



Superior Court of the District of Columbia
CIVIL DIVISION – Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

FILED
CIVIL DIVISION
DEC 08 2025

Case No. 2025 8051

Superior Court of the
District of Columbia

COMPLAINT

Jurisdiction of this Court is founded on D.C. Code § 11-921.

Todd Lowder III

PLAINTIFF

3739 Jay St NE Apt. 5

Address (No Post Office Boxes)

Washington, DC 20019

City State Zip Code

771-200-6348

Telephone Number

vs

Dx Fire & EMS Department (FEMS)

DEFENDANT

2000 14th St NW

Address (No Post Office Boxes)

Washington, DC 20009

City State Zip Code

202-673-3320

Telephone Number

Email Address (optional)

Email Address (optional)

1. Write a short and plain statement of your claim, including any relevant facts, dates, and locations:

See Attached

2. What relief are you requesting from the Court? Include any request for money damages.

See Attached

3. State any other information, of which the Court should be aware:

SIGNATURE

To the best of my knowledge, everything in this Complaint is true and I am not filing this Complaint to harass the Defendant(s). Superior Court Civil Rules 11(b).

[Handwritten Signature]

SIGNATURE

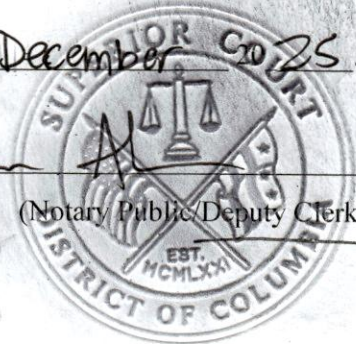
10/08/2025

DATE

Subscribed and sworn to before me this 8th day of December 2025.

[Handwritten Signature]

(Notary Public/Deputy Clerk)



IN THE SUPERIOR COURT OF THE DISTRICT OF
COLUMBIA
CIVIL DIVISION

Todd A. Lowder III

Petitioner,

v.

District of Columbia Fire & EMS Department (FEMS)

Respondent.

2025 8051

**PETITION FOR INJUNCTIVE AND
DECLARATORY RELIEF**

Petitioner, Todd A. Lowder III, respectfully files this Petition for Injunctive and Declaratory Relief and states:

I. INTRODUCTION

1. This petition arises from the unlawful access, use, and reliance upon protected juvenile-origin records by the DC Fire & EMS Department ("FEMS") and the Police & Fire Clinic ("PFC") during Petitioner's 2025 Employment Suitability Assessment (ESA) for the Fire Cadet Program.
2. Petitioner was 17 years old during the MPD Cadet pre-employment psychological and background screening. Under D.C. Code §§ 16-2331 and 16-2332, these are confidential juvenile case and social records.
3. On September 26, 2025, FEMS rescinded Petitioner's conditional offer and declared him "not psychologically suited", relying in whole or in part on juvenile records created while he was a minor.

II. FACTS

4. Multiple FEMS officials confirmed or referenced reliance on juvenile records:
 - a. Lt. Davis directly informed Petitioner that the ESA decision was based on the MPD Cadet psychological file.

- b. Chief Ward, after Petitioner cited juvenile-record laws, reversed that explanation and claimed juvenile records were not used.
 - c. Assistant Chief Kishia Clemencia, in a written decision, asserted the Police & Fire Clinic “relied on all information in its possession, including MPD Cadet information.”
5. Petitioner signed a general adult release on July 18, 2025. That release:
- did not mention juvenile records
 - did not identify any juvenile materials
 - did not request his explicit adult consent for juvenile-origin information
6. Juvenile-record confidentiality is statutory, mandatory, and not waivable by a broad release. D.C. Code §§ 16-2331 and 16-2332 expressly prohibit disclosure, inspection, or use of juvenile records except under narrow statutory exceptions.
7. The law requires either:
- a. explicit, record-specific adult consent referencing juvenile materials, or
 - b. a Family Court order pursuant to D.C. Code § 16-2331(c)–(f).
8. Respondent produced no court order and no statutory authority authorizing its reliance on juvenile records.
9. Despite multiple written requests, Respondent has refused to identify:
- what records were accessed,
 - the legal authority for using juvenile-origin materials, or
 - the basis of the ESA determination.

III. LEGAL GROUNDS

A. Statutory confidentiality of juvenile case records

D.C. Code § 16-2331(b):

“Juvenile case records shall be kept confidential and shall not be open to inspection, except as provided in this subchapter.”

D.C. Code § 16-2331(i):

“No person shall disclose, inspect, or use juvenile case records

in violation of this section.”

B. Statutory confidentiality of juvenile social records

D.C. Code § 16-2332(b):

“Juvenile social records shall be kept confidential and shall not be disclosed except as provided in this subchapter.”

