

Archbishop O'Brien opposes Merzbacher's release

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Archbishop Edwin F. O'Brien is joining survivors of sexual abuse in opposing the possible release of John J. Merzbacher, a former teacher at Catholic Community School in South Baltimore who is serving four life terms for child rape.

Judge Andre M. Davis, a federal appeals court judge, issued an opinion July 30 stating that the Baltimore Circuit Court must give Merzbacher the opportunity to accept a 10-year plea deal that Judge Davis said should have been offered in 1994. Accepting the deal would result in Merzbacher's release since he has already served 15 years in prison.

In an Aug. 3 e-mail to The Catholic Review, Raquel M. Guillory, a spokeswoman for the Maryland attorney general's office, said her office will appeal Judge Davis' ruling.

In a July 30 statement, the Archdiocese of Baltimore noted that Archbishop O'Brien wrote to Judge Davis in 2008 urging him to deny a request for Merzbacher's release. In that letter, the archbishop asked Judge Davis to "consider the destructive consequences that a ruling in favor of Merzbacher will have on many individuals."

"The substance of his actions, whether he was convicted by a jury or pleads guilty as he now seeks, remains the same - abhorrent and criminal," Archbishop O'Brien wrote, "and justifies the judgment and sentence already rendered."

The archbishop said Merzbacher's release would have an "enormous impact" on victims and their families.

"To nullify the jury's guilty verdict and prior judge's sentence would be a great injustice to those who risked much and received some measure of justice from

Merzbacher's original criminal trial process," Archbishop O'Brien said.

Elizabeth Murphy, one of Merzbacher victims, told The Catholic Review it is "terribly difficult" to realize that Merzbacher may be released.

"My childhood cannot be restored," she said. "There is nothing more that John Merzbacher can take from me except for my life, which he has threatened to do. I'm not so much worried about that as what it means for children today. This is about protecting children today."

Murphy is trying to get out the message that Merzbacher is "a very violent serial child rapist."

Regina Spatarella, Murphy's niece, has started an online petition (www.ipetitions.com/petition/merzbacherbehindbars) to keep Merzbacher behind bars. More than 560 people have signed it.

Murphy, who has met with Archbishop O'Brien, is encouraged that the archbishop is opposing Merzbacher's release. The archdiocese has been in communication with Merzbacher's victims for many years "to promote their healing and to provide spiritual support," according to the archdiocesan statement.

"This communication continues, even as we re-extend an offer of counseling assistance to those who were victims of John Merzbacher and who now may be re-traumatized by today's court ruling," the statement said.