

Eighteen-year-old Sarah Jane Adams of Cincinnati filed a police report on February 11, 1996, which accused James (Jim) Love with five counts of oral rape. Love was subsequently charged with rape in an indictment that stated the crimes had occurred six, seven and eight years earlier, "Sometime in 1988 ... Sometime in 1989 ... and, Sometime in 1990." Adams' testimony at Love's June 1996 trial was that the 1988 charge had occurred, "the week after Christmas in 1988." (Trial transcript pages 710-711.) The three 1989 charges were testified to as having occurred, "at least once a month each month after the first time." (Trial transcript pages 657-658; 664.) Which would have been January, February and March 1989. Testimony concerning the 1990 charge of rape appears only once in the trial transcripts and consists of Adams stating, "I can't remember when the last time was." (Trial transcript page 668.)

Prior to his trial, Love filed a Notice of Alibi stating that he had been out of the United States during a large portion of the time period addressed in the Indictment. In three separate pretrial motions, Love's lawyers requested more specific dates and times of the five rape charges. The prosecutor repeatedly denied there were any dates available.

Man Two Thousand Miles From Alleged Rape Scene Fighting For New Trial – The James Love Story

By James F. Love



Phone Records Prove Love Was Traveling Or Outside U.S. At Time Of Alleged Rapes

It was only during Love's June 1996 trial that the above dates were given by Adams. Love, upon learning the dates of Adam's accusations,

turned to his attorneys, Tom Miller and Kevin Spiering, and told them that he was living in Mexico and Belize during those periods of 1988 and 1989. Love obtained his mother's telephone records which showed that he had made collect calls from Mexico beginning on December 1, 1988, and continuing on December 24, 1988, March 4, 1989 and May 4, 1989. Love also made a collect call from Dallas/Fort Worth International Airport to his mother on May 17, 1989. On May 20, 1989, a call was made to Mexico City, Mexico, from his mother's telephone. Starting on May 20, 1989, collect calls to his mother were made from St. Louis, Missouri; Kansas City, Kansas, Oklahoma City, Oklahoma, and Laredo, Texas. Collect calls were also made to his mother from Mexico City on May 30, 1989, and from Belize on June 4, 1989 and June 12, 1989.

Love introduced his United States Passport into evidence. "Entry" and "Exit" stamps show he entered the country of Belize on June 2, 1989, and exited Belize on July 3, 1989.

The prosecutor argued that there was no proof the collect calls to Love's mother from Mexico, Belize and other places had been made by Love. The prosecutor objected to introducing Love's U.S. Passport into evi-

Love continued on page 43

Clerical Error Leads To False Sex Crime Conviction

By JD Staff

Three years after being listed in Illinois' sex offender registry and having his picture posted on the Internet as a sexual deviate, Corey Eason was convicted in March 2005 of three counts of failing to notify the police in McLean County he had changed his address.

Eason was listed in the sex offender registry in 2002, after he was paroled from prison for a cocaine dealing conviction. However, he had never been accused or arrested — much less been convicted — of any sex-related offense.

In September 2005, six months after his convictions, Eason contacted a Bloomington attorney, Leann Hill, about how he could get his picture removed from Illinois' sex offender website. Hill contacted the probation office in McLean county. After looking into Eason's case, they confirmed that he had not been convicted of a sex-related offense. The probation department contacted

the Illinois State Police — who maintain the sex offender website — and they began looking into Eason's case.

The McLean County prosecutors office was also notified of the situation that Eason wasn't a sex offender, but that he had nevertheless been convicted of not registering as one. The prosecutors office initially refused to acknowledge the probation office's finding that Eason had been wrongly listed in the Illinois sex offender registry — and hence he couldn't have committed the crime of failing to report his address change.

However, after looking into Eason's case the prosecutors realized a mistake had been made. During a hearing on October 25, 2005, the prosecutors dismissed the criminal charges and the judge vacated Eason's three convictions.

The Illinois State Police opened an investigation into how Eason was erroneously listed in the sex offender registry that it maintains, based on information provided by other state agencies.

After Eason's convictions were vacated, McLeans chief felony prosecutor couldn't

explain why Eason was prosecuted, since it was evident from his criminal record available to both the prosecutors and Eason's public defender, that he had no history of any sex-related offense. The prosecutor, Mark Messman, said, "Making good charging decisions is one of the most important things we do here. It's a system run by people and mistakes can happen. Somewhere along the line, somebody should have caught this."

Eason said that being listed in Illinois' sex offender registry and being publicly branded as a sexual deviate caused him many problems:

"I'm just tired of dealing with it. It just made my life miserable. I've been through a lot over this. I've lost jobs, my house. Police harass me. Prosecutors call me child molester in open court. I couldn't even go out in public without having people thinking I'm a sex offender."

Eason plans to hire an attorney to pursue a civil suit over his ordeal. He said, "They think I'm just going to go away. No. This is just the beginning."

Source: Man Feels Good About Overturned Conviction, by Brett Nauman, *Pantagraph*, October 26, 2005.