C. Use of juvenile records for employment is prohibited

D.C. Code § 16-2335(c):

“A person whose juvenile records are sealed shall not be required to disclose such records in an application for employment.”

D. A private release cannot override statutory protections

Statutory rights cannot be waived by private contract.

A general release cannot authorize unlawful inspection or use of juvenile records.

E. No valid path for disclosure was used

D.C. Code § 16-2331(c)-(f) requires Family Court authorization before any disclosure to outside agencies.

No such authorization exists.

IV. RELIEF REQUESTED

Petitioner respectfully requests the Court to:

A. DECLARE

That FEMS’ use of juvenile-origin MPD Cadet records violated:

- D.C. Code § 16-2331
- D.C. Code § 16-2332
- D.C. Code § 16-2335
- and related confidentiality statutes.

B. Disclosure Requires a Court Order

D.C. Code § 16-2331(c)–(f)

provides the only lawful methods to release juvenile records, all requiring Family Court approval.

Defendants never obtained a court order.

C. Juvenile Confidentiality Is Mandatory and Non-Waivable

A private release cannot override a statute.

Plaintiff's July 18, 2025 release was general, did not reference juvenile records, and cannot erase the confidentiality mandates of §§16-2331 and 16-2332.

D. The Law Forbids Use of Juvenile Records for Employment Barriers

D.C. Code § 16-2335(c):

“A person whose juvenile records are sealed shall not be required to disclose such records in an application for employment.”

The legislative intent is clear: juvenile information cannot block adult employment.

V. CLAIMS

COUNT I – Declaratory Judgment

(Under D.C. Code § 2-501)

Plaintiff seeks a declaration that:

1. Defendants unlawfully accessed and used juvenile-origin MPD records.
2. Plaintiff's general release did not authorize disclosure of juvenile materials.
3. Any suitability finding based on juvenile materials is invalid.

COUNT II – Writ of Mandamus

Plaintiff seeks a writ compelling Defendants to:

1. Identify all juvenile-origin materials accessed, reviewed, or held.
2. Provide the legal authority they relied upon.
3. Produce all records relied on in Plaintiff's ESA (excluding those barred by statute).
4. Correct Plaintiff's suitability designation if it was influenced by illegal juvenile data.

VI. REQUEST FOR RELIEF

Plaintiff respectfully requests that this Court:

1. Issue a Declaratory Judgment stating that Defendants violated D.C. Code §§16-2331 and 16-2332 by accessing or using juvenile records.
2. Issue a Writ of Mandamus compelling Defendants to:
 - identify all records relied upon,
 - produce non-statutorily protected materials,
 - and correct Plaintiff's suitability designation.
3. Order a new ESA review excluding juvenile-origin information.
4. Award court costs and any further relief the Court deems just.

Respectfully submitted,



Todd A. Lowder III

Petitioner / Pro Se

3739 Jay Street NE, Apt 5

Washington, DC 20019

Email: ToddLowder8@gmail.com

Phone: (771) 200-6348



Superior Court of the District of Columbia

CIVIL DIVISION

Civil Actions Branch

500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001

Telephone: (202) 879-1133 Website: www.dccourts.gov

Todd Lowder III

Plaintiff

vs.

DC Fire & EMS Department

Defendant

Case Number 2025 8051

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Todd Lowder III
Name of Plaintiff's Attorney

3739 3rd St NE Apt 5
Address

Washington, DC, 20009

771-200-6348
Telephone

如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

For court interpreter, call (202) 879-4828

번역을 원하시면, (202) 879-4828로 전화주세요

የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

By

Glerk of the Court
AC
Deputy Clerk

Date

12/8/25

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation

Vea al dorso la traducción al español



TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA
DIVISIÓN CIVIL

Sección de Acciones Civiles

500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001

Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

_____ Demandante
contra _____

Número de Caso: _____

_____ Demandado

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante _____

Dirección _____

Por: _____
Subsecretario

Teléfono _____

Fecha _____

如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Đề có một bài dịch, hãy gọi (202) 879-4828

반역을 원하시면 (202) 879-4828 로 전화하십시오

የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE Oponerse a esta acción, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedirayuda al respecto.

Vea al dorso el original en inglés
See reverse side for English original

Superior Court of the District of Columbia

CIVIL DIVISION - CIVIL ACTIONS BRANCH

INFORMATION SHEET

Todd Lowder III
Plaintiff(s)

Case Number: 2025 8051

vs

Date: 10/08/2025

DC Fire 3 EMS Department
Defendant(s)

☐ One of the defendants is being sued
in their official capacity.

