

Friday August 17, 2012

-edition | [Subscribe](#) | [Contact Us](#)

Search



Elyria, OH

73°F

[View forecast](#)
[HOME](#) [NEWS](#) [SPORTS](#) [OBITUARIES](#) [LIFESTYLE](#) [CLASSIFIED](#) [HOME DELIVERY](#) [CT STORE](#) [PIX & FLIX](#) [NIE](#) [CONTESTS](#) [HELP](#)


Ex-officer pleads no contest to child porn, ID theft but plans appeal

Filed by **Brad Dicken** August 9th, 2012 in [Top Stories](#).[Like](#)

30

[Send](#)

1

[Print this story](#)
[Read comments and discuss this story](#)

ELYRIA — Former Avon police Officer Michael Kish pleaded no contest Wednesday to child pornography and identity theft charges, although defense attorney Dan Wightman said his client continues to maintain his innocence.

The only reason Kish entered the plea, Wightman said, was so he can appeal Lorain County Common Pleas Judge Raymond Ewers' decision to reject a motion to throw out evidence gathered by police during their search of Kish's computer.

Kish, 52, contends that the affidavit used to obtain a search warrant for his home contained numerous factual errors that, if they hadn't been included, would have led a judge to deny the search warrant request.

Police originally sought the search warrant after Avon police Officer Josh Stell received a notification from LorainCounty.com informing him that his account had been suspended for abusive posts.

Stell didn't actually have a LorainCounty.com account. Instead, police determined that Kish created the account using Stell's email and using the name of Stell's wife as the password. They later determined that the posts under the account had come from Kish's residence by tracing the IP address.

After seizing his computer, police discovered what appeared to be pornographic movies featuring children and obtained a second warrant to conduct additional investigation.

Although Ewers determined that the affidavit to get the first search warrant contained information that "is misleading and false," he wrote that once that information was removed, there was still probable cause for the search warrant to be issued.

Ewers also wrote that he didn't address the question of whether police had enough evidence to suspect Kish of identity fraud or whether what Kish did was covered by First Amendment protections for free speech.

Wightman said that unless Kish was found guilty, he wouldn't have been able to challenge Ewers' decision. Now that Kish has pleaded out, he said, that appeal can proceed.

He also said that the whole investigation has been motivated by a dislike for Kish —who was fired in 2006 — by members of the Avon Police Department and had nothing to do with identity fraud. He said Kish never claimed to be Stell while posting under the name of "Joshua" on LorainCounty.com.

"The real complaint against Kish was he was criticizing Avon police officers," Wightman said.

Kish also has adamantly denied the child pornography found on his computer belonged to him.

Wightman said the computer had LimeWire, a now-defunct online file-sharing program, and that the material may have been accidentally downloaded. He also said it's possible someone could have placed the child pornography onto Kish's computer without his knowledge.

Whatever the case, Wightman said, police and prosecutors have no evidence proving that Kish downloaded the pornographic material.

County Prosecutor Dennis Will did not return a call seeking comment on the plea.

Contact Brad Dicken at 329-7147 or bdicken@chroniclet.com.

[Print this story](#)
[Report an inappropriate comment](#)

AdChoices

THE 2012 Mazda CX-9

MAZDA SUMMER DRIVE

0% APR
FOR 60 MONTHS
PLUS \$1,000
APR CASH AND
NO PAYMENTS
FOR 90 DAYS†

[GET THIS OFFER](#)

Legal

ShareThis

AdChoices

In order to comment, you must agree to our [user agreement and discussion guidelines](#).

Need help? [Email Us](#).



Add a comment...

☐ Post to Facebook

Posting as Norma Jean Almodovar (Not you?) [Comment](#)



Carol Cambria Balog · Sheffield Lake, Ohio

Josh Stell is an upstanding officer and a wonderful father and family man.. Now you have this jerk using his name. If he was just posting under JOSHUA please tell me why Josh's wife's name was the password. We are living in a sick society. I am glad they got him and hope he serves the max.

[Reply](#) · [8](#) · [Like](#) · [Follow Post](#) · August 9 at 7:00am



Lisa Mulbrecker

To make matters worse Carol, Josh was really good friends with Mike Kish and to have his identity stolen by Mike was not only a professional blow but a personal one. Mike was his mentor! I agree, I hope he serves Jail time and gets to see the inside of a cell! He deserves it. He hoisted himself by his own petard!

[Reply](#) · [5](#) · [Like](#) · August 12 at 9:28pm



Carol Cambria Balog · Sheffield Lake, Ohio

Agreed Lisa and very well said. Very sick. Josh shows what kind of person he is to rise above this and still maintain his professionalism. Just sad that such a good guy and excellent officer had to go through something like this.

