

**MAINE STATE POLICE
CRIMINAL INVESTIGATION DIVISION I
SUMMARY OF INTERVIEW**

INCIDENT #: K20435897 **CASE:** HOMICIDE (KASSIDY BORTNER)

NAME: F. JEFFEREY MARSHALL [REDACTED]

ADDRESS: 51 Rogers Road, Kittery, ME 03904

TELEPHONE: [REDACTED]

EMPLOYMENT: Marshall Brothers Landscaping - Owner

OFFICER: Det. Jeffrey A. Linscott  **I.D. #:** 2930

DATE: 11/9/00 **TIME START:** 1612 Hrs. **TIME END:** 1815 Hrs.

PLACE OF INTERVIEW: Interview room, Kittery Police Department

Approved:

This interview was recorded on audio and video tape.

Present during this interview were F. JEFFEREY MARSHALL, Det. Jeffrey Linscott and Det. Scott Harakles.

The attached Transcript of Interview is an accurate account of this interview.

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1266

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
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INTERVIEW WITH JEFFEREY MARSHALL

JM: JEFFEREY MARSHALL

JL: Detective JEFFREY LINSKOTT, Maine State Police

SH: Detective SCOTT HARAKLES, Maine State Police

SH I appreciate, you know, keeping your head with us and, uh, giving us the time of day, what we have to do, um...

JM Is Mandy all right?

JL Yeah, everyone, everyone's good.

SH Yeah, everybody seems like they're doing okay. What we have to do because we are in a police setting, we're police officers, we're wearing guns and you know the doors shut for those reasons we have to read the Miranda rights just like you see on TV. Um, but, you know I want you to take them for what they're worth, but at the same time I don't want you to be afraid to talk to us if you want to speak to us.

JM I'll tell you everything you need to know, I don't, you know...

JL You know our mission right here is we're working with the Medical Examiner's Office as an extension of them and we need to find out what happened so a lot a questions and stuff like that.

JM Not a problem, no problem, I...

JL Okay

SH It's due to the setting...

JM No, no...

SH you know with the setting I don't want you to feel intimidated or anything so the best way for me to do that is just read you the rights if you're comfortable with them, then we can go on you can tell me what you witnessed and, and what you saw and what you've seen over the past few weeks because I want to hear everything.

JM Yep, no problem, whatever.

JL Okay, let me get some uh...

<i>June</i>	Page 1 of 69	SIGNED <i>Det. Jeffrey A. Linscott</i>	DATE <i>4/9/01</i>
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM (inaudible)

SH No, I understand that.

JM You know its hard – sad, anger, sadness, anger... I'm just like... right now... I'm just kind of...

JL Yeah, let me get started with some, uh, uh, preliminary information Jeff, uh, full name is Jeffrey?

JM Jefferey, J-E-F-F-E-R-E-Y

JL E-R-E-R-Y

JM Yes sir.

JL Okay, uh...

JM Marshall.

JL Marshall, M-A-R-S-H-A-L-L?

JM Uh-huh.

JL Okay, how about your middle initial?

JM F

JL And what's...

JM It's really F Jefferey, I'm sorry, but...


JL Oh it is, okay, you go by, go by your middle name, huh?

JM Yeah (inaudible)

JL Okay, what does the F stand for?

JM Frank.

JL Alright. Um, where do you live, uh, Jeff?

	Page 2 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL Okay, Jeff as far as I'm, uh, concerned, uh, you can call me, uh, Jeff and you can call him, uh, Scott, instead of trying to, uh, figure out our, uh, you know, last names or...

SH Don't worry about it.

JL ...Detective that...okay. Okay, how long you, uh, own this landscaping company?

JM About 5 years.

JL Uh, that's a while now uh?

JM Yep.

JL Okay, these are the Miranda Warnings and I'll read them to you and, pretty much like you seen on, uh, TV or something, I'll ask if you understand them and you just let me know. Okay, I'm law enforcement officer and I want to ask you some questions. Before I do so I want to explain your rights. You have the absolute right to remain silent, do you understand that?

JM Yup.

JL Okay, anything you say can and will be used against you in a court of law, do you understand that?

JM Yup.

JL You have the absolute right to the advice of a lawyer before any questioning and to the presence of a lawyer here with you during questioning, do you understand that?


JM Yes sir.

JL If you cannot afford a lawyer, one will be furnished to you free before any questioning if you desire, do you understand that?

JM Yup, should I got attorney or...?

JL That's a, you know, that's a, choice everybody is, uh, everybody's offered. Uh, like I say, this is, uh, a standard...

JM I mean I don't mind helping out, but I'm not going to be accused of something, you know?

	Page 4 of 69	SIGNED	DATE
---	--------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL And we certainly haven't, uh, and we certainly haven't accused you of anything, uh Jeff, we haven't...

JM I just want to make that clear as far as where I'm coming from you know, I...

SH I understand completely how you're feeling, uh, you were you were a pretty major...

JM I don't mind helping, I don't mind...

SH ...witness in this case.

JM I assume I am, I assume my girlfriend is, I assume, you know...

SH Yep, they are, they're all...

JL As far as we're concerned...

SH ...they're all here and they're all willing to talk to us and we appreciate that. This what we have to do is merely because we're in a police building, the doors shut, we're police officers, we don't want you to feel that this is something you have...

JM We could be outside and I'd still tell you the truth. I mean it's not...

SH But that's why we have to go through the rights. I have to make sure that you feel comfortable speaking with us, you follow me?

JM Yeah.

JL And that you're not coerced into speaking with us. As far as we're concerned, you're here to help us in this investigation, we've got questions and, uh, you know, hopefully you've got the answers, so you're going to help us because we know the right questions to ask figure out...

JM I don't know if I got all the answers but...

JL Well...

SH That's fine, whatever, whatever you know.

JL Yeah, but you know we're trying to figure out what happened with, uh, Cassidy and putting a time line together and, uh, so that's the kind of questions we, uh, we ask you and we don't want people to be nervous about, uh, asking them, about answering them.

<i>Jur</i>	Page 5 of 69	SIGNED	DATE
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1271

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Just when I hear that should I have my attorney what not, kind of like, you know, should I have one, or, you know, because...

JL Well everyone's, you know everyone's able to, everyone's offered...

JM I'll tell you everything I know...

SH Go with your gut, and if it doesn't feel right along the way, if it doesn't feel right and you're feeling changes then you can, just like the rights say, you can say "you know what, I want to stop right now because my heads not clear", you know, something like that.

