforcement. BCPS opted for a customized system with automated notifications to both school officials and law enforcement. OGD Alerts for Kenwood High School are sent to BCPS administrators and members of the BCoPD by text message.

58. Despite OMNILERT's marketing claims, the OGD system is unreliable. Indeed, the OGD system has a false positive rate of more than 99% in BCPS schools. Between November 2023 and November 2025, less than 1% of the OGD Alerts sent to BCPS required notification of law enforcement.

59. The OGD system also suffers from false negatives. In January 2025, for instance, OGD failed to detect an active shooter's gun at Antioch High School in Nashville, Tennessee—a situation that concluded with the killing of two students, including the shooter.

### C. Neither BCPS Nor BCoPD Deploys OGD with Adequate Protocols or Training

60. BCPS procured OGD as well as human review services provided by Omnilert.

61. OGD was patented in 2022, barely a year before it was deployed in BCPS schools. BCPS was among the first of its initial deployments.

62. Between fall 2023 and spring 2024, BCPS introduced the OGD system into 165 schools, integrating the system into at least 7,000 existing security cameras.

63. In a press release announcing Omnilert's partnership with BCPS, Omnilert CEO Dave Fraser exclaimed, "[W]e look forward to helping Baltimore County Public Schools leverage our platform to keep its students and staff safe. This is the largest deployment of AI visual gun detection and the district should be commended on setting this strong example for other schools and organizations around the country to follow."

64. From the time BCPS deployed OGD through at least October 20, 2025, Defendants BCPS and KNOX failed to establish an adequate protocol for utilizing OGD, including a protocol for communicating Alert cancelations to relevant BCPS and BCoPD personnel and for ensuring that recipients of alerts would see if the alert had been canceled.

65. BCPS also did not provide adequate training for its own staff or members of the BCoPD, who would be involved in assessing and responding to OGD Alerts on BCPS campuses. Prior to October 20, 2025, BCPS "ha[d] held only a few meetings on the use of the [OGD] system and ha[d] not conducted any individual training" on it since July 2024—the same month Defendant SMITH became Kenwood's principal. The Maryland OIGE was "unable to verify" whether any trainings occurred in 2025.

66. After OGD was deployed, Defendants BCPS and KNOX failed to assess and re-assess the risks of OGD even as the system continued to produce false Alerts. Specifically, they

failed to investigate the high rates of OGD Alerts that did not warrant police response or consider the potential risks of employing the flawed technology around children.

67. After the false negative from OGD during the January 2025 school shooting at Antioch High School in Nashville, Tennessee, resulting in the death of two students, and before the incident that is the subject of this lawsuit—no audit or evaluation of the OGD technology was conducted by BCPS and no BCPS employee received additional training.

68. The lack of BCPS policies foreclosed adequate training or discipline of employees.

69. Before Plaintiffs were detained by BCoPD on October 20, 2025, BCoPD knew that OGD generated false-positive Alerts at a high rate. Before that date, BCoPD had responded to numerous OGD Alerts that flagged items that were not, in fact, firearms, including children's toys, a stapler, and a glue gun.

70. BCoPD had a procedure governing the Department's response to OGD Alerts prior to and during the October 20, 2025 incident (the "BCoPD OGD Procedure").

71. The BCoPD OGD Procedure provides that "only positive detections" wherein "the detected object is deemed a firearm" will initiate BCoPD workflows. It further directs that "[i]f the detection is clearly not a firearm, the alert should be canceled."

72. The BCoPD OGD Procedure does not provide for a process of communicating the cancelation of OGD Alerts to relevant BCoPD employees, including dispatchers.

73. BCoPD did not adequately train its employees on the BCoPD OGD Procedure or otherwise train its employees on how to respond to OGD Alerts consistent with their constitutional obligations.

74. Before October 20, 2025, BCoPD did not conduct *any* trainings with its staff on OGD Alert response protocols. Instead, any training BCoPD employees recieved on OGD response protocols was provided by BCPS, which itself failed to provide adequate OGD training to its own staff.

## D. Omnilert, BCPS, and BCoPD Cause the Illegal Detention and Search of Plaintiffs

75. In a public statement after October 20, 2025, BCPS and BCoPD explained how the OGD system purportedly worked: if the system identifies an object it believes is a firearm, it generates an Alert that is "immediately reviewed by trained BCPS safety professionals in the BCPS Department of School Safety who validate or cancel the alert." If the Alert is canceled, they explained, "no further law enforcement or safety action is taken."

76. BCPS and BCoPD's explanation is directly at odds with the actions taken by BCPS and BCoPD employees on October 20, 2025.

77. On October 20, 2025, shortly before 7:04 PM, OGD flagged a bag of Doritos in Taki's hand as a firearm.

78. The Omnilert human review team verified the threat.

79. The OGD system identified Taki's bag of chips as a firearm with 90% confidence.

80. Defendant OMNILERT sent an OGD Alert via text message to at least fifteen people, including five employees of BCPS and ten employees of BCoPD. Recipients included Defendant KNOX, Marvin-Basta, Sgt. Robinson, and Defendant SMITH.

81. The Alert included a photo of Taki holding a bag of chips near the school doors and a link to a webpage with additional information about the Alert, including a video clip of Taki holding the bag of chips.

