



## EQUAL JUSTICE UNDER LAW

400 Seventh Street NW, Suite 602  
Washington, D.C. 20004  
[www.equaljusticeunderlaw.org](http://www.equaljusticeunderlaw.org)

**FOR IMMEDIATE RELEASE**

August 30, 2022

**For more information contact:**

Heather Pritchett 202-670-3713  
[hpritchett@equaljusticeunderlaw.org](mailto:hpritchett@equaljusticeunderlaw.org)

### **New Lawsuit Challenges Extortion in Vanderburgh County, Indiana**

*Vanderburgh County, IN* – A critical lawsuit was filed today in federal court challenging the extortion of money from individuals through pretrial and probation fees in Vanderburgh County, Indiana. The County, in collaboration with a private, for-profit corporation known as ABK, charges exorbitant fees to people for drug and alcohol testing and electronic monitoring, and jails those who cannot pay, creating a modern-day debtors’ prison.

On a handshake — with no written contract — Vanderburgh County Circuit Court Judge David Kiely has given ABK, which is run by Kiely’s friend Danny Koester, exclusive control over electronic monitoring and drug and alcohol testing for both pretrial and sentenced criminal defendants. This monopoly means that ABK is allowed to set and charge exorbitant fees and jail those who cannot afford its fees. The County pays nothing to ABK for its services; ABK profits by charging fees to every person it supervises. ABK then sends a portion of its profits back to Judge Kiely to pay for probation staff salaries and court expenses. The resulting debtors’ prison criminalizes poverty and damages public safety, all for the financial gain of the County and a private corporation.

William Huggins, one of the named plaintiffs in the case, was sentenced to electronic home detention in February 2022 and ABK required him to pay a \$300 set up fee, plus an ongoing \$112 weekly fee and \$35 per drug test one to two times per week, resulting in an average monthly bill of \$600 in ABK fees. When he was unable to pay, ABK filed petitions to revoke Mr. Huggins’ community placement and threatened him with jail time. In the three months that Mr. Huggins was on electronic home detention under ABK, he paid approximately \$2,000 in ABK fees.

Keith Miller, the other named plaintiff, is on pretrial supervision. Despite having the presumption of innocence as a pretrial supervisee who has yet to have his day in court, Mr. Miller has already had to pay hundreds of dollars in ABK fees in his first few months of supervision.

The lawsuit was filed by the nonprofit Equal Justice Under Law in partnership with Schnepfer Law of Evansville, Indiana. Phil Telfeyan, Executive Director of Equal Justice Under Law, states, “Judges should not be giving exclusive business to their friends at the expense of the most vulnerable residents. Vanderburgh County’s policy of jailing those who can’t afford ABK’s fees is unjust and unconstitutional, and we are confident our lawsuit will bring justice to all those affected by this extortionate policy.”

###

Equal Justice Under Law is a legal nonprofit providing pro-bono legal services to those most in need. Since its founding in 2014, Equal Justice Under Law has filed 42 class action lawsuits in 17 states to end wealth-based discrimination in our justice system.