JM My heads clear, I mean, you can go ahead.

SH You're free to do that.

JM Okay.

JL Okay, uh, one more, uh, one more thing to read to you Jeff, uh, if you decide to answer questions now, with or without a lawyer present, you have the right to stop answering at any time or to stop answering at any time until you can talk to a lawyer, do you understand that?

JM Yes sir.

JL What does that mean to you, what I just, uh, just read.

JM Just what you said, I could basically stop if I feel like I can't answer that question or...

JL Okay.


JM Or something like that.

JL Great. Any questions about that?

JM Nope.

JL Okay, now having all those rights that I just explained to you, um, do you want to sit here and talk with, uh, talk with us?

JM Yup, anyway I can help you.

	Page 6 of 69	SIGNED	DATE
---	--------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

SH We're pretty easy going guys and I think you're probably the person who's been through the most today, not us, so we realize that, we'll cut you all the slack we can, we're not going to, you know, pressure you to answer questions that you don't know the answers to, nothing like that, we just, I wasn't there today, I have no idea and I haven't been there over the past few weeks, so I need you to try to stay calm, try to take me back to when you first started seeing things.

JM The problem was, I want to kick some ass, you know...

SH I hear you...

JM I mean he called me up, you know, right out here.

SH It's a very natural response that you're having, so, um, why don't we try to take it from the beginning.

JM You know, he'll probably end up getting away with it.

SH Well, we'll see what we can do.

JL We won't rush to anything, you know?

JM Okay lets just go ahead, lets just get this...

JL Okay, tell me, uh, first of all, how, uh, you know, Kassidy came to be, um, in your care, uh, tell me about, tell me about today, starting this morning and everything.

JM This morning?

JL Yeah, when Kassidy first, first came into your care.


SH Well, before we get to that, how long have you been watching her?

JM Couple weeks now.

SH Couple weeks now, is that the first time you've ever been caretaker to her?

JM Uh, not really, no, she's been over other times.

SH Do you remember when the first time you babysat her was?

	Page 7 of 69	SIGNED	DATE
---	--------------	--------	------

1273

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Probably when me and her aunt got her...her aunt moved in, she came over and slept over so, uh, Mandy could have some time to herself, you know go out on dates and stuff, I mean that basically...

SH About how long ago was that?

JM Probably about a year now?

SH About a year ago is when you first started maybe just doing some spotting babysitting?

JM Yeah, I would say at our house, you know what I mean, as far as before that she lived with her parents so we go over there and we might watch her but I can't really think of a time that we actually kind of watched her by ourselves without her parents being around, you know what I mean, that kind of thing, but we all kind of took care of her.

SH Was it always you and her aunt, which would be your girlfriend right?

JM Yup, no, her aunt works, you know sometimes I have her, I bring her outside in the yard, uh, like I said I own a landscaping company so I'll be out there working on equipment and stuff and raking out leaves and you know just doing those kind of things, uh...

JL Oh, bring her, bring her with you to the job site and everything?

JM ~~No, nope, um, you got to understand, she's still a little kid so she, you know, would tend to kind of wander and, um, but basically she'd go for food or something, or she'd go before and get something, you know, I mean we took her shopping, I mean when we had her with us we treated her like she was our own really, I mean...~~

SH You don't have any kids?


JM I don't have any kids, no, um, like I said I like kids, you know, I have a little brother that died of cancer when he was 11, you know, uh, this is why this bothers me quite a bit, um...

SH So when did this scenario start where they would be in Rochester in the evening and then come and you would be the primary babysitter during the day. When did that first start?

JM Probably a couple weeks ago.

SH Couple weeks ago, and did they ask you to do that, did they call and ask you or...?

JM ~~Yeah, uh, the main focus of that was, and the end of it was, it was a few times because there were bruises on Cassidy and they felt that it wasn't the right time to, you~~

	Page 8 of 69	SIGNED	DATE
---	--------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

know what I mean, they didn't want his parents to see her, you know, and being stupid, you know we kind of, I'll admit, you know, kind of say, well, what happened? They said she fell and we kind of like, you know I understand if you don't, we won't jump to conclusions, they kind of, they, you know what I mean?

SH They.... took a story that they gave, did you ever confront back then, you're talking when it first started coming in like, did you ever say "hey, what's really the deal here?" or...

JM Me and her sister assumed things, you know, like there were bruises like right here on her chin, you know, and William my next-door neighbor came out and he says "Kassie came over, they don't look too big, but, man, she's got bruises right here, bruises right here," you know, those aren't bruises that when a baby, I think, when a baby falls, you know, would get something, you know, um...

SH Now, the incident you're talking about is pretty recent, right?

JM Yeah, when...

SH When did you first start noticing bruises on this kid in the kid's lifetime?

JM ~~I guess when she was around Chad. I, I don't, let me first of all say this, okay, because Chad is, I consider him a friend of mine.~~

JL Sure.


JM We do landscaping for the guy, I got those two together, you know, I knew he had kind of a history, as far as abuse goes, um...

SH How long ago was this, was this, when did he come into the picture?

JM About three, four months ago, something like that when I got them two together, you know, and she basically started staying down there and she'd come up and say stuff to us, you know, and her, I guess her girlfriend in Rochester, and this will come into play when I tell you about today's phone call from them, but I'll tell you that later, uh, would say stuff about her bruises, you know and...

SH Who would say stuff?

JM ~~My girlfriend, me, um, I guess that's for the most part because they didn't want to bring her up to Auburn, because her parents moved from Sanford to Auburn to this new house and they didn't want to bring her up there and this is another incident where I got a phone call, "can you come down can we bring Kassidy over to you guys to watch her because we're going up~~

	Page 9 of 69	SIGNED	DATE
---	--------------	--------	------

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

*we never
went with
her*

to mom and dad and I don't want mom and dad to think that Cassidy got hit by Chad, you know what I mean, it's like, and, you know, one of those situations where, I don't want to, I don't want to say it's my fault, but, we should have probably done something, you know.

SH Told somebody.

JM And, uh, hindsight 50/50, whatever they say, you know it's kind of like you just feel like, I don't know...

SH Now I know it was awhile ago that what we're talking about it was over the course of the past six months, but can you tell me a little bit about, uh, was it consistent - the bruising that you noticed - was it always on the arms or on the face or...

JM Mainly on the face.

SH It was always on the face?

JM Uh, no, she had bruises, like, maybe on her legs and stuff like that, but you never, you know, I mean kids fall down, um...