82. Between 7:05 and 7:06 PM, Defendant KNOX, Marvin-Basta, and Sgt. Robinson reviewed the OGD Alert, determined it was a false Alert (because the image showed Taki holding a chip bag, not a gun), and canceled the Alert. The cancelation appeared on the website linked in the original Alert text, and a second text message was sent to all recipients of the OGD Alert—including Defendant SMITH—notifying them that the Alert had been canceled.

83. Because Defendants BCPS, KNOX, and BALTIMORE COUNTY failed to develop adequate protocols to communicate Alerts and cancelations to relevant school staff and police employees, and to provide school and police employees necessary training on the same, the incident did not stop there.

84. Between 7:17 and 7:19 PM—nearly fifteen minutes after the OGD Alert was issued and more than ten minutes after it was canceled—Defendant SMITH opened the Alert text message and clicked on the embedded URL link. The link directed her to a webpage that expressly indicated the Alert had been canceled. Nevertheless, Defendant SMITH failed to acknowledge that cancelation notice on the website. She also did not review the text message notifying her that the Alert had been canceled. Instead, she enlarged the video embedded on the webpage to look for a weapon and took a screenshot of Taki holding a bag of Doritos.

85. Defendant SMITH contacted SRO Douglas on his personal phone, provided a screenshot of the OGD Alert, and requested that police officers respond. The screenshot that Defendant SMITH sent to Douglas depicts Taki holding a chip bag.

86. At 7:19 PM, Defendant SMITH texted Marvin-Basta and BCPS Executive Director Craig Reed stating: "Omni alert is working. Kid standing on my patio right now. Looks like one of mine and looks like he's armed. My SRO is calling it into the precinct now." Defendant SMITH then called Marvin-Basta but was unable to reach her.

87. Douglas forwarded the screenshot he received from Defendant SMITH to the Precinct 11–Essex of BCoPD.

88. Although Defendant SMITH informed Marvin-Basta that Douglas was "calling [the alert] into the precinct" and although Marvin-Basta and Defendant KNOX had canceled the Alert, neither took action to override Defendant SMITH nor stop the dispatch of BCoPD officers.

89. After contacting Precinct 11–Essex, Douglas responded to Defendant SMITH in a text message that the flagged item in the OGD Alert "looks like a blue gun." Defendant SMITH replied, "Right, but maybe not." Despite expressing uncertainty about whether the item was a gun, neither Douglas nor Defendant SMITH attempted to stop the dispatch of police officers.

90. At 7:21 PM, Defendant RESPONDING OFFICERS were dispatched from Precinct 11–Essex to a "report of a suspicious person with a weapon" at Kenwood High School.

91. By that time, at least ten BCoPD employees had the original OGD Alert and the OGD cancelation notice.

92. Nevertheless, Defendant RESPONDING OFFICERS proceeded to Kenwood High School without confirming whether the Alert remained active.

93. By the time they arrived at Kenwood High School, Defendant RESPONDING OFFICERS had access to an image of Taki holding the bag of chips from the OGD Alert. Several OFFICERS, including Defendants PFEIFER and MUSO, glanced cursorily at the photo before approaching Plaintiffs.

94. Defendant RESPONDING OFFICERS did not reasonably examine the image. A reasonable examination of the image would have made clear to the OFFICERS that Taki was not holding a gun (as it was clear to the BCPS and BCoPD officials who initially reviewed the image and canceled the Alert).

95. In all, at least six patrol cars descended on Kenwood High School with their lights flashing.

96. Defendant RESPONDING OFFICERS exited their vehicles and several officers, including Defendants MUSO, KENT, PFEIFER, and JANE DOE 1, unholstered their weapons. Defendant RESPONDING OFFICERS were in full uniform.

97. As soon as Defendant RESPONDING OFFICERS exited their vehicles, Plaintiffs raised their arms.

98. With their firearms still drawn, several Defendant RESPONDING OFFICERS approached Taki, and ordered him to: "Get on the ground and to get on your knees, put your hands behind your back." Taki complied with these commands immediately.

99. Defendant MUSO then handcuffed Taki, and another male officer (Defendant JOHN DOE 1) searched his person and belongings.

100. Defendant FOEHRKOLB directed Keith and Osa to separate parts of the courtyard so that each could be searched individually. Plaintiffs immediately complied with his verbal commands. He then began questioning Taki.

101. Other Defendant RESPONDING OFFICERS simultaneously shouted commands at each of the other Plaintiffs and ordered them onto their knees. Osa, Devon, and Keith promptly complied with those commands.

102. Defendant STONE and a female officer (Defendant JANE DOE 1) handcuffed Keith and searched his person and his belongings.

103. A male officer (Defendant JOHN DOE 2) handcuffed Osa and searched his person. Defendants MUSO and KENT searched his belongings.

104. Defendant PFEIFER handcuffed Devon and searched his person and his belongings.

105. Once Plaintiffs were handcuffed, Defendant RESPONDING OFFICERS began questioning them.

106. Defendant RESPONDING OFFICERS found no weapons or other contraband in the possession of any Plaintiff.

107. The detention of Plaintiffs occurred in a courtyard in front of the school in full view of all the Defendant RESPONDING OFFICERS. At all times during the searches, the Defendant RESPONDING OFFICERS coordinated with each other and therefore were aware of each other's conduct. The Plaintiffs were each detained and in handcuffs in full view of each of the Defendant RESPONDING OFFICERS for at least six minutes.

108. Defendant FOEHRKOLB, the Supervisor assigned to the call, coordinated the detention of all four Plaintiffs and did not stop the detentions and searches of the bystander Plaintiffs Osa, Devon, and Keith.