Name: (Please Print)	Relationship to Lawsuit
Firm Name:	<input type="checkbox"/> Attorney for Plaintiff
Telephone No.: DC Bar No.:	<input type="checkbox"/> Self (Pro Se)
	<input type="checkbox"/> Other: _____

TYPE OF CASE: ☐ Non-Jury ☐ 6 Person Jury ☐ 12 Person Jury
Demand: \$ _____ Other: _____

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: _____ Judge: _____ Calendar #: _____

Case No.: _____ Judge: _____ Calendar #: _____

NATURE OF SUIT: (Check One Box Only)

CONTRACT

- ☐ Breach of Contract
- ☐ Breach of Warranty
- ☐ Condo/Homeowner Assn. Fees
- ☐ Contract Enforcement
- ☐ Negotiable Instrument

COLLECTION/INS. SUB

- ☐ Debt Collection
- ☐ Insurance Subrogation
- ☐ Motion/Application for Judgment by Confession
- ☐ Motion/Application Regarding Arbitration Award

EMPLOYMENT DISPUTE

- ☐ Breach of Contract
- ☒ Discrimination
- ☐ Wage Claim
- ☐ Whistle Blower
- ☐ Wrongful Termination

REAL PROPERTY

- ☐ Condo/Homeowner Assn. Foreclosure
- ☐ Declaratory Judgment
- ☐ Drug Related Nuisance Abatement
- ☐ Ejectment
- ☐ Eminent Domain
- ☐ Interpleader
- ☐ Other
- ☐ Quiet Title
- ☐ Specific Performance

☐ FRIENDLY SUIT

☐ HOUSING CODE REGULATIONS

☐ QUI TAM

☐ STRUCTURED SETTLEMENTS

ADMINISTRATIVE PROCEEDINGS

- ☐ Administrative Search Warrant
- ☐ App. for Entry of Jgt. Defaulted Compensation Benefits
- ☐ Enter Administrative Order as Judgment
- ☐ Libel of Information
- ☐ Master Meter
- ☐ Petition Other
- ☐ Release Mechanics Lien
- ☐ Request for Subpoena

MALPRACTICE

- ☐ Medical - Other
- ☐ Wrongful Death

☐ APPLICATION FOR INTERNATIONAL FOREIGN JUDGMENT

AGENCY APPEAL

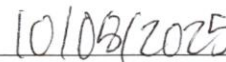
- ☐ Dangerous Animal Determination
- ☐ DCPS Residency Appeal
- ☐ Merit Personnel Act (OEA)
- ☐ Merit Personnel Act (OHR)
- ☐ Other Agency Appeal

Information Sheet, Continued

CIVIL ASSET FORFEITURE <input type="checkbox"/> Currency <input type="checkbox"/> Other <input type="checkbox"/> Real Property <input type="checkbox"/> Vehicle NAME CHANGE/VITAL RECORD AMENDMENT <input type="checkbox"/> Birth Certificate Amendment <input type="checkbox"/> Death Certificate Amendment <input type="checkbox"/> Gender Amendment <input type="checkbox"/> Name Change	TORT <input type="checkbox"/> Abuse of Process <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Conversion <input type="checkbox"/> False Arrest/Malicious Prosecution <input type="checkbox"/> Libel/Slander/Defamation <input type="checkbox"/> Personal Injury <input type="checkbox"/> Toxic Mass <input type="checkbox"/> Wrongful Death (Non-Medical Malpractice)			
GENERAL CIVIL <input type="checkbox"/> Accounting <input type="checkbox"/> Deceit (Misrepresentation) <input type="checkbox"/> Fraud <input type="checkbox"/> Invasion of Privacy <input type="checkbox"/> Lead Paint <input type="checkbox"/> Legal Malpractice <input type="checkbox"/> Motion/Application Regarding Arbitration Award <input type="checkbox"/> Other - General Civil	<input type="checkbox"/> Product Liability <input type="checkbox"/> Request for Liquidation <input type="checkbox"/> Writ of Replevin <input type="checkbox"/> Wrongful Eviction CIVIL I/COMPLEX CIVIL <input type="checkbox"/> Asbestos MORTGAGE FORECLOSURE <input type="checkbox"/> Non-Residential <input type="checkbox"/> Residential	STATUTORY CLAIM <input type="checkbox"/> Anti - SLAPP <input type="checkbox"/> Consumer Protection Act <input type="checkbox"/> Exploitation of Vulnerable Adult <input type="checkbox"/> Freedom of Information Act (FOIA) <input type="checkbox"/> Other TAX SALE FORECLOSURE <input type="checkbox"/> Tax Sale Annual <input type="checkbox"/> Tax Sale Bid Off		
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VEHICLE <input type="checkbox"/> Personal Injury <input type="checkbox"/> Property Damage	<input type="checkbox"/> TRAFFIC ADJUDICATION APPEAL <input type="checkbox"/> REQUEST FOR FOREIGN JUDGMENT			



Filer/Attorney's Signature



Date