SH Anything serious, you ever seen any wounds or was it always bruises?

JM Like wounds, just chap lips, I mean...

SH Just chap lips...

JM Chap lips...


SH Did you ever, never saw a cut that raised your eye, that was always, is it safe for me to say ...

JM No, just a couple scratches under her eye, you know, but they just got a kitten, so I, you know...

SH But in the course of these past six months...

JM Nothing, nothing to the point where open wounds, as far as someone being cut and bleeding...

SH The most serious thing you saw was some suspicious bruises.

	Page 10 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1276

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Bruises, stuff like that, um, her, once again, I know this kid from when I first started seeing her ~~since this kid couldn't walk when I first saw her~~, you know, she was still a baby, okay, her parents had her in custody, uh, Mandy, and this is nothing ~~against Mandy~~, but she didn't want anything to do with the child at that point, but then she decided, you know, she wants to, I mean, obviously she's young, you know, her sister's the guardian, uh, godmother or whatever, you know, so we kind of, you know, we do more for her at Christmas, stuff like that I guess, you know, but she never had like, she was kind of active baby but then we started noticing like when she got start walking she just, even if she came over to the house she just stand there, you know, and she just stand there and sometimes I'd be in the living room watching TV, Kassidy be there and she'd just stand and I don't mean for a little while, I mean for hours, you know, like this kid was lost, you know, that this kid was out there and you'd be like "are you alright?" and she just like look at you and whether she's like, you know, confused because she's brought to a different home here, you know what I mean, I don't know, but when it happens over and over and you try to play, you know, you get a doll for her and you're like "here you go" you know and she still does the same thing or you go to bed at night - this is a fine example - went to bed at night, heard something out in the living room, said, "Jen, something is weird", because we left her out on the couch, got up walked in the living room, she's standing there in the pitch dark, now, no little kid does that, just stand there facing the wall, so we asked Mandy, what, you know, there's something, you know, I kind of told you, I guess, she's a little lost or something and, uh, just basically asked Mandy and she says, "well, when Chad tells her to get in the corner, you know, makes her sit in the corner, stand in the corner, she does something bad" so I think it kind of, you know what I mean, whether she, I don't know why she would think she was doing something bad, but that's the way she just kind of, she wouldn't walk around, she wouldn't...

JL Jeff, has she ever required any, uh, medical treatment for anything you've seen, ever any trips to the hospital, to the ER or anything like that?

JM She ~~got sick, uh, over at our house and I kind of thought she should have went to the hospital then, but, um, they kind of wanted to wait because obviously she had bruises, you know, on her face and they were more concerned with...~~


SH Did they actually say that?

JM Yeah, oh yeah.

SH Who actually said that?

JM I know Mandy did, I...

SH Said "we don't want to take her to the hospital because 'what will they think' type of a thing?"

	Page 11 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1277

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Yeah (inaudible)

SH I don't want to put words in your mouth.

JM No, but that was, I'm not, I don't want to get no one in trouble, I just want to tell you what, what...

JL Yeah, we just want, we just want to get the, the truth on all this stuff.

SH Our goal isn't to run and tell people what you told us.

JM And, um, that was, and that's basically the reasons for her being at my house. ~~It wasn't because Uncle Jeff was, quote unquote, going to baby sit her because they couldn't go somewhere else, because they had options to go other places, it was because she was at my house because she had bruises and they didn't want those other places to see her and then think something, you know, it was always think something...~~

SH Right.

JM You know?

SH And that actually, Mandy actually told you that?


JM Yeah.

SH Did she ever tell you anything more like, did she ever tell you "I have suspicions that Chad's causing them."

JM She told me, she saw them she saw them do stuff I mean...

SH What did she say, she saw him?

JM Like I went to go give Cassidy a bath over at the house, she was sick one day and she had throw up all down her, and, I changed her clothes, put a new pair on she threw up again so I said, well I'm just going to keep her in her diaper, you know. I told Jen, I said I'm just going to give her a bath this kid freaked out, I mean freaked out on me, couldn't even get her, like I opened the curtain to bring her in the bathtub, didn't want nothing to do with it, now I know kids don't like water, you know, might be a little bit but this was like terror, so I was like, okay, so I washed her up, you know, got sick again so I brought her back and she just terrified of the shower, so I said to Mandy, you know, I called Mandy up, I think I called Mandy or she called me because I had talked to her on the phone or she might of

	Page 12 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1278

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

called to see how Kassidy was, I said, you know, put her in the sh, you don't want to do that, she got, I guess Chad put her head under the sink in the kitchen, I think it was, I don't want to assume nothing, but, said put her head under the sink and had water sprayed on her face, now...

SH Did you say it was hot or not, or just water?

JM I don't know, I don't know I'm not going to say, you know, I don't know, but, um, so, she assumed that that was the reason why she was scared of water, um...

SH Did she ever go any further than that and say that Chad acted inappropriately, like, well Chad lost his temperature one night and did she ever say that to you, I mean I don't want you to guess I want you to tell me.

JM Yeah, yeah, I know that Chad hit her, you know.

SH Amanda.

JM Yeah.

SH How about the baby?


JM I believe that's what she said to me too that she, Chad has hit her and stuff, and, you know, she stuck up for the baby in front of Chad, but, it's like, I guess looking back now you kind of see that, and, by all, all accounts, you know, we could be talking about a kid that just fell off of something, you know, it could be the truth.

JL We're going to look at everything

JM I don't know, but when she tells me, you know, well, you know, bruise here, bruise there from him, you know, pulling her in the corner, something like that, or, you know, and then he starts telling me, well, she was jumping on the trampoline with my little son and she fell off, you know and I knew of one time she did fall off when Jen and Mandy were out there because Jen brought it up to me, you know, because I said this kid just like, you know, she get up even with Jen there, you'd be like mumma's here, she'd get right up, her arms, like stayed down and she would run like you were supposed to catch her or something off the bed and land right on the floor.

SH No kidding.

JM I mean, it was amazing as far as, you know where kids, I think a persons first instinct is protect their head, you know, protect themselves, that was not her instinct whatsoever, you

	Page 13 of 69	SIGNED	DATE
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1279

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

know, as far as that, you stood her up somewhere, I was always scared to leave her on the porch, just because she had this, I don't know, you know, and, uh...

JL Let me clarify one thing, uh, Jeff, when you said the, you know, that Chad might of, uh, held her under the, under the, you know, kitchen sink or anything was it as a form of punishment or...?

