

**IN THE UNITED STATES DISTRICT
FOR THE WESTERN DISTRICT OF KENTUCKY
BOWLING GREEN DIVISION
(Electronically Filed)**

Civil Action No.: _____

BRADLEY EASLEY

PLAINTIFF

VS.

COUNTY OF WARREN, KENTUCKY

**Serve at: Matthew Cook, by agreement
Kerrick Bachert, Attorneys at Law
1411 Scottsville Road
Bowling Green, KY 42104**

WARREN COUNTY, KENTUCKY FISCAL COURT

**Serve at: Matthew Cook, by agreement
Kerrick Bachert, Attorneys at Law
1411 Scottsville Road
Bowling Green, KY 42104**

**WARREN COUNTY JAILER, STEPHEN HARMON,
Individually, and in his official capacity as Jailer of Warren County**

**Serve at: Matthew Cook, by agreement
Kerrick Bachert, Attorneys at Law
1411 Scottsville Road
Bowling Green, KY 42104**

**KEVIN WEATHERBY (formerly Badge #616)
Individually, and in his official capacity as Warren County Deputy Jailer**

**Serve at: Matthew Cook, by agreement
Kerrick Bachert, Attorneys at Law
1411 Scottsville Road
Bowling Green, KY 42104**

**UNKNOWN DEFENDANT #1 (Identified as 3rd Shift Deputy)
Individually, and in his/her official capacity as Warren County Deputy Jailer**

**Serve at: Matthew Cook, by agreement
Kerrick Bachert, Attorneys at Law**

**1411 Scottsville Road
Bowling Green, KY 42104**

UNKNOWN DEFENDANTS

Individually, and in his/her official capacity as Warren County Deputy Jailer

**Serve at: Matthew Cook, by agreement
Kerrick Bachert, Attorneys at Law
1411 Scottsville Road
Bowling Green, KY 42104**

DEFENDANT(S)

COMPLAINT

COMES NOW the Plaintiff, Bradley Easley, by counsel, and for his Complaint, states as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over federal questions pursuant to 28 U.S.C. §§ 1331, 1343, 42 U.S.C. §§ 1983, 1988; and supplemental jurisdiction over state law claims pursuant to 28 U.S.C. § 1367.

2. Venue is proper in this Court under 28 U.S.C. § 1391(a) because all Defendants reside in the State of Kentucky, and at least one of the Defendants resides in the Western District of Kentucky.

3. Venue is also proper in this Court under 28 U.S.C. § 1391(b) because all incidents, events and occurrences giving rise to this action occurred in both Warren County, Kentucky, which is the Western District of Kentucky.

PARTIES

4. At all relevant times, the Plaintiff, Bradley Easley, was a citizen of the United States and a resident of Warren County, Kentucky.

5. At all relevant times, the Defendant, Warren County, Kentucky, was, and is a political subdivision of the State of Kentucky, organized and existing under and by virtue of the laws of the Constitution of the State of Kentucky.

6. At all relevant times, Warren County, Kentucky Fiscal Court is the legislative body of Warren County, Kentucky that is statutorily required pursuant to KRS 441.025 to provide for incarceration of prisoners arrested in the County of Warren, Kentucky. Further, they are required to maintain a safe, secure, and clean jail.

7. The County of Warren, Kentucky by and through its Fiscal Court fulfills its statutory obligation to house both pretrial and post-trial inmates through the functions of the Warren County Regional Jail, its Jailer and his deputies. The Warren County Regional Jail is wholly owned and operated by Warren County, Kentucky and the Warren County, Kentucky Fiscal Court, and was at all relevant times.

8. The Warren County Jailer, Stephen Harmon is a constitutionally elected official who has complete oversight of the operation of the Warren County Regional Jail. He was an agent and/or employee of Warren County, Kentucky and the Warren County, Kentucky Fiscal Court at all relevant times herein.

9. At all relevant times, the Defendant, Kevin Weatherby, was employed as a Deputy Jailer by Warren County, Kentucky, the Warren County, Kentucky Fiscal Court, and the Warren County Jailer. As a duly appointed and sworn Deputy Jailer, he was acting in his official and individual capacity, and was acting under color of state law, and within the scope of his employment with Warren County, Kentucky. His chain of command included the duly elected Jailer, Stephen Harmon, and other Unknown Defendants.

10. At all relevant times, Unknown Defendant #1, identified as 3rd Shift Deputy, was employed as a Deputy Jailer by Warren County, Kentucky, the Warren County, Kentucky Fiscal Court, and the Warren County Jailer. As a duly appointed and sworn Deputy Jailer, he/she was acting in his/her official and individual capacity, and was acting under color of state law, and within the scope of his/her employment with Warren County, Kentucky. His/Her chain of command included the duly elected Jailer, Stephen Harmon and other unknown Defendants.

