

# Justice Delayed for Father MacRae

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By Harvey Silverglate

Father Gordon MacRae has been in prison since 1994, when a New Hampshire jury convicted him of sexual assault and he was sentenced to 33½ to 67 years. The charges against him were “built by a determined sex-abuse investigator and an atmosphere in which accusation was, in effect, all the proof required to bring a guilty verdict,” the Journal’s Dorothy Rabinowitz wrote in 2013. Father MacRae has maintained his innocence all along.

A new development will soon provide Granite State courts an opportunity to reconsider Father MacRae’s conviction. The state attorney general has published a so-called Laurie List of law-enforcement officers with credibility problems. The list is named for *State v. Laurie*, a 1995 case in which the state supreme court overturned a conviction after exposure of a detective’s dishonest conduct.

The list initially included Detective James F. McLaughlin of the Keene Police Department, who was the lead investigator in the MacRae case. He made the list for alleged “falsification of records” in an unrelated case in 1985. Detective McLaughlin successfully petitioned to have his name removed from the list, but the New Hampshire Center for Public Interest Journalism sued to learn who had been removed. (Detective McLaughlin has declined to respond to local press requests for comment on the list.)

Father MacRae plans to ask a court to throw out his conviction, arguing that Thomas Grover, his only accuser at trial, testified falsely at Detective McLaughlin’s behest. As Ms. Rabinowitz has documented, Detective McLaughlin’s own reports showed that he attempted a sting by writing a letter to Father MacRae and forging the signature of Jon Grover, the accuser’s brother. According to supporters of Father MacRae who run the website [BeyondTheseStoneWalls.com](http://BeyondTheseStoneWalls.com), Detective McLaughlin failed to produce and maintain recordings of interviews with alleged victims, despite making adamant statements about the importance of recordings in child-abuse investigations.

In a May 1994 lawsuit, Father MacRae alleged that Detective McLaughlin accused the priest of having taken pornographic photographs of one of the alleged victims. No such photos were ever found. (Detective McLaughlin filed a motion to dismiss the lawsuit with prejudice, which the judge denied. After Father MacRae was convicted in September 1994, the judge dismissed the suit without prejudice.)

Ms. Rabinowitz wrote a series of stories about such cases beginning in the late 1980s. False and implausible accusations of child sexual abuse led to conviction and imprisonment of innocent people from New York and Florida to Washington state.

All this happened because “believe the children” became a nationwide mantra. Society has a duty to protect young children—but also to assess accusations rationally and fairly, especially when they’re improbable, spectacular and horrifying. Journalists, too, must maintain a level of skepticism when cases as improbable as these arise. Any reporter who covers the legal system should have recognized the high probability that these accusations were false.

Most of the defendants in these cases were ultimately released, but their lives had been ruined. The recent development in Father MacRae’s case offers hope of another such bittersweet vindication.

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