JM I believe so, that's...

JL That's how you took it.

JM It's what I assume but, you know, you don't want to assume anything because it makes an ass out of you and me.

JL Right, right, but it wasn't explained to you like, uh, you know, he was trying to wash her hair under the, under the water and some, you know...

JM No. Discipline kind of action, I, from the way I took it, you know, obviously there's going to be two sides, you know, to what I have to say, and, you know...

JL Yeah, how many times are you, uh, this sounds like it's, it's quite a few times, uh...

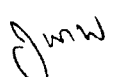
JM Well, what happens is, the bruises would tend to fade, you know, because after a while I guess they start going away...

JL Sure, sure.

JM ...and then, like the next day, come back, bruises are there again, so it's like, being grabbed again, you know, the same place, you know, except be a little different, you know this time around still have the yellow from, uh, other time and I pointed out to my next door neighbor again, I came out, I'm like and we checked her body over, you know, lift up her shirt and stuff and, he was like, you know, we should do something, you know, say something. I said "I know", you know, but, you know, their excuse when you talk to them, "Oh, she fell off the bed or she fell off of this", in my eyes, I can believe some of that because I've seen just how she is as far as running off of stuff, I think because the same as far as her just being clumsy like that, but I think when it starts happening over and over, you know what I mean, because right here you know...

SH Uh-huh.

JL Right. Now Cassidy's like a year and a half old, right, so I know you've been, uh, uh, watching her quite a bit recently...

	Page 14 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Yup, yup.

JL ...but, uh, uh, ever since she was, uh, she was born, is that when you started kind of being the, you know, the uncle, uh, being in the picture, or can you say it started, uh, more recently than that?

JM Yeah, pretty much, pretty much, she was a baby, you know, she...

JL And how often can you, can you, and if you can't just let me know, but can you estimate, you know, how often that you did baby sit in the beginning, was it, was it, if it wasn't everyday was it once a week, once every couple a weeks?

JM Maybe once ~~every couple a week, I don't want to say it was too too often, because, you~~ know...

JL Right.

JM ...I mean, as far as, it was like when she wanted to go out to her grandmothers, because the grandmother had primary care of Kassidy, you know, so as far as, us taking her and stuff like that, it wasn't really a necessary thing at that time because the mother, Mandy's mother, was watching Kassidy so...

JL Oh right, right, so Kassidy was living with, uh, with...

JM Oh yeah, in Sanford.

JL Okay.

JM We'd go up there, when I went to go visit Jen right from the beginning, you know, she'd be in there and, I mean she was just the, you know, she was clumsy, I mean, little kids, you know, crawling around, and...


JL Your girlfriend is Jennifer right?

JM Jennifer, yeah.

JL Okay have long have you and Jennifer been together?

JM Oh, over a year.

JL Okay, but after, uh, Kassidy was born right?

	Page 15 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1281

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Yeah.

JL You met up with her after she was born, so you weren't around...

JM Just born, just born, I believe...

SH 4 or 5 months old?

JM Younger than that I believe.

SH Younger than that, speaking of, uh, Jennifer, she's going to basically tell us the same thing, she's not going to try to protect her sister, or, you know what I mean? Like...

JM I, I can't tell you what she's going to say.

SH Right, but you know her better than I do, so, is she going to tell us that Amanda, um, brought the baby to you guys because of the drinking, do you think she'll tell us that, you know her better than I do?

JM I have no doubt, I have no doubt, you know, she'll tell the truth as far as that...

SH Good, that's all I'm asking, I mean some people may say you know screw....

JM My girlfriend's not a liar by any means you know.

SH ...we're not going to talk to the cops just because it involves family and I'm just trying to get a read on...

JM You can talk to everybody, I talk to you know, I mean, I got nothing to hide, I mean, I just, I want some action, about this, you know, and when this (inaudible) calls me, here at the police department, "Oh, what's going on?", you know...


SH Yup, I hear you.

JM ...it kind of, get me, you know...

JL How long have Amanda and Chad been, uh, together?

JM 3 or 4 months, something like that.

JL Okay, so let me ask you Jeff, um, this, you started babysitting more, I take it, after, uh, after they got together?

	Page 16 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1282

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Yes.

JL Um, then I take it, uh, Kassidy at some point went back to living with, with Amanda and got away from the grandmother's full time care.

JM Yes, yeah.

JL When, when did that happen?

JM She started seeing, I, I, when they moved to Auburn, you know, it was kind of hard for Mandy to come down here and we got her situated with, uh, Chad, and, you know, Chad would drive up there and be a part of her life, you know, and we'd go out together and stuff like that, and kind of hang out, you know, but she still lived with her mother at that time and she started spending more time down at Chad's house, then it became, she actually, I think, not to be mean, but, I think the grandparents, after a while didn't want, you know, you kind of had your kids, you know what I mean, it's like, lets, uh...

JL Oh right, right, your golden years, yeah.


JM ~~It's kind of, so basically they kind of gave Kassidy to her to, I don't want to say give because it's her child anyway, but have her stay with them at Chad's house, I mean, I know Chad wasn't fond of having her around, you know what I mean, as far as that stuff goes, but we always took it, we would never say no in taking Kassidy. I don't, and actually I would, you know, you know, Jen would be, you know, I know, it's better with us than with someone up there, because, Mandy would leave her with, uh, her girlfriend in Sanford, you know, and then the kid would come back with bruises on her feet, you know, or bruises on her knee, you know what I mean, and, it was just like, we knew where she is, we know what's going on, just, let's take her down here, and that's what we did, basically, just kind of took her at our house and, if they needed us to, I mean, I know that they felt kind of weird because, they don't want to waste, from what, how they put it was, they don't want us to take care of her all the time so that way, when they really need us to take her...~~

SH Right, yeah.

JL You'll be sick of that, yeah.

JM But, you know, I have be honest with you, I own a landscaping company, right now, my times kind of open, you know as far as...

JL Slow right now?

	Page 17 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Yeah, you know what I mean, I have things I have to get done, obviously, I got fall clean ups but, there was never, I have plenty of time to...

JL Okay, so Amanda and Chad been together, uh, three or four months, and you set, you set Chad up...

JM Yeah, yup.

JL ...with her, he's just a, friend of yours...

