

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
KENTUCKY, NORTHERN DIVISION AT COVINGTON

Michelle Ratliff and Betty Tucker v. Kentucky Justice and Public
Safety Cabinet—Department of Juvenile Justice, et al.

Civil Action No. 23-160-CJS · No. Civil Action No. 23-160-CJS · Decided March 31, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky considers Defendants’ motion for summary judgment in a case brought by Michelle Ratliff and Betty Tucker concerning alleged retaliation after they reported and publicized misconduct involving a juvenile detention center officer. Plaintiffs assert claims under the Kentucky Whistleblower Act, the First Amendment via 42 U.S.C. § 1983, and Kentucky tort law. The court denies summary judgment on the First Amendment retaliation claims and grants or denies the motion in part as to the remaining claims.

CASE DETAILS

COURT	United States District Court for the Eastern District of Kentucky, Northern Division at Covington
WRITING FOR THE COURT	Candace J. Smith
JURISDICTION	United States District Court for the Eastern District of Kentucky, Northern Division at Covington
DECIDED	March 31, 2026
DOCKET	Civil Action No. 23-160-CJS
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for summary judgment on Plaintiffs’ Kentucky Whistleblower Act, First Amendment retaliation, and tortious-interference claims.
STANDARD OF REVIEW	Summary judgment is proper under Federal Rule of Civil Procedure 56 when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views the evidence in the light most favorable to the nonmovant, accepts the nonmovant’s evidence as true, and draws reasonable inferences in the nonmovant’s favor, but the nonmovant may not rely on speculation, conjecture, or conclusory accusations.

PRECEDENTIAL VALUE	Unknown; memorandum opinion and order from a federal district court.
PARTIES	Michelle Ratliff, Betty Tucker v. Kentucky Justice and Public Safety Cabinet—Department of Juvenile Justice, R. David Kazee, Tera Beth Sweetland

TOPICS

summary judgment

first amendment

retaliation

whistleblower

torts

PRACTICE AREAS

civil rights

employment law

civil procedure

torts

QUESTIONS PRESENTED

1. Whether Plaintiffs' reports concerning the alleged mishandling of misconduct at the juvenile detention center constituted speech by private citizens on matters of public concern protected by the First Amendment.
2. Whether Plaintiffs were state employees for purposes of the Kentucky Whistleblower Act despite being formally employed through a staffing contractor.
3. Whether Plaintiffs made qualifying disclosures to the FBI and Kentucky State Police under the Kentucky Whistleblower Act and showed that the disclosures were contributing factors in their removal from the facility.
4. Whether Plaintiffs produced sufficient evidence of intentional and improper interference with their business relationships with Worldwide Travel Staffing.

HOLDINGS

1. Plaintiffs' First Amendment retaliation claims survived summary judgment because the evidence, viewed in their favor, could establish that they spoke as private citizens on matters of public concern, that their speech was constitutionally protected, and that Kazee and Sweetland knew of the speech and participated in adverse actions against Plaintiffs.
2. Plaintiffs were state employees for purposes of their Kentucky Whistleblower Act claims even though they were formally employed by Worldwide Travel Staffing.
3. Plaintiffs' reports to the FBI and Kentucky State Police concerning the alleged mismanagement of the Moorman situation were qualifying disclosures, and the timing and evidentiary record created triable issues regarding whether the disclosures contributed to Plaintiffs' removal.
4. Defendants were entitled to summary judgment on Plaintiffs' tortious-interference claims because Plaintiffs failed to identify evidence showing what actions Defendants took to interfere with their business relationships with Worldwide Travel Staffing.

KEY QUOTATIONS

“Taken together, courts employ a three-step test when considering whether a public employee’s speech is constitutionally protected.” (§ III.A)

“Although on the surface, this case is reminiscent of White in that it involves medical professionals working for a detention facility, the Court finds Plaintiffs’ employment circumstances are more like those in Cummings and Barber and less like those in White.” (§ III.B)

“Without evidence supporting any interference by Defendants, the Court need not reach the questions of whether any interference was “intentional” and/or “improper.”” (§ III.C)

FACTUAL BACKGROUND

Ratliff, a registered nurse, and Tucker, a licensed practical nurse, worked through Worldwide Travel Staffing at the Campbell Regional Juvenile Detention Center, operated by the Kentucky Department of Juvenile Justice. Plaintiffs reported concerns about correctional officer Neil Moorman’s alleged improper interactions with juvenile residents to the FBI and Kentucky State Police and, in Ratliff’s case, spoke with local media. Approximately one month after those reports and the publication of a news article, Plaintiffs were removed from the facility. Defendants asserted that Tucker’s removal was related to medication errors and that Ratliff’s removal involved alleged backdating of incident reports and other issues.