11. At all relevant times, Unknown Defendants (yet to be determined) were employed as Deputy Jailers and/or other capacities by Warren County, Kentucky, the Warren County, Kentucky Fiscal Court, and the Warren County Jailer. As duly appointed and sworn Deputy Jailers, they were acting in their official and individual capacity, and were acting under color of state law, and within the scope of their employment with Warren County, Kentucky. Their chain of command included the duly elected Jailer, Stephen Harmon and other Unknown Defendants.

FACTUAL ALLEGATIONS

12. On the evening of March 6, 2024, Plaintiff, Bradley Easley, was arrested by the Bowling Green Police Department and taken to the Warren County Regional Jail.

13. Plaintiff was assessed upon his arrival at the jail and denied admission. Thereafter, he was taken to the Medical Center of Bowling Green for medical clearance.

14. Plaintiff was cleared by the Medical Center of Bowling Green and transported back to the Warren County Regional Jail to be detained. His booking photo documents no injury or trauma to his face or left eye.

15. Upon Plaintiff's arrival at the Warren County Regional Jail, he became uncooperative with jail staff, which ultimately resulted in him being placed in a restraint chair for an unknown amount of time.

16. Once Plaintiff's behavior subsided, he was placed in an observation room, often referred to as the detox room or "drunk tank." The Plaintiff was detained in Cell OBS-4 along with other inmates.

17. Deputy Pickett was returning an inmate to OBS-4 and was accompanied by Deputy Weatherby. Once Deputy Pickett and Deputy Weatherby were at the door, Plaintiff Easley moved towards the door as it opened. Deputy Pickett met Plaintiff Easley and placed his hands on his chest. Plaintiff Easley went to step around Deputy Pickett. Both deputies unholstered their tasers and gave commands to Plaintiff Easley. He complied.

18. Plaintiff Easley placed his hands in the air, stepped back, turning towards the wall and then placed them on the wall as instructed. He then placed his hands behind his back to allow Deputy Pickett to place him in cuffs. At this point, Plaintiff Easley was compliant and did not pose a threat to himself or the Deputy Jailers.

19. As the cuffs were placed, Deputy Pickett inadvertently stepped on Plaintiff Easley's sandal (flip flop), causing him to move his leg slightly in a non-aggressive manner. Despite there being a lack of a threat to escalate force, Deputy Weatherby activated his taser, tasing Plaintiff Easley.

20. As a result of Plaintiff Easley being tased, he moved away from Deputy Pickett and Deputy Weatherby deployed another electrical cycle causing Plaintiff Easley to fall to the ground. Deputy Pickett also fell to the ground. Thereafter, Deputy Pickett gained control of Plaintiff Easley and attempted to place him on his stomach. Despite Deputy Pickett gaining control of Plaintiff Easley, Deputy Weatherby tased Plaintiff, Easley again, which was an excessive use of force, unwarranted, and a violation of jail policy.

21. During this incident, Plaintiff Easley's left arm was wedged above his head and against part of the floor that is a raised ledge. While Deputy Pickett was attempting to lift Plaintiff's arm up over his head, a movement that was physically impossible, Plaintiff Easley raised his head. Deputy Weatherby then delivered a knee strike to the ribcage while continuing to hold his taser to his back, drive stunning him again, with his taser.

22. Deputy Weatherby then jumped up, took a step back, and intentionally kicked the Plaintiff in the left side of his head and face. The direct impact was to the Plaintiff's left eye. The Plaintiff then moved his left arm to his head to provide protection and covered his left eye. The Plaintiff was then completely restrained by deputies.

23. The Plaintiff remained incarcerated until March 10, 2024, at approximately 5:41 p.m. Plaintiff received minimal, if any, meaningful medical care provided by the Warren County Regional Jail. He was never taken to the emergency room or any outside providers to be treated for his injuries caused by the Defendants herein.

24. Upon his release, Plaintiff immediately sought medical treatment for his injury sustained to the left eye. On Plaintiff's first visit from outside medical care on March 11, 2024, he had no vision in the left eye, along with an infection, as a result of the trauma to the eye. Ultimately, he underwent surgery on the left eye.

25. As a direct result of the injury, Plaintiff is permanently blind in his left eye and has suffered, and continues to suffer, from emotional distress, and physical pain and suffering.

26. The Warren County Regional Jail has written internal policies, including, but not limited to, code of ethics, training, duty to intervene, use of force, and provision of medical services. Upon information and belief, Jailer Harmon and deputy jailers, known and unknown, failed to implement these internal policies and were not adequately trained and/or supervised. With

respect to Defendant Weatherby, he was negligently retained, as Jailer Harmon had failed to take any corrective action against Weatherby despite at least one prior incident of excessive use of force against an inmate.