JM He's actually, and this is what makes it real hard for me, alright, because I don't want to see anybody in trouble, I'm pissed because, of, what's been going on in the past day or so, past couple days, and now this, but me and Chad, had like a business kind of relationship, my company does work for McDonald's, and he's the area rep for McDonald's, so he oversees some of the stores that we take care of, you know, he was going through a divorce, uh, he got, he was going through a divorce for beating up his ex-wife, and, uh, you know, probably bad judgement to set somebody up with, uh, somebody like this, but you know, like I said, you never know, something like this is going to happen, you know, um, so, and that was another issue, you know, Mandy always said that his ex-wife would come over to the house and tell her, you know, ~~that he was going to hurt her~~ I can't say that she said he's going to hurt the kids, ~~but I can't say that, but I can't remember, if that came in, but, definitely the part about hurting her, you know, and he's like that, he's controlling, you know...~~

SH Do you know her name by any chance, his ex-wife?

JM I'm trying to think.

SH Where does she live?


JM I believe she lives in Rochester with her parents.

JL Are they divorced now or still pending divorce?

JM This is what kind of, you know, Chad...

JL You're getting it through him I understand?

JM Well, Mandy is very much into Chad, you know what I mean, she'd do anything for him, I really believe that, um, it was like, bend over backwards, you know, make him happy, I mean, and, you know, she's young, so, she's 19 or whatever so you know that kind of thing

	Page 18 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

happens, and, kind of, he more or less is, you know, he's going through a divorce, I guess from what he says that he has gone through the divorce, that it's final, I have no, no proof or whatever, but, um, so, if, I don't know if he is, probably, probably is by this point I would think.

JL Right.

JM She still, but she still comes over to that house and still talks to Mandy and tells her, you know, "Be careful", which is kind of weird, you know, I mean, to have an ex come over to your house and say, "You better watch out for this guy", you know, you got to...

JL It's kind of different, huh?

JM You know, you just don't, I don't know, even, even if you hate somebody, okay, even if you dislike somebody, I would never go over to somebody else house, you know, whether you're there to pick up the kid or not, keep your mouth shut, you know, hey whatever, you know, you don't get involved, unless its, she's concerned about the issue.

JL Yeah, yeah, what do you know about, uh, uh, Chad, I mean, you've known him for a while now, how long, how long have you known him?

JM I've known him for a while, he's a partier, you know, um, I only, I've gone to a couple parties at his house, you know, he gets kind of mad, he's got a temper on him...


JL Yup.

JM um, you know, we're, we're fairly close I guess, I mean, you know he asked me to go up and pick up a three wheeler for him, I'd go over there and get a three wheeler, you know, and stuff like that, I mean we both had conflicts with her parents, as far as, how they, try to use their kids for money and stuff like that, so me and Chad would always talk about that, you know, it kind of ticked off the girls a little bit, but, that me and Chad kind of, but that was like our one...

SH Right.

JM one thing we would always talk about, I don't want to say the in laws, but we'd always talk about them, you know, these guys are, you know, low lifes, you know what I mean, we, kind of...

JL So you seen him have a temper, Chad, that is, before?

	Page 19 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

of, she's not all there most of the, that's what I, you know, so for him to call me up, I felt a little bit suspicious but not, and then, after that I got another phone call, that supposedly they were playing baseball in the room, and, his son hit a baseball hit her in the face, you know, and I guess the same phone call was sent down to my girlfriend's work, down at, uh, Perfumania, because Amanda was in there, Amanda's talking to him and Amanda left all pissed off, so when Jen came home she asked me, she says, you know, "What's going on?" I said, "Well, you won't believe this, Kass got hit by a baseball, by Chad's son when they were playing baseball in the room," you know, and Jen said, "That's why Mandy took off all pissed off", you know, because I think Mandy at this point was getting mad about the bruises because, obviously you want to be able to take your kid around.

SH Right.

JL Now, did all, did all these phone calls and everything, did this take place yesterday?

JM Yeah, last night

JL It was all last night.

JM And, and then, he's on the phone, he's like, "You won't believe this, she's like dazing out, like her eyes are going in the back of her head," and I'm like, I don't know, I don't know what, you know what I mean, I wasn't there with the baseball incident, you know, I don't know what, what happened or...

JL Is he calling you for advice or something, or?


JM Yeah, I, I really believe that, you know, and I was like, or, or, whether, you know, he kind of felt like, he probably done something, and he, uh, didn't know what, you know what I mean, instead of calling 911 like Mr. Marshall did, as far as, you know, I, uh...

JL Right. Yeah, how old is his, uh, his other son, that was supposedly playing baseball with her.

JM I guess about 2, 2 or 3, I don't know, something like that, um, you know, and...

JL It's not like he's throwing a 90-mile an hour fast ball or something that, too.

JM I guess from what I understand it was a bat, he was hitting it, and Chad was doing that, and Kassidy was standing next to him, that's the, you know, the story I got out of it. And then she came over this morning, and we were still in bed, because we kind of sleep in a little, uh, because I can do that now in the fall. And she came in, and Mandy's like, "Look at her face." I mean, there were black and blues, the scratches that were on her face, I can't remember what side they were on, but they were there yesterday, you know, but as far as the

	Page 23 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1289

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

black and blues go, she might a had a little black and blue down here, right here, from, you know, beyond that day, but, really up in here and up in here I noticed, on her forehead, and I was just like, you know, I said to Jen, that's, you know, "Does that look like a baseball to you?" you know, because, and, uh...

JL So it didn't look like one bruise, it looked like, uh, different bruises over the, over the face?

JM Yeah, but it was hard to tell what it was that actually could do it, you know, because I don't play baseball, and I don't want to say what a bruise looks like from a baseball, but, it just looked like a bunch a little bruises, you know, like there was, just bruises, so I mean, so she brought her in, she laid her in bed with us, you know, she was eating Cocoa Cocoa Puffs, um, chocolate cereal or whatever, she has a baggy, she got into bed and when she was coming over to get into the bed, she's kind of walking funny, now that wasn't no surprise to me because earlier we had heard of a situation where Mandy called us in the middle of the night, or not in the middle of the night, but I believe at night or it was during the day it was some, but she did call us on the phone and said, ~~you won't believe this, Kasey's walking weird now. I guess Chad did something to her leg,~~ and I assumed, pulled her leg or something because, and she came over and all this week she's been kind of limping, you know, favoring her leg, and, today she comes in, she's a little, favoring her legs, you know, uh, so I said, Jen, I said, "You got to see this, man." She wasn't with it, you know, she was just kind of laying there, you know, when you went to go pick her up, when she was laying in bed, she didn't want to move, you know, it was just like she was like...