PROCEDURAL HISTORY

Plaintiffs filed suit in Campbell Circuit Court on November 3, 2023. Defendants removed the action to the Eastern District of Kentucky on November 20, 2023. After the parties consented to proceed before the magistrate judge under 28 U.S.C. § 636(c), the parties conducted discovery and Defendants moved for summary judgment. The court granted the motion as to the tortious-interference claims and denied it as to the First Amendment retaliation and Kentucky Whistleblower Act claims.

DISPOSITION

other

CASES CITED

- Williams v. Addison Community Schools, --- F.4th ----, No. 25-1205, 2026 WL 575854, at *3 (6th Cir. Mar. 2, 2026)
- Gregory v. Shelby County, 220 F.3d 433, 441 (6th Cir. 2000)
- Kirkland v. City of Maryville, 54 F.4th 901, 907-09 (6th Cir. 2022)
- Garcetti v. Ceballos, 547 U.S. 410, 417-21 (2006)
- McAllister v. Kent State University, 454 F. Supp. 3d 709, 716-19 (N.D. Ohio 2020)
- Mayhew v. Town of Smyrna, 856 F.3d 456, 463-64 (6th Cir. 2017)
- Dye v. Office of the Racing Commission, 702 F.3d 286, 294-95, 303 (6th Cir. 2012)
- Lewis v. Philip Morris Inc., 355 F.3d 515, 533 (6th Cir. 2004)

- *Arendale v. City of Memphis*, 519 F.3d 587, 593-94, 605 (6th Cir. 2008)
- *Matsushita Electric Industrial Co. v. Zenith Radio Corp.*, 475 U.S. 574, 587 (1986)
- *Loyd v. Saint Joseph Mercy Oakland*, 766 F.3d 580, 588 (6th Cir. 2014)
- *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986)
- *DeVooght v. City of Warren*, 157 F.4th 893, 903 (6th Cir. 2025)
- *Davidson v. Commonwealth, Department of Military Affairs*, 152 S.W.3d 247, 249, 251, 255 (Ky. Ct. App. 2004)
- *Harper v. University of Louisville*, 559 S.W.3d 796, 801-04, 806, 811 (Ky. 2018)
- *Cabinet for Families & Children v. Cummings*, 163 S.W.3d 425, 429-30, 434 (Ky. 2005)
- *White v. Southern Health Partners, Inc.*, No. 2012-CA-001092-MR, 2013 WL 2659897, at *3-4 (Ky. Ct. App. June 14, 2013)
- *Barber v. Louisville & Jefferson County Metropolitan Sewer District*, No. 3:05-cv-142-R, 2006 WL 3772209, at *1, *4 (W.D. Ky. Dec. 20, 2006)
- *Ky. Protection & Advocacy v. White*, No. 3:25-cv-00059-GFVT, 2026 WL 788685, at *1-6 (E.D. Ky. Mar. 20, 2026)
- *Mann v. Auto-Owners Insurance Co.*, No. 1:22-cv-25-GNS-HBB, 2024 WL 1323589, at *2 (W.D. Ky. Mar. 27, 2024)
- *Erwin v. Justice & Public Safety Cabinet*, No. 2021-CA-0662-MR, 2022 WL 3129954, at *6 (Ky. Ct. App. Aug. 5, 2022)
- *Davidson v. Louisville Metro. Government*, No. 3:19-cv-309-BJB, 2022 WL 19921239, at *7 (W.D. Ky. Aug. 17, 2022)
- *Kearney v. University of Kentucky*, 638 S.W.3d 385, 405 (Ky. 2022)
- *Halle v. Banner Industries of N.E., Inc.*, 453 S.W.3d 179, 187 (Ky. Ct. App. 2014)
- *Monumental Life Insurance Co. v. Nationwide Retirement Solutions, Inc.*, 242 F. Supp. 2d 438, 450 (W.D. Ky. 2003)
- *Rieck v. Housing Authority of Covington*, No. 22-5788, 2024 WL 556221, at *5 (6th Cir. Feb. 12, 2024)
- *Alph C. Kaufman, Inc. v. Cornerstone Industries Corp.*, 540 S.W.3d 803, 820 (Ky. Ct. App. 2017)
- *McPherson v. Kelsey*, 125 F.3d 989, 995-96 (6th Cir. 1997)

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