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## **Rockville Man Sues Private Prisoner Transport Company, Alleges Torture**

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JGL's Jay Holland and Tim Maloney are representing a Rockville man that has filed suit against a private prisoner transport company for the physical harm and emotional distress he claims to have endured during a 10-day, nine state van ride. The story was recently covered by The Daily Record.

## Rockville man sues private prisoner transport company, alleges 'torture'

7-hour trip lasted  
10 days on meandering  
path, lawsuit claims

By STEVE LASH

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A Rockville man claims in a federal lawsuit against a private transportation company that he was forced to sit shackled and in his own excrement during an approximately 10-day prison-van trip to South Carolina, where a warrant had been issued for failure to pay child support.

William Karn alleges he suffered physical injuries and severe emotional distress due to the "torture" he endured from Prisoner Transportation Services of America LLC's drivers and guards as they transported him and more than a dozen prisoners through nine states last December.

Karn and his fellow prisoners were kept shackled but unbuckled as the van with blacked-out windows occasionally reached speeds of up to 95 miles per hour, states Karn's complaint, filed Monday in U.S. District Court in Greenbelt.

Karn and the other prisoners were not given a break to stand for 36 hours at a stretch, resulting in him developing painful boils, rashes and abrasions as van conditions "made sleeping impossible," the complaint adds.

At one point, Karn's knees were so numb he was unable to stand to exit the van during a stop. A guard pushed Karn, shackled and handcuffed, out of the van, injuring his shoulder, the complaint states.

As for food, Karn alleges he and his fellow prisoners were each provided a small McDonald's hamburger and a 12-ounce bottle of water every six to eight hours, when the van pulled up to a drive-through window. However, Karn on at least two occasions had nothing to eat because a fellow prisoner had taken his food and water, the complaint states.

"The guards made little or no effort to control the prisoners crammed shoulder to shoulder in the back of the van," the complaint adds. "Sleep-deprived, hungry, in constant pain and discomfort, dehydrated and riding in pitch blackness for hours, nerves and tempers were short. Prisoners fought with each other by

head-butting and biting, and took each other's food rations and water."

The guards' infrequent efforts to restore order involved indiscriminately spraying pepper spray into the rear of the van, Karn claims.

"This was torture upon torture," the complaint states. "Shackled and bound at the waist, Mr. Karn who was innocent of the fighting, could not reach to rub his eyes nor splash his water bottle to rinse them. Instead he sat in degraded agony and suffered for hours until the burning ebbed."

### 'For-profit hell'

In the lawsuit, Karn's counsel raises claims against PTS of negligence; intentional infliction of emotional distress; negligent hiring, training and supervision; false imprisonment; violations of Karn's federal constitutional protections against unlawful arrest, seizure and detention, as well as mistreatment in custody; and violations of Karn's Maryland constitutional protections against excessive force and loss of liberty.

Karn's lead counsel, Jay P. Holland, said the constitutional protections apply because PTS, though a private company, was operating as a paid agent of Horry County, S.C., when it was performing the state function of transporting Karn.

The complaint states the federal court has jurisdiction because Karn and Nashville, Tenn.-based PTS hail from different states and he is seeking more than \$75,000 in damages.

"I think it constitutes torture to have someone sit in a van for about 10 days, 36 hours at a stretch with inadequate food and water," said Holland, of Joseph, Greenwald & Laake P.A. in Greenbelt. "This is no way to run a prisoner transport system. This is for-profit hell."

Joel Brasfield, PTS' general counsel, said



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JAY P. HOLLAND, KARN'S LEAD COUNSEL,  
OF JOSEPH, GREENWALD & LAAKE P.A. IN GREENBELT

## 95

Maximum speed, in miles per hour,  
Karn alleges the transport van traveled

Tuesday that he could not comment on Karn's claims as the company had not been served notice of the lawsuit. Brasfield added PTS has a policy of not commenting on pending litigation.

### Vacation stop

Karn's ordeal – in which he was unable to contact family, friends or counsel – began at about 10 p.m. Dec. 23, when PTS employees cuffed his ankles and hands before placing him in the van, according to his complaint.

Two weeks earlier Karn had been arrested in Montgomery County for failure to pay child support in Horry County, S.C., and he waived extradition.

The trip to South Carolina, which takes about seven hours to drive directly, lasted 10 days, as the guards drove through Maryland, Virginia, West Virginia, Ohio, Kentucky, Tennessee, Arkansas, North Carolina and South Carolina, according to the complaint. Karn alleges these side trips were unrelated to prisoner transport but "were purely to service whatever needs and desires the guards and/or PTS had along the way," including an airport stop so one guard could start his vacation.

Holland's co-counsel his colleague, Timothy F. Maloney, and Greenbelt solo practitioner Lawrence R. Holzman.

The case, which has been assigned to U.S. District Judge George J. Hazel, is *William Jeffrey Karn v. PTS of America LLC*, No. 8:16-cv-03261-GJH.

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