

THE NEWS-JOURNAL

Serving Volusia And Flagler Counties

VOL. LXVI NO. 131

(© 1991 News-Journal Corp.

DAYTONA BEACH, FLA.

SATURDAY

MAY 11, 1991

35 CENTS

10A — THE NEWS-JOURNAL Saturday, May 11, 1991

Day-care molester gets 155-year term

Judge exceeds guidelines for sentence by 115 years

By ROBERT NOLIN

DAYTONA BEACH — A judge exceeded state sentencing guidelines by more than a century Friday when he imprisoned a career child molester for a staggering 155 years.

Under the guidelines, James N. Bowen would be sentenced to prison for a maximum of 40 years. Circuit Judge Oliver Green, however, made a major departure from that limit in sentencing Bowen, who is already serving five years for possession of child pornography.

Bowen, gaunt and snowy-haired, remained silent during the sentencing. His face betrayed no emotion.

Bowen is a former day care and private school owner. He was convicted in March on 12 counts involving child molesting. He fondled and otherwise abused boys between the ages of 3 and 9 at the school; from

SEE MOLESTER/10A



News-Journal photo by Sam Cranston

The judge said the only way to keep James Bowen from children was to jail him for life.

□ Molester

CONTINUED FROM 1A

1983 through 1988.

Assistant State Attorney Dennis Bayer, who pressed for the guideline departure, said the sentence should send a message to similar offenders: "I hope it tells them to stay away from our kids and our community."

Judge Green listed his reasons for exceeding the guidelines: "It has been proven beyond a reasonable doubt that the defendant is an incurable pedophile who carefully structures his professional life so

as to create conditions whereby he is enabled to practice this abominable crime against nature on untold numbers of children."

The judge, on temporary assignment from Bartow, called Bowen "a bright man, an educated man," but added: "Unfortunately, Mr. Bowen is a very sick man."

"The defendant has been, is now, and will always be a practicing pedophile," the judge wrote. "The only way to keep this man from access to children is that he be incarcerated the rest of his life."

Bowen's attorney, Assistant Public Defender Scott Swain, said even if his 52-year-old client serves only part of his sentence, as do most convicts, he will still die in prison.

"If he does a third of it he'd have to live to be 100," Swain said. Bayer said the sentence was one of the largest ever imposed in Volusia apart from a death case. "I would say it's pretty significant," he said. "It's the stiffest penalty I've seen handed down in a non-murder case."

Swain agreed. "It's the most the law allows," he said. "We'll obviously appeal it to see if the law will uphold the departure."

Bowen's history as an educator and private school operator has been rife with allegations of sex abuse of boys since 1966, when he was convicted in Grosse Pointe Woods, Mich., of taking indecent liberties with boys.

wen's home discovered a book of child pornography in Bowen's bathroom. Some photos dated from the '60s; some included shots of children from his schools.

Last summer, after being found guilty on 31 counts of possession of child pornography, Bowen was sentenced to five years in prison.

Bowen's latest convictions are for seven counts of lewd and lascivious assault upon a child, three counts of engaging in a lewd act in the presence of a child and one count each of child abuse and solicitation to commit a lewd and lascivious act.

Lulu Bowen is on five years' probation after pleading no contest to accessory after the fact to possession of child pornography.

In the '70s, Bowen was dismissed as a teacher in church schools in Fort Lauderdale and Salisbury, Md., after allegations surfaced that he had sexually abused young boys. School officials told The News-Journal they chose to fire Bowen rather than report him to police.

In 1981, in Daytona Beach, he was unsuccessfully prosecuted on four counts of sexual abuse of boys. The state closed his Tree Path Day Care Center in South Daytona in 1985. He and his wife, Lulu, then opened the Fast Track to Learning School in Daytona Beach.

Bowen was arrested in September 1989 — and has been in jail since — on 84 counts of possession of child pornography. A mother picking up her son from Bo-