

Congress of the United States
Washington, DC 20510

September 21, 2020

Mr. Joel Brasfield
President
Prisoner Transportation Services, LLC
P.O. Box 171078
Nashville, TN 37217

Dear Mr. Brasfield:

I write to request information about the steps that Prisoner Transportation Services, LLC (PTS) is taking to manage the spread of coronavirus disease 2019 (COVID-19) amongst individuals in its custody, and, if it is not already doing so, to urge PTS to immediately implement testing of all detained individuals prior to transfers between facilities.

PTS is one of the largest for-profit prisoner transport companies in the U.S. The company contracts with state and local law enforcement agencies and correctional facilities—including “state departments of correction, prosecutor’s offices, sheriff’s offices, probation and parole agencies, police department, public defenders, federal law enforcement agencies and juvenile justice agencies¹—to transport pretrial arrestees and prisoners across interstate or intrastate jurisdictional lines. Last year alone, PTS and its subsidiaries transported over 26,000 detained individuals to and from a variety of locations, a service it provides to “over 1,200 government agencies.”²

For-profit prisoner transport companies are subject to the *Interstate Transportation of Dangerous Criminals Act* “Jeanna’s Act” and the Department of Justice (DOJ) regulations issued pursuant to that Act, which establish minimum safety standards for the transport of detained individuals. Among other requirements, those regulations require for-profit prisoner transportation companies to implement “policies and procedures ... to ensure the health and physical safety of the

¹ Prisoner Transportation Services, accessed September 15, 2020, <https://prisonertransport.net/>; Senator Elizabeth Warren, “Initial Response Letter from Prisoner Transportation Services to Senator Elizabeth Warren et al.,” March 14, 2019,” [https://www.warren.senate.gov/imo/media/doc/Initial%20Response%20Letter%20from%20Prisoner%20Transportation%20Services%20to%20Senator%20Elizabeth%20Warren%20et%20al.,%20March%2014,%202019%20\(1\).pdf](https://www.warren.senate.gov/imo/media/doc/Initial%20Response%20Letter%20from%20Prisoner%20Transportation%20Services%20to%20Senator%20Elizabeth%20Warren%20et%20al.,%20March%2014,%202019%20(1).pdf).

² Senator Elizabeth Warren, “Initial Response Letter from Prisoner Transportation Services to Senator Elizabeth Warren et al.,” March 14, 2019,” [https://www.warren.senate.gov/imo/media/doc/Initial%20Response%20Letter%20from%20Prisoner%20Transportation%20Services%20to%20Senator%20Elizabeth%20Warren%20et%20al.,%20March%2014,%202019%20\(1\).pdf](https://www.warren.senate.gov/imo/media/doc/Initial%20Response%20Letter%20from%20Prisoner%20Transportation%20Services%20to%20Senator%20Elizabeth%20Warren%20et%20al.,%20March%2014,%202019%20(1).pdf); The New York Times, “*Death on a Prison Bus: Extradition Companies’ Safety Improvements Lag*,” March 23, 2017, <https://www.nytimes.com/2017/03/23/us/prisoner-transport-vans.html>.

prisoners during transport.”³ However, oversight of the industry is lax, contributing to its history of disturbing health and safety concerns.⁴

The spread of COVID-19 in U.S. prisons and jails is out of control, with over 121,217 confirmed cases and at least 1,017 prisoner deaths to date.⁵ The uncontained spread of coronavirus in federal prisons and jails endangers the federal prison population, correctional staff, and the general public. Because PTS transports detained individuals to and from various facilities—which risks spreading the virus to facilities and communities all around the country—it has a responsibility to take every possible precaution to prevent the further spread of COVID-19. Specifically, the Centers for Disease Control and Prevention (CDC) recommends that law enforcement agencies “put plans in place with other jurisdictions to prevent individuals with confirmed and suspected COVID-19 and their close contacts from being transferred between jurisdictions and facilities unless necessary for medical evaluation, medical isolation/quarantine, clinical care, extenuating security concerns, release, or to prevent overcrowding.”⁶ However, PTS’s website contains no information whatsoever about the steps the company and its subsidiaries are taking to manage the spread of COVID-19. In fact, the website doesn’t even mention the pandemic at all.⁷ In addition, PTS has not released any public information about the number of COVID-19 cases among individuals in its custody or on its staff.⁸ Detailed data on COVID-19 cases and testing is critical to managing the spread of the virus in correctional facilities and the carceral system.