109. When Devon asked why he was being held, Defendant PFEIFER answered: "you were just with him, ok, so guilty by association if you want to say that."

110. BCoPD's Field Manual bars officers from detaining anyone without reasonable, articulable suspicion and permits handcuffing only when officers have reason to believe the person detained is armed. On October 20, 2025, every Defendant RESPONDING OFFICER ignored both rules, and the supervising officer at the scene, Defendant FOEHRKOLB, did not correct them.

111. Following the event, BCPS and BCoPD conducted a "joint review" of the circumstances related to Taki, Osa, Devon, and Keith's detention by police. The review addressed "the

technology and processes behind" the camera system. No officer was disciplined for detaining, handcuffing, and searching the bystander students who did not appear in the Alert.

### E. Responding Officers Acknowledge Omnilert's Failure

112. While Plaintiffs were handcuffed, Defendant KENT asked Defendant FOEHRKOLB if he had seen the screenshot of the OGD Alert; Defendant FOEHRKOLB responded that he had not. Defendant FOEHRKOLB then reviewed the photo of Taki from the OGD Alert and quickly concluded "I don't think it is [a gun]."

113. Defendants KENT and FOEHRKOLB began searching the area surrounding the picnic tables and discovered several empty Doritos bags in a nearby trash can. Defendants KENT and FOEHRKOLB then compared the screenshot of the OGD Alert to the bags of Doritos found in the trash can.

114. Upon realizing that the flagged "weapon" was actually a bag of Doritos, Defendant FOEHRKOLB announced, "so basically the cameras around the system they pick up on things that look like guns . . . the way you guys were eating chips, Doritos or whatever, it picked it up as a gun . . . AI's not the best…Yeah, it registers as a gun."

115. Despite this announcement, Defendant STONE continued to search Keith's backpack.

116. Defendant RESPONDING OFFICERS then ordered Plaintiffs to sit at the picnic tables and removed their handcuffs. Though their hands were free, Plaintiffs remained surrounded by the OFFICERS and under questioning.

117. Plaintiffs were not free to leave the scene until all of the OFFICERS departed.

118. Plaintiffs were in shock and feared for their lives as a result of being stopped, ordered to their knees, handcuffed, and searched by armed BCoPD officers. They also feared for the lives of their friends.

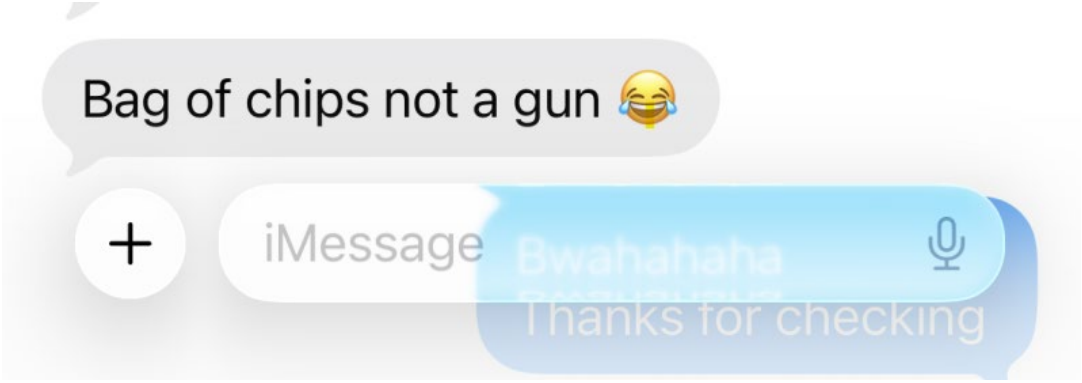
119. Eventually, Defendant RESPONDING OFFICERS began to depart. As he was leaving, Defendant MUSO shook his head and stated, "fucking Omnilerts" and "stupid AI cameras." Defendant PFEIFER stated to Plaintiffs, "be careful on school property especially holding stuff like that," and as he walked away from the scene, joked, "be careful with your chip bags."

120. During the entire encounter, none of the Defendant RESPONDING OFFICERS intervened or attempted to intervene to prevent any of the four students from being stopped, ordered to their knees, handcuffed, or searched by the other OFFICERS.

### F. Defendant SMITH Made Light of the Violations of Plaintiffs' Rights

121. After BCoPD personnel informed SRO Douglas and Defendant SMITH about the outcome of the search, they both made light of the incident. Douglas sent Defendant SMITH a text

explaining that the object was a "bag of chips not a gun," with an emoji of a smiley face crying from laughter. Defendant SMITH's response began, "Bwahahaha."




122. Defendant SMITH continued to make light of the incident with school staff and administrators, including Marvin-Basta. "It was a bag of chips," Defendant SMITH explained, along with four emojis crying from laughter.




123. As of the date of this filing, Defendant SMITH has not publicly apologized to any of the four students who were handcuffed, placed on their knees, and searched that night by gun-wielding police.

### G. Plaintiffs Were Harmed by the Unconstitutional Seizures and Searches and Continue to Be at Risk of Harm

124. As a direct and proximate result of the Defendants' actions and inactions, Plaintiffs endured pecuniary and nonpecuniary injuries, including, but not limited to, physical impairments, inconvenience, and pain and suffering. Their injuries include physical pain, acute and lasting emotional distress, fear, anxiety, humiliation, and reputational injury.

125. The handcuffs were tight and painful for Plaintiffs. They left painful, deep red marks on Plaintiffs' wrists for hours after the incident.

