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Hearing delayed again for judge, former prosecutor

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Detroit --A long-awaited hearing on evidence against a former judge, prosecutor and two police officers accused of allowing lies in a drug trial was postponed today until later this month.

Former Wayne County Circuit Judge Mary Waterstone, retired Wayne County Assistant Prosecutor Karen Plants and Inkster Sgt. Scott Rechtzigel and Officer Robert McArthur were charged in March with felony crimes in March stemming from a 2005 trial.

Attorney General Mike Cox is prosecuting them on allegations of lying or allowing lies from the witness stand during the trial that led to the imprisonment of two men.

The hearing has been delayed several times. The latest delay stems from a lawsuit filed in Wayne County Circuit Court by Waterstone. She wants to remove Cox from the case because of claims of conflict of interest. An attorney from his office defended her against complaints related to the case filed with the Michigan Judicial Tenure Commission. A hearing is set for Sept. 25.

Plants and the officers are charged with obstruction of justice, which is punishable by up to life in prison. Waterstone faces misconduct charges that carry a possible five-year sentence.

Prosecutors allege all four defendants knew officers lied on the witness stand to hide the identity of an undercover informant, who also testified falsely.

Transcripts in the court files of previously secret side conversations between the judge and Plants indicate Waterstone allowed the deception because she was concerned about the safety of the informant.

In the months since being charged, Waterstone also filed claims with the court that Michigan law protects judges from facing criminal charges for "mistakes during a trial." Rechtzigel and McArthur also asked to have their charges dismissed, claiming they simply followed the advice of Plants and Waterstone.

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