I urge PTS to immediately take concrete steps to help prevent the spread of COVID-19 amongst individuals in its custody and the facilities with which it contracts, including providing face masks and implementing universal diagnostic testing of every individual that enters into its custody prior to transporting them. In order to better inform Congress and the public about the steps PTS is taking to prevent the further spread of COVID-19, please respond to the following questions no later than October 5, 2020:

1. What steps is PTS taking to protect detained individuals and PTS staff from COVID-19?
 - a. Please indicate which protocols in CDC’s “Guidance for Correctional & Detention Facilities” PTS is following. If PTS is not following CDC guidance, please explain why not.
 - b. Is PTS providing masks to individuals in its custody and its staff? If so, what policies regarding the enforcement of mask-wearing has PTS implemented? If not, why not?

³ The Interstate Transportation of Dangerous Criminals Act of 2000, Public Law 106-560; The U.S. Department of Justice, “Establishment of Minimum Safety and Security Standards for Private Companies That Transport Violent Prisoners,” December 26, 2002, <https://www.govinfo.gov/content/pkg/FR-2001-12-17/pdf/01-30937.pdf>.

⁴ Senator Elizabeth Warren et. al., “Letter to DOJ IG regarding Private Prisoner Transportation Industry, October 4, 2019, <https://www.warren.senate.gov/imo/media/doc/2019-10-04%20Letter%20to%20DOJ%20IG%20re%20Private%20Prisoner%20Transportation%20Industry.pdf>.

⁵ The Marshall Project, “A State-by-State Look at Coronavirus in Prisons,” Accessed September 15, 2020, <https://www.themarshallproject.org/2020/05/01/a-state-by-state-look-at-coronavirus-in-prisons>.

⁶ The Centers for Disease Control and Prevention, “Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities,” July 22, 2020, <https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html#Preparedness>.

⁷ Prisoner Transportation Services, accessed September 15, 2020, <https://prisonertransport.net/>.

⁸ *Id.*

- c. Is PTS conducting diagnostic testing of individuals in its custody and its staff? If so, what are its protocols for conducting testing? If not, why not?
 - d. What is PTS's protocol for isolating and providing medical care to staff and individuals in its custody who have tested positive for COVID-19?
 - e. How many staff and detained individuals in PTS's custody are considered "high-risk" according to current CDC guidelines?
 - i. What special precautions or protections does PTS utilize to lessen the risk of serious illness or death among these "high-risk" individuals during detention and transit?
 2. What steps is PTS taking to ensure that it is not contributing to the spread of COVID-19 through transfers of detained individuals?
 - a. Are individuals in PTS's custody screened daily for COVID-19 symptoms? Does this include COVID-19 testing?
 - b. What COVID-19 screening tool is utilized before PTS transports detained individuals?
 - c. What policies has PTS put in place to support proper social-distancing of detainees and staff during transit?
 - d. How often are staff and detained individuals rescreened during transit and what steps does PTS take if a detained individual or staff show symptoms of COVID-19 during transport?
 - e. How often are staff and detained individuals tested during transit and what steps does PTS take if a detained individual or staff show symptoms of COVID-19 during transport?
 - f. Does PTS have access to an adequate number of tests? If so, what is the turnaround time for test results?
 3. Please disclose COVID-19-related metrics that PTS is tracking, and provide the detailed data PTS has gathered to date.
 4. Is PTS releasing data on COVID-19 cases of individuals in its custody to the CDC or any other government agency? If so, what information is it submitting to which agencies and how regularly? If not, why not?

Thank you for your attention to this matter.

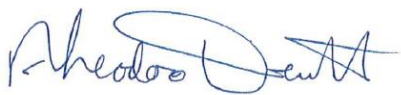
Sincerely,



Elizabeth Warren
United States Senator



Cory A. Booker
United States Senator



Ted Deutch
Member of Congress