126. Devon told Defendant RESPONDING OFFICERS that his handcuffs were aggravating a prior injury to his left wrist, but the OFFICERS did not loosen or remove his cuffs.

127. On October 20, 2025, Plaintiffs feared for their own lives and the lives of their friends, in part because of the RESPONDING OFFICERS' drawn weapons.

128. The trauma and mental distress suffered by Plaintiffs has caused them to change their behavior in numerous respects because, following their armed detention, Plaintiffs felt less safe on school grounds and around police.

129. For example, Taki no longer feels safe waiting for rides or spending time outside the school after hours. He frequently pays for rides home from private car services to avoid waiting for rides from friends or family.

130. Osa also felt less safe at school as a result of his detention and anxiously counted down the days until graduation. For a time after the incident, the sight of police would cause him to experience significant distress and anxiety.

131. Until he graduated, Keith would call his mother multiple times after football practice ended to confirm that she was on her way to pick him up, even though she was only coming from a short distance. He became hesitant to go to school or be involved with any activities after school following October 20, 2025.

132. Devon felt less safe at school following October 20, 2025, and began ensuring he had a ride home before extracurriculars ended. Devon now pays more attention to police and is on high alert when police are nearby. In June 2026, Devon was a passenger in a friend's vehicle that was stopped briefly for speeding. Suffering from lasting emotional distress because of October 20, 2025, Thompson was extremely distressed and feared something bad might happen to him or his friend.

133. The incident damaged Plaintiffs' reputations in their community and more broadly. For example, one evening shortly after the incident, a female customer at Taki's workplace who had seen the students' detention on the news loudly stated that she heard that Taki did have a gun that night.

134. Plaintiffs continue to suffer injuries and carry trauma from the incident.

135. Taki will attend Kenwood High School during the 2026–2027 school year, and Osa, Devon, and Keith, though now in college, plan to return to Kenwood during school breaks to visit friends, attend sporting events and other extracurricular events, and use school facilities.

136. Osa, Devon, and Keith remain friends with each other, with Taki, and with other current Kenwood High School students.

137. Osa, currently a student at nearby Morgan State University and an avid recreational basketball player, plans to return to Kenwood during breaks in the 2026–2027 school year to play basketball with his former teammates in the school's gym.

138. Keith plans to attend Kenwood football and basketball games during breaks this school year to support his former teammates.

139. Devon plans to return to Kenwood this school year to attend football games and to use the weight room, a privilege Kenwood extends to its former football players.

140. OGD remains in operation at Kenwood High School, and BCoPD officers remain the first responders to OGD Alerts. The policies, customs, and training failures that produced this incident also remain in place, putting all four Plaintiffs at ongoing risk of being detained and searched without reasonable articulable suspicion.

## CAUSES OF ACTION

### COUNT I — Unreasonable Search and Seizure — 4th and 14th Amendments (42 U.S.C. § 1983)

***Taki Allen v. Michael Foehrkolb, Timothy Kent, Scott Muso, Joseph Pfeifer, Shane Stone, John Does 1-2, and Jane Doe 1 (Individual and Official Capacities)***

141. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

142. At all relevant times, Defendant RESPONDING OFFICERS acted under color of state law within the meaning of 42 U.S.C. § 1983.

143. The Fourth Amendment guarantees the right to be free from unreasonable searches and seizures. The Fourteenth Amendment's Due Process Clause makes that guarantee binding on state and local officers.

144. Defendant RESPONDING OFFICERS seized Taki. They arrived in marked Baltimore County Police Department vehicles with the emergency lights activated. They were in full uniform, drew their firearms, ordered Taki to the ground, handcuffed him, and searched his body and belongings. At all relevant times, Taki was not free to leave.

145. The search and seizure of Taki was objectively unreasonable under the totality of the circumstances. None of the Defendant RESPONDING OFFICERS had the requisite reasonable articulable suspicion to detain or search Taki, and no exigent circumstances justified his detention or search.

146. At all relevant times, the deprivation of Taki's rights occurred in full view of the other Defendant RESPONDING OFFICERS on the scene. None of the OFFICERS made any attempt to prevent or stop the illegal search and seizure of Taki despite having the time and opportunity to do so.

147. The right to be free from seizure absent reasonable articulable suspicion or exigent circumstances was clearly established at the time. No reasonable officer could have believed this conduct to be lawful.

148. Defendant RESPONDING OFFICERS' actions reflect reckless or callous indifference to Taki's federally protected rights.

149. As a direct and proximate result of the Defendant RESPONDING OFFICERS' conduct, Taki suffered damages as set forth herein. Taki is entitled to compensatory damages and to punitive damages.

**COUNT II — Unreasonable Search and Seizure — 4th and 14th Amendments (42 U.S.C. § 1983)**

***Yui-Osa Ogbeide, Devon Thompson Jr., and Keith Winfield III v. Michael Foehrkolb, Timothy Kent, Scott Muso, Joseph Pfeifer, Shane Stone, John Does 1-2, and Jane Doe 1 (Individual and Official Capacities)***

150. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

151. At all relevant times, Defendant RESPONDING OFFICERS acted under color of state law within the meaning of 42 U.S.C. § 1983.

152. The Fourth Amendment guarantees the right to be free from unreasonable searches and seizures. The Fourteenth Amendment's Due Process Clause makes that guarantee binding on state and local officers.

