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Villa Hills councilman sues

Says he was arrested after questioning cop

BY JIM HANNAH | JHANNAH@NKY.COM

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A Villa Hills city councilman claims in a lawsuit that the municipality's police detective arrested him after he questioned the detective's timesheets.

In the suit brought last week in federal court in Covington, Mike Martin claims his Fourth Amendment right to be free of unreasonable seizures was violated. Police Detective Joseph Schutzman and Police Chief Dan Goodenough are named as the two defendants.

In early 2005, Martin questioned the legality of Schutzman simultaneously serving as the city's only police detective and building inspector, according to the complaint. The suit alleges that Martin was possibly being paid to inspect buildings while on the clock as a police officer.

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Schutzman owns a building inspection service that also does business with the cities of Bromley and Ludlow.

Martin had his sister file open record requests to Bromley and Ludlow seeking information about Schutzman's work as an inspector.

Martin claims in the suit that he used his sister's name "in an effort to keep the matter quiet and avoid creating any implication that Schutzman had done anything wrong prior to having information proving same."

That open-records request prompted Schutzman to respond with a letter to Martin's sister threatening to sue her if she didn't reveal who asked her to get the information, the suit claims.

Martin claims in his suit that it was his First Amendment right for his sister to get the information.

At the heart of Martin's suit is what he claims Schutzman and Goodenough did next. On Dec. 18, the chief and detective had the councilman arrested for allegedly forging his dead mother's signature on checks. In that criminal case, a Kenton District Court judge found no probable cause on Feb. 27 for the felony forgery charge and the case was dismissed.

Martin claimed during the criminal case against him, and now in the civil suit, that he used the money to pay debts owed by his mother's estate even though he deposited the money in his personal checking account rather than going through probate court.

Martin's father was still sending his former wife checks to pay off more than three years worth of back child support despite the fact the couple's children are grown.

Martin and his seven siblings were entitled to the back child support even after their mother's death, according to court records.

"As a result of these appropriate and well-founded inquiries, (Martin) was subjected to a wrongful and malicious criminal prosecution unsupported by probable cause," reads the complaint.

Martin seeks unspecified compensatory and punitive damages, costs, litigation expenses and attorney's fees.


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Villa Hills Mayor Mike Sadoskas and Schutzman declined to comment. Goodenough couldn't be reached for comment. Martin's attorney, Robert Abell of Lexington, could not be reached for comment.


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Martin said he had to hire an out-of-town lawyer because so many local attorneys do business with the city that it was impossible to find someone who didn't have a conflict of interest.

He has been a councilman since November 2004.

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