

Man acquitted in kissing case

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A jury believed Thomas C. Eatinger when he said this week he did not give a french kiss to an 11-year-old girl who came into his Battle Ground store in May.

Eatinger, charged with indecent liberties in the case, was acquitted after jurors deliberated for about four hours Wednesday night. He also was acquitted of a charge of simple assault.

Owner of The Stove Place, 813 Main St., Eatinger was accused of locking the store door when the girl came in wearing a "hug me" T-shirt. The girl said he asked if he could hug her, then kissed her and "put his tongue in my mouth."

She also said he guided her into a back room and told her to sit on his knee. She told him her father was waiting for her and was allowed to leave, she testified.

Eatinger's story, according to his attorney Steve Thayer, was that when he saw the girl wearing the "hug me" T-shirt, he asked if he could hug her, gave her a kiss, and told her she was cute. The girl asked what time it was, then left the store.

Kevin McGovern, a Portland psychologist who specializes in treating

sexual offenders, testified in court that he tested Eatinger. He said he found the 35-year-old did not fit the mold of a pedophile — an adult with an abnormal sexual desire for children. Thayer also called six character witnesses to the stand in Eatinger's behalf.

Defense attorney Steve Thayer had asked Superior Court Judge Robert Harris to rule on whether french kissing falls under the indecent liberties statute. Instead, Harris gave the jury the opportunity to find Eatinger guilty of simple assault if it felt what he allegedly did was not indecent liberties.

The jury found Eatinger not guilty of both charges.