JL What did Amanda say that Chad did to her leg?

JM I guess pulled it or something, um.

JL Did she go into detail?

JM You'd have to talk to her about it, you know, um, I think that's what you have to...


JL Okay, what they, what they, relay to you?

JM Because I don't want to, I don't want to say something that...

JL Yeah, no, no, I just, just want you to relay what was relayed to you, so, if you don't know, then, then, that's fine, but...

JM Chad did something to her leg, you know, um, um.

JL Did you see anything on the, on the, leg?

	Page 24 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1290

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Nope, from changing her diapers and stuff, no bruises on her leg or whatever, uh...

JL Have you ever seen anything on her body like, I know when she threw up on herself, and you had her down to her diaper and everything, um, anywhere else on her body, I know you've talked about you know the chin and the face, uh, and all that, but, how about, you know...

JM (Inaudible) I mean, she had bruises on her butt, uh, supposedly they're from falling down or something, you know, when she'd been over the house, if she got into something, like she got into Windex one day, you know, and started drinking from the Windex bottle, you know, it's like, oh, you know...

JL Over at your house?

JM Yeah, you know, she, you know, but once again, it was very rare that you actually saw her active, as far as doing that, but she was kind of sneaky too, you know, it's like, you leave a room, just, I suppose every kid has, you know, (inaudible) Windex I was like, okay, and you're trying to wash her up, you're trying to (inaudible) you've got to spit this up, you can't be, I don't know if she actually took a lot, but she definitely was playing with it, you know, because I heard the bottle fall on the floor, I came out and there she was, you know, and...

SH Were you alone with her when that happened?

JM Uh, yeah, I believe I was.


SH How long ago was that?

JM Uh, a couple, couple weeks ago I think. Jen would know better than I do as far as time goes she's better at that, but, you know, I called Jen because I'm like, "What do I do?" you know, she's got Windex in (inaudible). I love kids, but it's like, what do you do, it's like I know they get into stuff, it's not a like a cat or dog, you know, where you kind of pick up after them and that's it, you know, it's just like, let's wash her up, you know, I didn't know if I should call the, uh, hospital and say, you know, will you pump her stomach, or, you know...

JL Right.

JM ...but, and she seemed ~~fine for that but just still, you know, I don't want to say she was, she just seemed like she was slow; you know, and Chad brought that up to me, you know, that she was slow, and I said "She seems like she is slow," you know, as far as she talked and stuff, but.~~

SH Did she seem slow before the Windex?

	Page 25 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1291

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Oh yeah. I mean, that was like one of the rare occasions that that kid actually got into something because, you know, she was pretty well behaved for the most part.

JL What are kids usually doing at 18 months, are they, are they talking are they, got a...

JM I have no idea.

JL Have they got a vocabulary down?

JM I have no idea.

SH They're talking a blue streak at 18 months.

JL How about Kassidy, is she, she talking much, is she verbalizing anything to you when you when you watch her?

JM She'd say my name, she'd say my name, I'd say Jeff, you know, and she'd say "Jeff," you know, and stuff like that, yeah, you know, we'd kind of get her to talk, and get her to say things and, you know, stuff like that, and she'd try to say, you know you couldn't make, you could make it out, but not make it out, you know, but she wasn't like fully...

SH I'm going to step out for just a minute here while you guys get into the last couple weeks leading up to, I'll be right back in.

JL Okay, yup, alright, yeah, so uh, so, I know initially in the last three or four months you've been, sounds like you've been watching her, um, more frequently than, uh, than before anyway, ever since, uh, ever since, uh, Amanda got together with Chad, that, uh, she's probably dropped off Kassidy more at your house than, than before then?

JM Yeah, um, **but one of the main reasons is, do to the fact of the bruises, you know.**

JL Yup, yup. Now she works, right, Amanda works?


JM Yup.

JL Where does she work at?

JM Old Navy.

JL Old Navy, okay.

JM At the outlet mall.

	Page 26 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL Okay, she work, a regular shift or anything like that?

JM Um...

JL Like, like, when you were, today, when you were watching Kassidy...

JM Kind of odd, kind of odd, like yesterday she dropped her off at, sorry, uh, probably, I want to say around 4, I have no idea, it was in the afternoon and she was only there for like an hour, hour and a half at the most, before Chad picked her up so it was kind of like...

JL Are you pretty much the watcher of Kassidy these days when Amanda's working, I mean is this a 40 hour week job she's got at Old Navy?

JM Yeah, but her aunt's there most a the time too, like her aunt was there the other day ...

JL Her aunt was where, at Old Navy?

JM No, uh-uh, you know, home from work and would watch Kassidy too.

JL Oh, so you're not the only person she'd drop her off at, she'd drop her off at the aunt and uh...

JM Yeah, because I have things that I got to do, you know.

JL Right, right, I was going to say if you're taking 40 hours a week...


JM But that was the other thing, you feel, it's like Jen's like yesterday, you know, she said, "You want to bring her to the store with you and stuff and you feel kind of weird," because here's a kid that's obviously, you know, I don't care how many bruises the kid has, you know, its not my kid first of all and I feel kind of weird going out in public, you know, and have somebody saying, "Oh my god, you know, she's got bruises here and here," you know what I mean, it's, I said that to Will, I said, it's kind of, you know, I'd like you to, if she came without any bruises.

JL Who's the aunt that sometimes watches, uh, Kassidy too?

JM That's Jennifer.

JL That's, uh, Jennifer.

JM My girlfriend, yeah.

	Page 27 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL Okay, okay. So when you're not, uh, when you're not watching her...

JM We both are, or, Jen will watch her and I'll end up going out to do stuff.

JL Does Jennifer work different, uh, different shifts too?

JM Yeah, uh, like today she went at 9, uh, till 4:30.

JL So you're able to split it up, uh, as far as when Kassidy comes over.

JM Yeah, I mean...

JL Between you and her...

JM The thing was, yesterday, was, we even offered to watch Kassidy, well I did, I said we can watch her overnight because she'll come in the morning and drop her off and if she's got to work, which she didn't, I believe it was yesterday we offered, she didn't know she had to work or not, one of those days, she didn't know if she had to work, so I was like, we can work, "No, no (inaudible)," then she comes back with bruises, and its just...

JL Yeah, have you kept her for any overnights at your place?