153. Defendant RESPONDING OFFICERS seized Osa, Devon, and Keith. They arrived in marked Baltimore County Police Department vehicles with the emergency lights activated. They were in full uniform, drew their firearms, ordered Osa, Devon, and Keith to the ground, handcuffed them, and searched their bodies and their belongings. At all relevant times, Osa, Devon, and Keith were not free to leave.

154. The searches and seizures of Osa, Devon, and Keith were objectively unreasonable. Defendant RESPONDING OFFICERS had no individualized reason to suspect any of them of criminal activity, and no exigent circumstances justified their detention or search. None were depicted in the OGD Alert or otherwise accused of possessing a firearm. Defendant RESPONDING OFFICERS stopped them solely for "guilt[] by association," which is not a lawful basis for reasonable suspicion.

155. At all relevant times, the deprivation of Osa, Devon, and Keith's rights occurred in full view of the other Defendant RESPONDING OFFICERS on the scene. None of the OFFICERS made any attempt to prevent or stop the illegal searches and seizures of Osa, Devon, or Keith despite having the time and opportunity to do so.

156. The right to be free from seizure absent reasonable articulable suspicion or exigent circumstances was clearly established at the time. No reasonable officer could have believed this conduct to be lawful.

157. Defendant RESPONDING OFFICERS' actions reflect reckless or callous indifference to Osa, Devon, and Keith's federally protected rights.

158. As a direct and proximate result of the Responding Officers' conduct, Osa, Devon, and Keith suffered damages as set forth herein. Osa, Devon, and Keith are entitled to compensatory damages and to punitive damages.

**COUNT III — Unreasonable Search and Seizure (Md. Decl. of Rights, Art. 26)**

***Taki Allen v. Michael Foehrkolb, Timothy Kent, Scott Muso, Joseph Pfeifer, Shane Stone, John Does 1-2, and Jane Doe 1 (Individual and Official Capacities), and Baltimore County (Respondeat Superior)***

159. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

160. Article 26 of the Maryland Declaration of Rights bars unreasonable searches and seizures and is construed in *pari materia* with the Fourth Amendment.

161. The Defendant RESPONDING OFFICERS seized Taki. They arrived in marked Baltimore County Police Department vehicles with the emergency lights activated. They were in full uniform, drew their firearms, ordered Taki to the ground, handcuffed him, and searched his body and belongings. At all relevant times, Taki was not free to leave.

162. The search and seizure of Taki was objectively unreasonable under the totality of the circumstances. None of the Defendant RESPONDING OFFICERS had the requisite reasonable articulable suspicion to detain or search Taki, and no exigent circumstances justified his detention or search.

163. At all relevant times, the deprivation of Taki's rights occurred in full view of the other Defendant RESPONDING OFFICERS on the scene. None of the OFFICERS made any attempt to prevent or stop the illegal search and seizure of Taki despite having the time and opportunity to do so. As a direct and proximate result, Taki suffered damages as set forth herein and is entitled to compensatory damages and other relief the Court deems proper. Recovery is not limited by the Local Government Tort Claims Act (LGTCA), Md. Code Ann., Cts. & Jud. Proc. § 5-301 et seq., or by sovereign immunity.

164. BALTIMORE COUNTY is liable for Defendant RESPONDING OFFICERS' state constitutional violations under respondeat superior.

**COUNT IV — Unreasonable Search and Seizure (Md. Decl. of Rights, Art. 26)**

***Yui-Osa Ogbeide, Devon Thompson Jr., and Keith Winfield III v. Michael Foehrkolb, Timothy Kent, Scott Muso, Joseph Pfeifer, Shane Stone, John Does 1-2 and Jane Doe 1 (Individual and Official Capacities), and Baltimore County***

165. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

166. Article 26 of the Maryland Declaration of Rights bars unreasonable searches and seizures and is construed in *pari materia* with the Fourth Amendment.

167. The Defendant RESPONDING OFFICERS seized Osa, Devon, and Keith. They arrived in marked Baltimore County Police Department vehicles with the emergency lights activated. They were in full uniform, drew their firearms, ordered Osa, Devon, and Keith to the ground, handcuffed them, and searched their bodies and their belongings. At all relevant times, Osa, Devon, and Keith were not free to leave.

168. The searches and seizures of Osa, Devon, and Keith were objectively unreasonable. Defendant RESPONDING OFFICERS had no individualized reason to suspect any of them of criminal activity, and no exigent circumstances justified their detention or search. None were depicted in the OGD Alert or otherwise accused of possessing a firearm. Defendant RESPONDING OFFICERS stopped them solely for "guilt[] by association," which is not a lawful basis for reasonable suspicion.

169. At all relevant times, the deprivation of Osa, Devon, and Keith's rights occurred in full view of the other Defendant RESPONDING OFFICERS on the scene. None of the Defendant RESPONDING OFFICERS made any attempt to prevent or stop the illegal searches and seizures of the Plaintiffs despite having the time and opportunity to do so.

170. The right to be free from seizure absent reasonable articulable suspicion or exigent circumstances was clearly established at the time. No reasonable officer could have believed this conduct to be lawful.

171. As a direct and proximate result, Osa, Devon, and Keith suffered damages as set forth herein and are entitled to compensatory damages and other relief the Court deems proper. Recovery is not limited by the LGTCA or by sovereign immunity.

172. BALTIMORE COUNTY is liable for Defendant RESPONDING OFFICERS' state constitutional violations under respondeat superior.

