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Newark police sergeant admits obstructing investigation into alleged sex act with minor

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By Alexi Friedman/The Star-Ledger Follow

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NEWARK — A 43-year-old Newark police officer admitted today to pressuring a man to lie to the FBI about sexual encounters the two had more than a decade ago when the man was a minor, the U.S. Attorney's Office said.

Michael Lalley pleaded guilty in federal court in Trenton to obstruction of justice as part of a deal in which he will avoid serious jail time. Lalley retired last week from the police department as a detective sergeant, said his attorney, Henry Klingeman.

He now faces up to 37 months in prison at his April 14 sentencing. The maximum penalty for obstruction is 20 years in prison.

One of 11 Newark police officers charged with crimes in the last three years, Lalley's case was cited in the American Civil Liberties Union petition asking for federal oversight of the state's largest police department.

Lalley, of Jackson in Ocean County, admitted that over a period of two weeks last January, he encouraged and instructed the man — referred to in court as M.H. but who the government calls Victim #2 — "to lie to the FBI about their past sexual relationship," while the victim was a minor, the U.S. Attorney's Office said.

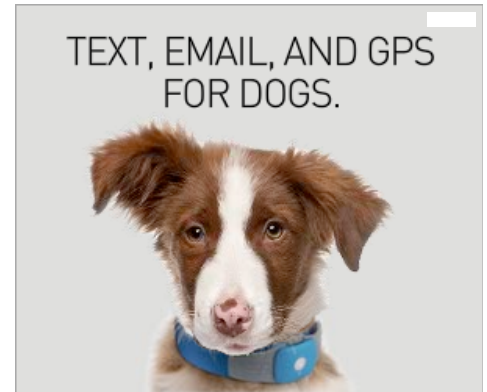
Lalley also admitted to several phone conversations in which he can be heard trying to block the FBI's investigation, launched in the spring of 2009, on suspicion he was stealing money and narcotics from drug dealers and paying minors for sex.

Prosecutors have not filed drug or sex assault charges against Lalley, and his attorney said he does not expect any additional charges brought. Rebekah Carmichael, a spokeswoman for the U.S. Attorney's Office, said the office could not comment on possible future charges.



Courtesy of Newark Police Department

The FBI had been investigating allegations that Sgt. Michael J. Lalley, a 20-year police veteran, had been giving cash, marijuana and cocaine to minors between 1991 and 1999 in exchange for sex, authorities said. Lalley admitted today to obstruction of the investigation.



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In one conversation on Jan. 19, 2010, Lalley told M.H. that if

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he kept their past sexual relationship "on the DL (down-low)," authorities couldn't prove it. Later, Lalley instructed M.H. to tell the FBI he was over 18 years old at the time of the sexual encounter, or risk testifying in court, where "everything else comes out."

Klingeman Called Lalley's relationship with M.H. — which lasted between 1991 and 1999 — consensual and said M.H. was 18 years old at the time. Lalley wanted the relationship kept secret, not because it was illegal, Klingeman said, but because his client is "a married man with children and a reputation. He is both remorseful about the conduct, but also sad that it has brought to an end an otherwise distinguished police career," said Klingeman, a former assistant U.S. Attorney, who is now a defense lawyer.

Capt. John Chrystal, president of the Newark Superior Officers Association, called Lalley "a well-respected and decorated police officer and supervisor" who showed "poor judgment."

Lalley served a six-day unpaid suspension following his arrest and was later reinstated and placed on limited duty, with his \$100,000 annual salary intact. Klingeman said Lalley filed retirement papers last week after 20 years on the force, which were accepted, making him eligible for a pension.

"He's still only in his mid-40s with a wife and young children. He wants a second start," the attorney said.

In an e-mailed statement today, Newark Police Detective Hubert Henderson said, "the department holds its members to the strictest standards of conduct. Sgt. Michael Lalley, having pleaded guilty to obstruction of justice, has betrayed his oath of office."

Star-Ledger staff writer James Queally contributed to this report.

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