

SHOULD THE CASE AGAINST FATHER GORDON MACRAE BE REVIEWED?

by Ryan Anthony MacDonald

Two letters published in the March issue of *Homiletic & Pastoral Review* present opposite views of the case against imprisoned priest, Fr. Gordon MacRae. The letter entitled "*A different view of the Fr. Gordon MacRae case*" by John Grimes of Rochester, NH requires a response.

I do not doubt the good intentions of Mr. Grimes, but he writes without full knowledge of developments in this case. To the best of my knowledge, he has never met Fr. Gordon MacRae, the subject of his prosecutorial zeal. I have conducted rather vast research on the MacRae case since reading a two-part article about his trial in *The Wall Street Journal* (Dorothy Rabinowitz, "*A Priest's Story*" April 27/28, 2005). Along with others, I have researched and written some of the case history on two websites pertaining to this matter: www.TheseStoneWalls.com and www.GordonMacRae.net.

Mr. Grimes is correct that the information on these sites is "incomplete." Readers may note, for example, that the three-part case history presented there has a part four labeled "under development." The developing case history does not yet, for example, include volumes of new information currently being examined in this case. Though my efforts are separate from the legal defense of Fr. MacRae, I have become aware of information that causes me, in justice, to want to look more closely at this case. A growing number of others have drawn the same conclusions I have. Without doubt, the case against Fr. Gordon MacRae contains troubling inconsistencies.

Among them is a psychological evaluation of MacRae cited in Mr. Grimes's letter to *HPR*. It is indeed correct that MacRae was labeled a "fixated sexual offender" at the Strafford Guidance Center, an agency contracted by the state to evaluate accused sex offenders in 1988. This facility conducted a single outpatient evaluation, and not two as stated in Mr. Grimes's letter. Though no one knows how restricted and confidential records became public, excerpts from the Strafford Guidance Center report are indeed published at the prosecutorial website identified by John Grimes.

What is not published at that site, however, is a further, and far more extensive evaluation of MacRae that took place over a one-year period in 1988/1989 at the Villa Louis Martin center

in New Mexico.

That evaluation was conducted by a team of three doctoral level clinical and forensic psychologists and two staff psychiatrists with decades of experience in the assessment of offenders. What follows are some excerpts of the Villa Louis Martin report prepared by Peter Lechner, Ph. D. :

"Of the reports mentioned earlier, one was from House of Affirmation where [Fr.] Gordon spent five days and the other was from Strafford Guidance Clinic where he was evaluated, according to their report, for a two-hour period. They arrived at far-reaching, all embracing and definitive conclusions in regard to Fr. MacRae. The staff at VLM believes that such time periods would be inadequate to properly understand complex problems. The conclusions we arrived at came after many months ...

After time it became clear that Gordon did not fit the description of the Strafford Guidance Clinic. He had a depth of conscientiousness and sensitivity to others, and a very high degree of ethical concern that did not fit with what their report said of him. Fr. MacRae does not fit the description of a fixated sexual offender. The reports are inaccurate."

Dr. Lechner went on to describe that the Strafford Guidance Center evaluation was conducted by Adam Stern, M.A. It consisted of a single psychological test, the MMPI, which was dismissed by Stern as "unrevealing and within normal ranges." The sweeping negative conclusions of the rest of Mr. Stern's evaluation, according to his file, were arrived at based solely on three forty-minute interviews over a period of six weeks. The process and the conclusions were declared invalid and unjust by the staff of the Villa Louis Martin Center. Two hours of interviews by a Master's level clinician is simply not professionally adequate to condemn a man in the court of public opinion for the remainder of his life.

The director of the VLM Center added another comment to his lengthy report:

"In a report to the Department of Probation I mentioned the accusations that had been made in the above mentioned reports by way of background information regarding what had been said about [Fr. MacRae]. I indicated that he did not present as someone obsessed by sexual fantasies or driven to act out. I then went on to write about his progress as well as the medical issues he faced. I was later dismayed to find out that my reports were misinterpreted, and positive statements that were essential to the reports were left out. This I feel was a serious injustice. "

The far more comprehensive VLM report by Dr. Lechner and his staff directly challenged the conclusions of Adam Stern, M.A. arrived at after three brief interviews. However, the extensive VLM report appears to have been overlooked in the selective release of prosecutorial files published on-line in 2003 because of the State's agreement with the Diocese of Manchester, NH. Of further interest, a year after writing his report, Mr. Stern

applied for employment at the VLM center citing its reputation, professionalism, and its diagnosis of Father MacRae.

