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Judge considers multiple juries in trial over perjury

By JOE SWICKARD
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It may take multiple juries a month to sort out the perjury and other related charges when a retired Wayne County Circuit judge, the county's former top drug prosecutor and two suspended Inkster narcotics cops go to trial next year.

Presiding Wayne County Circuit Judge Timothy Kenny on Monday set a special hearing to see whether more than one jury will be seated to hear the case against retired Judge Mary Waterstone, the ex-chief Wayne County drug prosecutor Karen Plants and suspended Inkster detectives Scott Rechtzigel and Robert McArthur.

The four are charged with using or allowing perjured testimony to hide an informant's identity in a 2005 drug case in which 47 kilos of cocaine was seized.

In a scheduling conference Monday, Assistant Michigan Attorney General William Rollstin said as many as three juries may be needed.

Kenny, who tried a three-jury case as a prosecutor, said he would not consider having three juries at once for the current case. A two-jury case is still a possibility.

Kenny said the hearing on multiple juries will be held Dec. 17.

Multiple juries could be seated in order to hold one trial, even though the defendants may have some conflicts. The panels would hear most of the testimony together, but would be separated for some witnesses so that they would avoid testimony that wouldn't apply to their defendant.

Rechtzigel's lawyer, David Griem, said he

opposes a trial involving more than two juries. "More than that, it just turns into a circus," he said.

Another option would be to hold totally separate trials.

Kenny set aside a full month starting March 1 for the trial.

He also said he wants to set limits for issues to be raised for each defendant at least three weeks before the trial.

"I want it settled so you'll know what's in and what's out before we go to trial," Kenny told the lawyers.

University of Detroit Mercy law professor Richard Krisciunas said he favored multiple juries when he was a high-ranking Wayne County assistant prosecutor, but he's rethinking that position.

"It's a timesaving measure," Krisciunas said.

With multiple juries, defense lawyers not only have to watch the prosecutor's questioning, but also each other so that improper or harmful evidence isn't put before their panel, he said.

"The questions for the other guy's client may get

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answers you don't necessarily want," he said. "It may not be inadmissible, but it may be a question of trial strategy."

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