JM Yeah, yeah, but like I said the time she has, she's either cried or when she's sleeping, this is another thing, you should verify with her, she'll be sleeping and then all of a sudden you hear (JM demonstrating child sobbing sounds) like, you know, just like, when you're a little kid and you're out there and you're like, you're crying so much and you're like (JM demonstrating child sobbing sounds) you know, you get that (JM demonstrating child sobbing sounds) she'd sleep, you know, she's sound asleep and all of a sudden (JM demonstrating child sobbing sounds) you know, she'd do that all the time, and it kind of made me wonder, what the hell is she dreaming about, you know, she's, you know, she's dreaming of crying or what, you know.


JL Right, how many times has she spent the night at, uh, your place?

JM I don't, I don't know.

JL I mean, quite a bit, I mean, more than once I'm...

JM More than once, I, couldn't say an exact time.

JL I mean, more than, more than 10 times, too.

	Page 28 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Probably, I would, I would say, I guess, um, you know, she'd cry in the middle of the night and she'd get up, which is normal for a little kid, you know, to cry. So you'd bring her in the bed with you, you know and have her sleep in bed, you know, and while she's sleeping, she'd start crying again, you know, and its like, and Jen witnessed that, you know, many a nights she'd just sit there and start crying, okay, and auntie would say, "Put her out there, let her, you know, she'll cry herself to bed." You put her out there and cry herself to bed, then again, we heard things that she gets up in the middle of the night, we'd go in there in the dark and there she is just standing there, and I don't mean standing there with something in her hand or something, I mean, looking at a dead wall, just, you know, her arms down, you know, and you're like, "What can possibly be going through this kids head, as far as what she thinking, what she doing," you know, and, "Kassidy, it's time to go to bed," now the minute you go pick her up she start crying, you know, it's like she's in her own world as far as whether she's being abused, and, you know what I mean, she's kind of going through that dreaming or something of it, but, I don't know.

JL Okay.

JM I just wish we, uh, obviously told people sooner and did, or, you know, took her, or...

JL Any mention of, uh, in Maine we call it, you know, DHS, Department of Human Services.

JM Oh this is the funny part, uh, after, being sent, last night, like I told you, were you here? I doq't know if he was here or not, but, um, I told them...

SH Last night, yeah.

JM Yeah, he called up last night, said she got hit in the face and all of a sudden (inaudible) she's laying on the bed and he says, "I don't know what to do," you know, it was a frantic, it wasn't like, it was like a frantic, "I don't know what to do, you know, her eyes are back of her head now, she's kind of sitting there and you know, what do I do, you know, she's not coherent, you know, and, and then all of a sudden it's like, she's snapping out of it," you know, and that's when we got off the phone, you know, but this morning, I get a phone call, and it was around 9:40 I would say, I think I could tell by my cell phone if you wanted me to get the exact time, but, um, I believe it was around 9:40, I get a phone call on the cell phone, and, it's Chad, uh, said on the phone, didn't get it, didn't come in, inside the house, and then the home phone rang, so I picked up the phone, and he's like, Kass, are you there, and I'm like, yeah, you won't believe this, he's like, just got a phone call, you know, from the town of Rochester, I thought, you know, and I thought he said DHS, or, you know, the Department of Human Services or something like that, you know, that's why I can't, I don't want to say that I did hear that, but it ~~wasn't from the town of Rochester~~, saying, you know, talk to him or left a message or something, he was very concerned about that, you know, he's like,

<i>dm</i>	Page 29 of 69	SIGNED	DATE
-----------	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

"I don't want to be putting up with this shit you know, they're asking me about child abuse over her, it's like, I ought to have her and her mother out. You know, and I was just like, you know, we don't know what it is, it could be for court fee, you know, but this was, it could have been for court, you know, for his ex-wife, he has custody over the kids, you know, it could be making sure he's getting..."

SH Right, so he was speculating, he didn't know.

JM Yeah, you know, and that, that kind of got me a little, suspicious but, then again, you never think, you know, you're going to have a problem with a kid, especially a little one, you know, that...

JL Did he ask you how she was doing this morning when he called?

JM Yeah, you know, and I'm, she's just laying there, you know...

SH Let me ask you this, um, he called you frantic last night, so her condition obviously was enough to shake him up.

JM Kind of, let me say this much, I know when she left my house last night, and this is the part that pisses me off the most and this gets me going, when she left my house last night, she wasn't, I don't want to say overly spunk or anything, she just kind of sat there and stuff, but that was her way.

SH That was her way.

JM But she had no real facial bruises, nothing that would, you know, besides her walking problem, and besides, these are, these are starting to clear up, you know, the ones right here. I brought her outside in that car, you know, she was going off with him to go home, and that was it, you know, he didn't have a safety belt, whether that's against the law or not, you know, that's, I don't know if that's considered child abuse or not, but, to me, it's like, you know, let's just get car seat down the street and, I'm sure parents do it all the time, you know, if they don't have a car seat...

JL Mmm, so he put her in a seatbelt, right?

JM Put her in a seatbelt, drove home, then I get a phone call, you know, while he's driving home, and this is very unlike, I would probably hear from him the next day or hear from him a week later, you know what I mean, I would never hear from him right after, you know, like, "Oh, she's acting weird now," you know, and then all of a sudden he gets to the house and I get a phone call saying that he put her outside the car, he went around to get the other kid out of the car, comes around, she's, you know, flat on her face, I mean, and then he brings her in, I

<i>John</i>	SIGNED	DATE
Page 30 of 69		

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

said, "What happened?" and he says, "I don't know, she's just standing there and fell on her face on the ground," and he says, "She has dirt in her hair now," and then the next minute, she gets hit by a baseball, you know, while you're playing baseball with the little one.

SH Then he called you a separate time to tell you about that?

JM Yeah, he called me about...

JL And that's not him to call you and...

JM You won't, you won't believe this, she got hit by a baseball, and uh, you know, to me it was, alright, you know...

SH Alright, so tell me what was it like when you saw her again, did all these things look like they had occurred?

JM When today?

SH Well, you left her, with him, he drove away, he told you about all these incidents...

JM Yes sir.

SH Then she came back, what was that like when you first saw her?

JM Today?

SH Today.

JM It looked like something had happened.

SH Different, she did look different


JM She had bruises all over her face, I mean, how can you not see something different?

SH Well, I didn't see her, so I'm asking you, when you saw her...

JM You need to go down there and see her, I mean she got bruises, or...

SH I'm asking you, you saw her this morning.

JM Yeah, bruises all over her face.