In his far more extensive report, the director of the VLM Center explained that MacRae remained at the Center for a year - an unusual length of time for inpatient treatment. It was not because he was diagnosed as a sexual offender. The VLM staff discounted that possibility within months. Fr. MacRae remained at VLM because he was diagnosed with a form of epilepsy that was difficult to control. The diagnosis of complex partial seizure disorder raises further questions about Fr. MacRae's 1988 misdemeanor plea deal entered into after four and a half hours of interrogation, and without consultation with legal counsel.

The 1988 plea deal cited by John Grimes in his *HPR* letter involved a claim of attempted solicitation of a fifteen-year old male in Keene, NH in 1988. That charge was brought by the same detective who five years later would also charge MacRae with the claims that resulted in his 1994 trial. Mr. Grimes claimed that MacRae "now seems to have recanted" his 1988 "admission." From the record I have reviewed, Fr. MacRae recanted this from the very moment it occurred. This matter is explored in detail both in *The Wall Street Journal* articles and in the Case History at www.TheseStoneWalls.com.

There are troubling unresolved questions in this matter, not least of which is the discovery that the accuser in the 1988 claim also accused at least three other men of the identical behaviors he alleged against MacRae. This accuser has declined to be interviewed or to answer any questions about this case. In recent months, however, his brother has come forward claiming that the 1988 case was a fraud.

Dr. Lechner's report of the evaluation of MacRae also stressed that he agreed to the plea deal under duress in 1988, and without legal counsel, because he was convinced by his interrogators that he would be sparing the Church from adverse publicity if he took the deal. If MacRae is to be faulted for something in this picture, it is for placing his own well-being second.

New information will, I am certain, be published in due time. However, I am in possession of a statement recently made available by one of Fr. MacRae's accusers who has recanted. For reasons that I hope are apparent, I have redacted identities. This is just a portion of a far more detailed document:

“Before [Fr.] Gordon was to go on trial I was contacted again I was aware at the time of the [pending] trial, knowing full well that it was all bogus and

having heard of the lawsuits and money involved, and also the reputations of those making accusations.

I mostly just listened to the scenarios and statements being spoken... The lawsuits and money were of great discussion and I was left feeling that if I would just go along with the story I could reap the rewards as well... [They] had me believing that all I had to do is make up a story and I could receive a large sum of money as others were doing. [They] referenced that life could be easier for us with a large amount of money. I knew of the [accusers'] reputation as well as others involved whom I went to school with. It seemed as though it would be easy money if I would also accuse Gordon of some wrongdoing. ... I believed easy money would come from lawsuits against MacRae. I was at the time using drugs and could have been influenced to say anything they wanted for money."

The *HPR* letter from John Grimes contains a troubling allegation that the efforts now underway to revisit the MacRae case are the result of a conservative Catholic conspiracy. Mr. Grimes cited the support of a conservative Catholic civil rights group as evidence for this claim.

It is true that The Catholic League for Religious and Civil Rights has endorsed an effort to review this case. However, The Catholic League is but the latest in a series of civil rights and wrongful conviction organizations to look at this case and call for further review. The Boston-based National Center for Reason & Justice examined the MacRae case and now formally sponsors its defense, including fiscal sponsorship. Clearly, this organization has neither Catholic nor conservative ties. Numerous other organizations have also examined and endorsed the MacRae defense and established links to the websites organized by his defenders. They include Friends of Justice, the False Memory Syndrome Foundation, Truth in Justice, and Patriots' Toolbox.

Perhaps most troubling is Mr. Grimes's assertion that Father MacRae's long sentence "protects children in New Hampshire and elsewhere." Mr. Grimes omitted the fact that a sentence of 67 years was imposed on this priest after he three times refused the State's plea deal offer to plead guilty to only one charge and serve a sentence of only one to two years. The offer was put in writing, and MacRae rejected it twice before trial and once during trial. No one has explained why prosecutors would make such a closed-door offer to a man from whom they now claim young people need protection. Mr. Grimes also failed to mention that MacRae's accusers received upwards of \$200,000 each for making these claims.

After *The Wall Street Journal* published its series challenging the convictions and conclusions in the case of Father Gordon MacRae, Judge Arthur Brennan was quoted in local newspapers as saying that "review is a positive thing." It seems that the only

people who now protest this review are Church officials who have provided settlement of the claims, and individuals representing groups that have used the crisis in the Church for agendas of their own. I cannot help but wonder why some find this review to be such an affront. There are questions to be answered here. Why should they not be addressed?

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