**COUNT V — False Arrest / False Imprisonment (Maryland Common Law)**

***Taki Allen, Yui-Osa Ogbeide, Devon Thompson Jr., and Keith Winfield III v. Michael Foehrkolb, Timothy Kent, Scott Muso, Joseph Pfeifer, Shane Stone, John Does 1-2 and Jane Doe 1 (Individual and Official Capacities), and Baltimore County***

173. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

174. Under Maryland law, false arrest and false imprisonment occur when one (1) deprives another of liberty; (2) without consent; and (3) without legal justification.

175. Defendant RESPONDING OFFICERS deprived Plaintiffs of their liberty. They detained and handcuffed Plaintiffs and searched their persons and property. Plaintiffs were not free to leave at any point during their interaction with the OFFICERS.

176. Plaintiffs did not consent to the seizure.

177. Defendant RESPONDING OFFICERS acted without legal justification. The basis for the stop was a canceled OGD Alert that misread a chip bag as a firearm, and the officers lacked

a reasonable subjective belief that any Plaintiff was armed. No other grounds justified the detention of any Plaintiff.

178. Defendant RESPONDING OFFICERS acted with intent. They seized Osa, Devon, and Keith on nothing more than "guilt[] by association," and they drew firearms on all four Plaintiffs even though the Alert was canceled and the image in the Alert depicted Taki holding a bag of chips and was exculpatory. Their conduct reflects ill will and a deliberate, conscious disregard of Plaintiffs' rights.

179. Defendant BALTIMORE COUNTY is responsible for the Defendant RESPONDING OFFICERS' conduct within the scope of their employment and is obligated to satisfy a resulting judgment under the LGTCA.

180. As a direct and proximate result, Plaintiffs suffered damages as set forth herein. Recovery is not limited by the LGTCA or by sovereign immunity.

**COUNT VI — *Monell* Municipal Liability (4th Amendment) (42 U.S.C. § 1983)**
***Taki Allen, Yui-Osa Ogbeide, Devon Thompson Jr., and Keith Winfield III v. Baltimore County (nominally for the BCoPD)***

181. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

182. A municipality is liable under 42 U.S.C. § 1983 when its official policy, custom, or practice is the moving force behind a constitutional violation.

183. BCoPD's policies, customs, and practices drove the violation of Plaintiffs' rights on October 20, 2025.

184. First, BCoPD's insufficient policies and procedures allowed for officers to respond to canceled OGD Alerts.

185. BCoPD was aware that the October 20, 2025 OGD Alert was canceled: One of its employees, Sgt. Robinson, was part of the group of school and police administrators that reviewed and canceled the Alert, and multiple BCoPD employees received both the Alert and the cancelation notice. BCoPD nonetheless dispatched armed officers to detain and search Plaintiffs.

186. Second, BCoPD failed to train its employees on how to respond to OGD Alerts in a manner consistent with their constitutional obligations.

187. BCoPD did not conduct *any* training with its employees on OGD Alert response protocols prior to October 20, 2025. Any training BCoPD employees rec eived on OGD response protocols was provided by BCPS, which was not adequately training its own staff at the time.

188. Third, BCoPD has an official policy, custom, and/or practice of unconstitutionally stopping

and/or searching bystanders found in proximity to suspects even when there is no individualized reasonable articulable suspicion to do so.

189. BCoPD fails to properly train its officers about the proper constitutional standards of seizures and searches of bystanders.

190. BCoPD policies, customs, and practices described herein resulted in the unlawful detention of Plaintiffs based on a false and canceled OGD Alert and without individualized reasonable articulable suspicion.

191. As a direct and proximate result, Plaintiffs suffered damages as set forth herein and are entitled to compensatory damages and other relief the Court deems proper.

192. Taki will attend Kenwood High School during the 2026–2027 school year, and Osa, Devon, and Keith, though now in college, plan to return to Kenwood during school breaks to visit friends, attend sporting events and other extracurricular events, and use school facilities.

193. Injunctive relief is necessary to prevent further harm to Plaintiffs. Plaintiffs seek an order directing Baltimore County, through BCoPD, to: (i) cease detaining or searching students in response to OGD Alerts without individualized reasonable articulable suspicion, including on the basis of a student's proximity to, or association with, the subject of an Alert; and (ii) barring Baltimore County, through BCoPD, from responding to OGD Alerts, or alerts from any comparable AI gun-detection system, unless and until it adopts and implements adequate protocols, procedures, and training to ensure that Alert cancelations are promptly communicated to dispatch and all responding officers.

**COUNT VII — *Longtin* Pattern or Practice of Improper Conduct (Art. 26)**

***Taki Allen, Yui-Osa Ogbeide, Devon Thompson Jr., and Keith Winfield III v. Board d/b/a BCPS (Officially and Respondeat Superior)***

194. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

195. The Maryland Constitution imposes an affirmative obligation on school boards to avoid State constitutional violations by its employees. Maryland law also imposes respondeat superior liability on school boards for the State constitutional violations of its employees.

196. BCPS's policies, customs, and practices caused the violation of Plaintiffs' state constitutional rights to be free from unreasonable seizures. Those policies, customs, and practices included (i) deploying OGD across its schools without adequate policies or protocols to communicate Alerts and cancelations to relevant school staff and police, and (ii) failing to adequately train the administrators, SROs, and police officers who received the alerts, including failing to hold any individual trainings during the 2024 school year or the 2025 school year prior to October 20, 2025.