	Page 31 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1285

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Oh yeah, oh yeah, he got into a fight one night I was over at his house having a party, now, I don't drink, and if I do drink, I have like a beer or so, I've never, I mean I have got drunk, I'm not going to say I haven't, but, I'm not, drinking to me, one way or another, you know, um, but over there, the whole atmosphere is party central, you know, you have a party here, party there, you know, you go do this and that's the only time that me and him never really saw eye to eye because we never...

SIDE 1 ENDS

SIDE 2 BEGINS

JM But one instance, I was over there and we're sitting there and he started, guess you do kick stands or whatever, you know, and uh, I held his leg up and he, uh, did a kick stand, I guess is how you call it, you know, and somebody drove by and said something, you know, he just flips out and goes over there, you know, but no cops were, I mean, it was just, like, it's that kind of, atmosphere, you know what I mean, it's that kind of atmosphere that, um, you know, we're talking about a guy that has kids and stuff and to me, if you have kids, you know, I believe in hard love, you know what I mean, as far as, but you're there for your kids, you know, you represent yourself in a good way as far as, he's got neighbors too, you know what I mean, having parties on your lawn, with kids toys and stuff out there, and you're supposed to be a family man...

JL Right.


JM you know...

SH Is he into anything any more serious than alcohol, like drugs, that he does?

JM Not that I know of, I always, I always assumed he was doing them. Just don't want anyone else to hear.

SH No, I hear you.

JM Uh, I don't want anyone mad at me, I know they'll probably hear all this anyway, but, um, like he was not into marijuana, which I assumed he was, but he had done coke, and I thought that kind of odd but that's what Mandy said so, she said, "Don't bring up to Chad, you know, he'll get pissed off at me," you know, and I'd always kid around to her, "Oh, you're going to get a beating for this one," you know, no, you know what I mean, you know, put the can of whoop ass on you, you know, and she'd be like, "Now, don't say nothing," you know what I mean, so there was like, always that quote, unquote, you know, kind of, you got that kind of, feeling that you get, some kind of affair, as the word, but she loved the guy, you know, um...

	Page 20 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL How many kids does he have, Chad?

JM He has two, well, one of his own, and then, the other one's actually, I guess he adopted him, uh, from his ex-wife or still his wife, I don't know either way, but um, she had one son, and, uh, you know, as far as what I see from that...

JL Did any live with him, over there, or, or they all went with the ex-wife?

JM Custody, half custody.

JL Oh half.

JM I believe, yeah.

JL Yeah.

JM Still had rooms over there and stuff, you know, uh, and I, like I said, I would never, I can't say that I saw him, do anything to his sons or act like that to his son, you know, I never saw that, I mean I would never, I never, even from Mandy I never heard at one point, him being abusive to his sons, you know, it's just kind of Kassidy, you know, as far as, a little push in the corner, or, taking her upstairs, you know, if she came down, because she is bad for, I don't want to say bad, but, she has this way of getting out of bed, you know, just standing there like I said, you know, and she'd do that all night long, she'd yell from their bedroom to her bedroom, you know, and keep going back and forth, and, I think that kind of...

JL Kind of ticked him off?

JM I don't know, I don't know, you know, what does it take to tick somebody off, you know, it could be a little thing, I suppose, or it could be a big thing, you know.


JL Okay, so, uh, Jeff, these last three or four months that Amanda and Chad have been together, um, you know, can you, am I getting the right thing from you here that, you have seen, uh, more bruises on Kassidy since, you know, Chad's been in the picture, than, than the babysitting before Chad was in the picture?

JM Yeah, yes, yeah.

SH You didn't really see any of these similar bruises, did you...,

JM No, no, no.

SH ...before Chad?

	Page 21 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM No.

SH Did you see any, anything...

JM Oh, yeah.

SH suspicious, before Chad, suspicious?

JM Suspicious, probably not...

SH Okay.

JM ...probably not.

SH Okay, so, basically it's been since Chad's been in the picture.

JM The main sign for me, when you got bruises right here, you know what I mean, that's, an, an, like yesterday, and, I don't want to go right into yesterday because I want to, obviously go through the whole thing, but, like yesterday, we were at our house, she had no bruises, she was awfully quiet though, this real like, kind of, you know, and she kind of laid in bed, and she was only there for an hour or so, maybe a little over an hour, and Chad called me, and he says, "I'm coming over to get her," because he was supposed to, and he says, "What do you, do you want to meet me at, um, Peter's Palace?" And I said, "Not really," you know, hanging out in my shorts, you know, I just, that's how I am when I get home from work, I put my shorts on, hang out, watch TV and, uh, I said, "Why don't you come by and get her," so he says "Alright, I'll be down," so I put her coat on her, got her already you know, she wasn't walking, like, like her legs were bothering her. Now, we'll go into that after but, brought her outside, he pulled in, she didn't have a car seat, Mandy forgot to leave the car seat, put her inside the car, strapped her in, that was it, you know, he left, you know, I would never assume to get a phone call from him, you know, I would never get a phone call from him if he picked her up any other time, but this time I did, I got a phone call, he was on the, supposedly over by the Dover, uh, toll booth and he was in traffic and he said, you know, he's like, "Something is weird with her," and I said, "What, what's weird with her?" And he says that, "Kind of, looking kind of dazed," and I said, "Well, she's kind of like, dazed today too," and he says, "Yeah that's really weird," you know, and then all of a sudden he gets to the house, I get a phone call, now I believe it was two separate phone calls, he gets to the house, I get a phone call, "You won't believe what happened to her," and I said, "What", and he says "I put her outside of the car, I went over to get his son out of the, out of that side of the car, got the son, he came around the corner and she was flat on her face on the cement." So I said to him then, I said, "What'd you do?" He says "Well, I picked her up, she had dirt on her hair, I guess," and I said, "Well, not good," but then we kind of, I said well, she kind

<i>JSN</i>	Page 22 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

SH Right away you knew, something had happened to her.

JM Oh yeah, and Amanda said, "Look at this," you know, and I was laying in bed, I think Jen was getting dressed in the bedroom. Amanda just normally, she never walks, knocks on the door, she just comes on in, so she came on in, you know, said, "Look at that (inaudible) where the baseball," just kind of, these were fresh, these weren't something that just, you know, and they ~~definitely didn't happen over at my house yesterday, you know, without a doubt, they didn't happen yesterday over at my house, I, uh...~~

SH How about the way she was acting, like I know she had physical things you could see, but did she act any different?

JM Today? