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**Former minister sentenced to 22 1/2 years for boy's murder**

By Margaret Gibbons

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Montgomery County Judge William R. Furber Friday sentenced the 53-year-old Rev. Javan M. McBurrows to 22½ to 45 years in prison for the 1999 murder of toddler Michael Davis and for physically abusing his own children, his wife and two of Davis' siblings, who also were living with the McBurrows family.

While McBurrows acted like the "shepherd of a flock" in public, he was "the devil's minister in private," the judge said.

"It had to be a living nightmare for these children to endure this sadistic behavior," said Furber, citing testimony that McBurrows beat the children with cord, leather belts, PVC piping, a two-by-four board and, in the case of Davis' death, a metal-edged carpenter's level at a home McBurrows turned into a "house of terror."

McBurrows, who had a Sunday morning radio ministry on WHAT-AM, was the former pastor of the Third Christian Church in Philadelphia.

The boy's mother, Erika Daye, and his grandmother were members of the congregation.

Michael Davis and his two siblings were living with the McBurrows family at the time because his mother, who had three other children, had felt over-burdened and had asked the family for help.

Daye, her mother and other parishioners "were duped by the kind, soft-spoken approach one expects of a man of the cloth," said Furber, telling McBurrows that he found him to be "quite diabolical and cunning."

"I feel that I was cheated out of a child, my baby, by someone I trusted," testified Daye, who said she has since gotten her life back together, has regained custody of her children and is employed.

"This is something I will never get over," the anguished mother testified. "What bothers me is that it was so hurtful, he was beaten to death. What could have a 4-year-old child done to be beaten to death?"

McBurrows, clutching a bible, showed no emotion during the proceedings. He told the judge he kept his "tears and pain" inside.

"I maintain my innocence and will continue to pray that the fullness of justice comes forth," said McBurrows, who displayed no remorse nor offered any apology.

Instead, McBurrows contended that it was his wife who, when informed by him that he wanted a separation, beat the boy "out of spite" and then blamed him.

But the judge did not buy that explanation, the same one McBurrows offered at his trial when Furber, presiding in the non-jury trial, on May 7 convicted him on charges of third-degree murder, five counts of endangering the welfare of children, six counts of simple assault and possession of an instrument of crime.

McBurrows beat the young boy to death on Jan. 9, 1999, when the boy did not close his eyes after walking into a bathroom where one of McBurrows' biological daughters was undressed for a bath, according to trial testimony.

McBurrows slapped and struck the boy's head and body six to 10 times with a metal-encased carpenter's level to which the children in the house referred to as a "law and order," according to testimony.

McBurrows' wife, who now is divorced and uses her maiden name of Jane Kittrell, took the boy to Abington Memorial Hospital and he was later transferred to Children's Hospital in Philadelphia where he was pronounced dead later that day. The death was ruled a homicide.

A somber Furber, detailing the injuries suffered by the young boy, said his injuries caused him to bleed internally, ultimately leading to hemorrhagic shock and death.

Upon learning of the boy's death, McBurrows fled with his family to a relative's home in Georgia where he was apprehended two days later.

Kittrell, who has cooperated with law enforcement officials, has not been charged with any crime. She was the major witness against McBurrows during his trial.

Prosecutors Christopher M. Maloney and Barbara Ashcroft have contended that McBurrows dominated his wife, their four biological children and the three Davis children, all who were living in a cramped, squalid house in the 300 block of Linden Avenue in the North Hills section of Upper Dublin.

The prosecution at trial unsuccessfully sought a first-degree murder conviction. If Furber had found McBurrows guilty of first-degree murder, prosecutors

were prepared to seek the death penalty.

"This man was not a holy man, he was a holy terror," said Maloney, arguing for a stiff state prison sentence Friday.

"There is no more evil thing to do than betray the trust of a child."

Defense attorney Garrett D. Page had asked the judge for a sentence of 8 1/2 to 20 years rather than "warehousing" his client.

Citing McBurrows' medical history that includes five heart attacks, diabetes and high blood pressure, Page said any lengthy sentence "is tantamount to a death sentence."

Describing McBurrows as a model prisoner who still has the support of some of his parishioners, Page said McBurrows still had the ability to be a contributing member of the community.

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