197. BCPS was aware that OGD regularly sent false positive Alerts that did not require police intervention. Between November 2023 and November 2025, fewer than 1% of the OGD

Alerts sent to BCPS required notification of law enforcement. Despite this rate of false positives, BCPS did not develop a policy that protected its students from unconstitutional arrest.

198. BCPS's insufficient protocol allowed BCPS employees to send canceled Alerts to the police.

199. BCPS's failures amounted to deliberate indifference to the constitutional rights of its students. The need for training and adequate protocols was obvious given the predictable consequences of a false positive and the known unreliability of OGD.

200. BCPS is liable for the failure of Defendant KNOX to (i) develop an adequate policy for Alert verification, escalation, and police notification, and (ii) train administrators who received the Alerts.

201. BCPS is liable for Defendant SMITH's negligence; SMITH summoned an armed police response based on an Alert that had been canceled for nearly fifteen minutes. Both these failures caused the violation of Plaintiffs' constitutional rights.

202. As a direct and proximate result, Plaintiffs suffered damages as set forth herein and are entitled to compensatory damages and other relief the Court deems proper. Recovery is not limited by sovereign immunity.

203. Taki will attend Kenwood High School during the 2026–2027 school year, and Osa, Devon, and Keith, though now in college, plan to return to Kenwood during school breaks to visit friends, attend sporting events and other extracurricular events, and use school facilities.

204. The same policy and training failures that produced this incident remain in place, and they leave Taki at ongoing risk of the same unconstitutional conduct.

205. Injunctive relief is necessary to prevent further harm to Plaintiffs. Plaintiffs seek an order barring BCPS from using OGD, or any comparable AI gun-detection system, unless and until they adopt and implement adequate verification protocols, procedures, and training.

**COUNT VIII — Negligence (Maryland Common Law)**

***Taki Allen, Yui-Osa Ogbeide, Devon Thompson Jr., and Keith Winfield III v. Board d/b/a BCPS (Respondeat Superior), Eric Knox, and Kate Smith***

206. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

207. BCPS, through its agents and employees, owed Plaintiffs a duty of care as students of Kenwood High School. Schools must exercise reasonable care to protect their students from harm.

208. BCPS, through its agents and employees, breached this duty of care.

209. Defendant SMITH was, at all relevant times, acting within the scope of her public duties as Principal of Kenwood High School and an employee of BCPS.

210. Defendant SMITH owed a duty of care to Plaintiffs as students of Kenwood High School to exercise reasonable care to protect them from harm.

211. Defendant SMITH breached her duty of care to Plaintiffs. SMITH was aware that OGD Alerts could be canceled. SMITH contacted Kenwood's SRO about the OGD Alert nearly fifteen minutes after she received it but failed to check if the OGD Alert had been canceled before communicating it to the SRO. If she had checked, SMITH would have seen that a cancelation text message was sent just two minutes after the initial OGD Alert, more than ten minutes *before* she notified the SRO, and it was plainly visible on the OGD Alert website. Instead, SMITH notified the SRO of the Alert, knowing it meant an armed response, and she summoned armed officers to her own school, where Plaintiffs were present, while also noting in text messages the object in the Alert was "maybe not" a gun.

212. BCPS is liable for Defendant SMITH's negligence under respondeat superior and is obligated to satisfy a judgment against SMITH under Md. Code Ann. § 5-518. Sovereign immunity is waived pursuant to Md. Code Ann. § 5-518.

213. Defendant KNOX was, at all relevant times, acting within the scope of his public duties as the BCPS employee responsible for developing, implementing, and evaluating school safety programs and activities, including emergency preparedness plans. KNOX was responsible for reviewing OGD Alerts and canceling positive Alerts.

214. Defendant KNOX owed a duty of care to Plaintiffs as students of Kenwood High School to exercise reasonable care to protect them from harm.

215. Defendant KNOX breached his duty to plaintiffs. KNOX had an duty to develop a school safety plan for OGD Alerts, and KNOX was aware of the significant percentage of OGD Alerts that did not require a police response and the foreseeable consequences of a false positive Alert. But KNOX failed to develop or adopt an adequate policy to communicate Alerts and cancelations to relevant school staff and police. Instead, BCPS's insufficient protocol allowed employees to send canceled Alerts to the police. KNOX failed to adequately train administrators who received the Alerts, as no individual training on Omnilert was held after July 2024.

216. BCPS is liable for Defendant KNOX's negligence under respondeat superior and is obligated to satisfy a judgment against KNOX under Md. Code Ann. § 5-518. Sovereign immunity is waived pursuant to Md. Code Ann. § 5-518.

217. As a direct and proximate result, Plaintiffs suffered damages as set forth herein and are entitled to compensatory damages and other relief the Court deems proper.

**COUNT IX — Negligent Training, Supervision, and Policy Administration (Maryland Common Law)**

***Taki Allen, Yui-Osa Ogbeide, Devon Thompson Jr., and Keith Winfield III v. Board d/b/a BCPS***

218. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

219. BCPS owed Plaintiffs a duty of care as students of Kenwood High School. Schools must exercise reasonable care to protect their students from harm. That duty extended to responsibly deploying and monitoring OGD, mitigating potential risks to students caused by OGD, designing coherent policies for handling OGD Alerts, and training the personnel who received them.

220. BCPS was aware that OGD regularly sent false positive Alerts that did not require police intervention. Between November 2023 and November 2025, only 1% of the OGD Alerts sent to BCPS required notification of law enforcement.