27. Defendants were acting under color of law and violated the Plaintiff's constitutional rights under both the United States and Kentucky Constitutions, as their actions were intentional, malicious and in bad faith.

CAUSES OF ACTION

A. 42 U.S.C. §1983 EXCESSIVE USE OF FORCE

28. The intentional actions of Defendant Weatherby, Jailer Harmon, and Defendants, known and unknown, under color of law, constitutes assault and battery, an excessive use of force, and are a violation of the rights, privileges and immunities secured to Plaintiff by the Fourth and Fourteenth Amendments to the United States Constitution, including the right to be free from unreasonable searches, seizures, without probable cause and the right to be free from excessive force, all in violation of 42 U.S.C. §1983.

29. As a result of the brutal attack on the Plaintiff, the Plaintiff suffered physical injuries, both physical and mental pain and anguish, including, but not limited to, the permanent loss of vision in his left eye.

30. Plaintiff is entitled to recover against Defendants, jointly and severally, for compensatory and punitive damages sustained herein as well as attorney's fees and costs of this action.

B. ASSAULT AND BATTERY

31. The actions of the Defendant Weatherby constitute an assault and battery against the Plaintiff, all of which resulted in both physical and emotional injuries to the Plaintiff. The

action of the Defendant Weatherby was intentional, malicious, in bad faith and intended to cause harm to the Plaintiff.

32. As a direct and proximate result of the conduct, Plaintiff sustained serious and permanent injuries. Accordingly, Plaintiff is entitled to compensatory and punitive damages from Defendants.

C. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

33. The actions, as stated herein, by Defendants, constitute an intentional infliction of emotional distress under state law.

D. FAILURE TO ACQUIRE/PROVIDE NECESSARY MEDICAL CARE

34. The Defendants, individually and collectively, herein have an obligation to provide necessary medical treatment to the Plaintiff, to prevent death or serious physical injury unto him. However, immediately subsequent to the other violations of the Plaintiff's rights, the Defendants herein individually, and collectively, failed to properly assess for and acquire medical treatment for the Plaintiff herein. To the contrary, the Plaintiff was provided no meaningful medical treatment, to either assess or treat the injuries he had sustained as a result of the injuries inflicted upon him herein. As a direct and proximate result of that failure, the Plaintiff has suffered a permanent loss of sight in his left eye and is entitled to compensatory and punitive damages.

E. NEGLIGENCE

35. The Defendants owed Plaintiff Easley a duty of care to keep him safe and not to exceed their power during the course of him being detained.

36. Defendants breached their duty through negligent acts and/or omissions deriving from willful disregard, exerting excessive force and/or failing to intervene during the act of excessive force, resulting in injuries to Plaintiff.

37. As a result of the negligence, Plaintiff sustained serious and permanent injury and is entitled to compensatory and punitive damages.

F. NEGLIGENT HIRING, TRAINING AND RETENTION

38. The County of Warren had a duty to properly hire, train, and supervise the activities of its employees in the exercise of their duties.

39. By the acts and omissions of the Jailer, Stephen Harmon, Deputy Jailers, and other employees, known and unknown, Warren County, Kentucky and Warren County, Kentucky Fiscal Court failed to properly hire, train, and supervise its employees with respect to the proper use of force, providing a safe environment, reporting/investigating an incident, intervening or deescalating a known use of force, and ensuring proper medical care.

40. The Jailer of Warren County, Kentucky, Stephen Harmon, knew of the violent tendencies of Defendant Weatherby, but, nonetheless, retained Defendant Weatherby as an employee.

41. Clearly, the Deputy Jailer Defendants, known and unknown, were improperly trained and/or retained. As a direct and proximate result of the negligence of Defendant County of Warren, Kentucky, Defendant County of Warren, Kentucky Fiscal Court, and Stephen Harmon, Jailer, its employees and agents, the Plaintiff suffered injuries from the actions of said Defendants, to which Plaintiff is entitled to compensatory and punitive damages.

WHEREFORE, the Plaintiff demands a judgment against these Defendants, and further relief, as follows:

1. Trial by jury;
2. Compensatory and punitive damages against the Defendants, as set forth hereinabove, including damages for past, present and future medical expenses, past,

present and future, loss of earning capacity, past, present, and future physical and mental pain and suffering, in the amount of no less than 5 million Dollars that may be determined to be fair and reasonable, by a jury herein;

3. Costs and attorney fees, as provided by law; and
4. Any and all other relief to which the Plaintiff may appear entitled.

This 5th day of March, 2025.

/s/B. Alan Simpson

B. Alan Simpson
THE SIMPSON FIRM
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