[Reply](#) · [4](#) · [Like](#) · August 13 at 7:54am



Lisa Mulbrecker

This guy is a total creep! Mike Kish grew up on Brockley Ave in Sheffield Lake, I grew up on the same street and knew him and his little sister well. His own sister had to leave town when she was 15, suffering abuse on all different levels from this guy, and knowing her little Brother would have been taken into Child Protective Services she opted to leave the State. The whole family was terrified of him, he was a total sociopath! How and why Sheffield Lake would make him a cop, and lets not forget how many times he was in the Newspaper during the 90's for Police Brutality and other offenses against the Citizens of Sheffield Lake including suspect intimidation allowing a murderer to go free because he bullied and contaminated the crime scene. Who in their right mind gave Kish a job with Avon in the first place? Everyone in Sheffield Lake knew he was this totally cruel sadistic guy. Throw the book at him, he deserves jail and YES he is Guilty! Read the articles about him in the Avon Patch, how many times over the past 6 years he has been arreseds for public intoxication, assault and disorderly conduct. Nothing but a mean and violent drunk, unemployed and he just lost his house. Yeah Mike you are on skid row and yeah I know what you did to your sweet Sister Sue!

[Reply](#) · [7](#) · [Like](#) · [Follow Post](#) · August 12 at 9:25pm



Naomi Lamming · 21 years old

He was a Sheffield Lake Police Officer before he was with Avon, and in Sheffield Lake he resigned rather than being fired after messing up that murder case where that teenager was murdered in Sheffield Lake. Who "didn't" know how much he battered his own Brothers and Sisters in Sheffield Lake? Heck I went to School at SMS and BHS in the 70's/80's and he was this really mean guy back then, doesn't surprise me he ended up this way at all. I question how could any Police Force not weed him out for violence? Don't they have testing for this?

[Reply](#) · [6](#) · [Like](#) · [Follow Post](#) · August 12 at 10:25pm



Brian Reinhardt · Top Commenter

All the legal mumbo-jumbo aside you perverted sicko, the kiddie porn was STILL found on YOUR computer...what an idiot.

Like there's a magic kiddie porn fairy that just flies around and puts that crap on unsuspecting ex cops computers. Right.

[Reply](#) · [6](#) · [Like](#) · [Follow Post](#) · August 9 at 5:51am

[REDACTED] · Top Commenter



Brand New 2012
MAZDA3i
SKYACTIV
TOURING
AUTOMATIC
SEDAN

\$249
+ tax & fees 42 mo. LEASE

I-90 at Detroit Rd. Exit 148
4900 Detroit Road, Sheffield





THE CHRONICLE
2012
FANTASY
RACING
LEAGUE
Click here for more info

**Jeremy Horecker** · Top Commenter

Actually, limewire used to do exactly that. I was a pc tech lead for a large electronics store, and we used to get computers in ALL of the time that had limewire on it that had material on it that was not supposed to be on it.

I am not defending the guy, but just putting my 2 cents.

[Reply](#) · [1](#) · [Like](#) · August 9 at 7:59am

**Joe Smith**

PS also, everybody out there put a password on your wireless routers as if anyone nearby goes though your wireless router and surfs child porn or makes death threats or anything illegal, it will look like it came from YOUR house and YOU will be the one who gets accused, gets your computers confiscated and has a search warrant served on your house. Even if you are cleared, your reputation is damaged and you have to spend money on a lawyer and you have to go through a huge invasion of your privacy during the searches.

[Reply](#) · [Like](#) · August 9 at 8:50am

**Lisa Mulbrecker**

Joe Smith you didn't know this guy like I do. Yeah he is a sicko and yeah he is totally guilty. He was a creep as a teenager and he is a creepy sick sexual predator today!

[Reply](#) · [3](#) · [Like](#) · August 12 at 9:29pm

**Rosemary Fields**

This article surfaced on my FB page and my two cents is: Yes he is guilty! For those who personally knew of Mike Kish he was nothing but a Bully with a badge. He bullied his Mother and siblings, his own Family and the Communities of Avon and Sheffield Lake/ Village. Now he is finally being prosecuted for bullying a fellow coworker and he deserves everything coming to him! He can't manipulate and lie his way out of this one! I feel sorry for anyone who believes he is innocent~.

[Reply](#) · [Like](#) · [Follow Post](#) · August 13 at 11:48am

**Irene Hamill** · [Subscribe](#)

May God, have mercy on his soul! They are God's children, and he will answer for everyone he violated!

[Reply](#) · [Like](#) · [Follow Post](#) · Tuesday at 3:44pm

wendy_day12 (signed in using yahoo)

sick! now they are in the police force!

[Reply](#) · [Like](#) · [Follow Post](#) · August 9 at 7:20pm

Facebook social plugin

[Advertise with us](#) | [Home Delivery](#) | [Contact Us](#) | [Job Openings](#) | [Terms of use](#) | [Privacy Policy](#) | [Join NorthcoastNOW.com](#) | [Login to NorthcoastNOW.com](#) | [E-Edition](#)
[Follow us on Twitter](#) | [Like us on Facebook](#) | [Rss Feed](#) | [Put our headlines on your web site](#) | [Purchase Photos](#) | [Laminations & Reprints](#)

© 2012 Chronicle-Telegram.