221. BCPS breached its duty to Plaintiffs. Despite the unreliability of OGD and the foreseeable harm caused by a false positive, BCPS failed to responsibly deploy and monitor OGD, and to mitigate potential risks to students caused by OGD. It failed to adopt an adequate policy to communicate OGD Alerts and cancelations to relevant school staff and police that would adequately protect its students. Instead, BCPS's insufficient protocol allowed BCPS employees to send canceled Alerts to the police, inviting an armed response on school grounds.

222. BCPS likewise breached its duty to Plaintiffs by failing to adequately train relevant personnel like Defendant SMITH on OGD. BCPS conducted no or insufficient training on OGD after July 2024—all against a backdrop of OGD's known unreliability, which put BCPS on notice that untrained recipients could summon armed responses based on false Alerts.

223. BCPS's negligence in training, supervising, and setting policy was a proximate cause of Plaintiffs' injuries.

224. As a direct and proximate result of BCPS's negligence, Plaintiffs suffered damages as set forth herein and are entitled to compensatory damages, injunctive relief, and other relief the Court deems proper. Sovereign immunity is waived pursuant to Md. Code Ann. § 5-518.

225. Taki will attend Kenwood High School during the 2026–2027 school year. The same policy and training failures that produced this incident remain in place, and they leave Taki at ongoing risk of the same tortious conduct.

226. Injunctive relief is necessary to prevent Taki and other Kenwood students from further harm. Taki seeks an order barring BCPS from using OGD, or any comparable AI gun-detection system, unless and until they adopt and implement adequate verification protocols, procedures, and training.

**COUNT X — Gross Negligence (Maryland Common Law)**

***Taki Allen, Yui-Osa Ogbeide, Devon Thompson Jr., and Keith Winfield III v. Kate Smith (Individual Capacity)***

227. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

228. Defendant SMITH's conduct was grossly negligent. SMITH was aware that OGD Alerts could be canceled quickly. Yet SMITH sent a nearly fifteen-minute-old Alert to Kenwood's SRO without checking to see whether that Alert had been canceled. If she had checked, SMITH would have seen that a cancelation text message was sent to her just two minutes after the initial OGD Alert and that the cancelation was plainly visible on the OGD Alert website which she accessed to view the video. Instead, SMITH communicated the canceled Alert to the school's SRO, knowing that it meant an armed response. SMITH summoned armed officers to her own school, where Plaintiffs were present, while also noting in text messages the object in the Alert was "maybe not" a gun, and she laughed about the incident after armed officers detained and handcuffed Plaintiffs.

229. Defendant SMITH's conduct demonstrated a wanton and reckless disregard for the safety and rights of Plaintiffs.

230. As a direct and proximate result, Plaintiffs suffered damages as set forth herein and are entitled to compensatory damages and other relief the Court deems proper.

**COUNT XI – Negligence (Maryland Common Law)**

***Taki Allen, Yui-Osa Ogbeide, Devon Thompson Jr., and Keith Winfield III v. Omnilert LLC***

231. Plaintiffs incorporate the allegations in the Facts Common to All Counts, Paragraphs 36 through 149, as though fully set forth herein.

232. Defendant BCPS, through its agents and employees, owed Plaintiffs a duty of care as students of Kenwood High School on school grounds. Schools must exercise reasonable care for the safety of their students.

233. Defendant OMNILERT undertook for consideration the performance of part of the duty BCPS owed Plaintiffs by providing security products and services to BCPS including OGD and human review of OGD alerts.

234. OMNILERT knew or should have known that BCPS would rely upon OMNILERT to perform these security services competently.

235. The purpose of OMNILERT's provision of these products and services, including OGD and human review of OGD alerts, was to protect persons on BCPS school premises.

236. Defendant OMNILERT owed Plaintiffs, who at all relevant times were present on BCPS grounds for the purpose of BCPS activities, a duty of care in providing its security products and services to BCPS, including OGD and human review of OGD alerts.

237. Defendant OMNILERT breached its duty to Plaintiffs by increasing the risk of harm to Plaintiffs and by:

a. Failing to conduct adequate human review of the OGD alert that flagged Taki's bag of chips as a gun;

b. Transmitting an OGD alert that erroneously flagged Taki's bag of chips as a gun to BCPS, BCoPD employees, and BCoPD; and

c. Designing OGD in a manner that resulted in the generation of numerous false positive OGD alerts, provided inadequate human review of OGD alerts, and failed to adequately communicate alerts and alert cancelations.

238. As a direct or proximate result of Defendant OMNILERT'S breach of duty, Plaintiffs suffered actual injury. Plaintiffs are entitled to compensatory damages and other relief as the Court may deem proper.

## PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment in their favor and against Defendants, and award the following relief:

(a) Compensatory damages in an amount to be determined by the jury, including damages for physical impairments, inconvenience, pain and suffering, and deprivation of constitutional rights;

(b) Punitive damages in an amount to be determined by the jury, sufficient to punish and deter the tortious and unconstitutional conduct alleged herein;

(c) Injunctive relief barring Defendants BCPS and BALTIMORE COUNTY from using the OGD system (or any comparable AI gun-detection system) unless and until adequate verification protocols, cancelation and communication procedures, and training are adopted and implemented;

(d) Attorneys' fees and costs pursuant to 42 U.S.C. § 1988;

(e) Pre-judgment and post-judgment interest as allowed by law;

(f) Such other and further relief as this Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand a trial by jury on all issues so triable.

Respectfully submitted,

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