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Bail reduced for man accused of sex abuse

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A man accused of sexually abusing two boys was released from the Anne Arundel County jail yesterday after his bail was reduced from \$150,000 to \$40,000.

In lowering the bail, District Court Judge Martha F. Rasin ordered James Earl Shinaberry, 34, of the 7600 block of Benesch Court to avoid any contact with people under age 18.

Mr. Shinaberry is charged with sodomy, unnatural and perverted sex practices, a second-degree sex offense, a third-degree sex offense and battery.

The accuser in that case was 10 years old when the alleged abuse started in 1978, and 18 years old when it ended in 1986, according to court papers. He is now 25.

The other accuser was 14 when he was alleged to have been abused in 1979. He is now 29.

Mr. Shinaberry, who was arrested shortly after 11 a.m. Monday, is charged with a second-degree sex offense, a third-degree sex offense and battery in that case.

Yesterday, his attorney, Saul McCormick, cited Mr. Shinaberry's lack of prior offenses and the time since the abuse is alleged to have occurred as reasons to lower his bail.

Mr. McCormick also told Judge Rasin that Mr. Shinaberry cares for John Rose, a quadriplegic, at the Benesch Court address. "It's quite critical that he be available to assist Mr. Rose," he said. "He provides Mr. Rose with around-the-clock care."

Mr. McCormick told the court his client's parents said they would offer their \$80,000 home as collateral for the bail.

Assistant state's attorney William Katcef argued that Mr. Shinaberry should be held without bail.

"I suggest that the defendant poses a very significant danger to the community," he said, adding that the penalty for the charges against Mr. Shinaberry make him a threat to jump bail.

If convicted, Mr. Shinaberry could serve as many as 20 years in prison for the second-degree sex offense charges. The sodomy, perverted practice and third-degree sex offenses carry penalties of 10 years each.

Police started investigating Mr. Shinaberry on May 1, when one

of the accusers came forward, said police spokesman Officer Randy Bell.

The young man told police Mr. Shinaberry forced him to perform various sexual acts, Mr. Bell said. According to court papers, the alleged abuse occurred weekly at the defendant's home, then in the 7700 block of Overhill Road. Mr. Shinaberry lived with his parents at that time.

The defendant allegedly tried to have sex with the second accuser, but the boy refused, according to court documents.

Mr. McCormick said conditions could be put on his client "that could satisfy Mr. Katcef." When Judge Rasin asked what type of conditions could be imposed, Mr. McCormick suggested a home monitor or restricting Mr. Shinaberry's contact with young people.

Judge Rasin agreed, but cautioned Mr. Shinaberry that the conditions of his bail restrict his movement.

"You are not to go anywhere where you might come in contact with anyone under the age of 18," Judge Rasin warned. She said Mr. Shinaberry's care for Mr. Rose did not factor into her decision because county Adult Protective Services had offered to find someone to replace him.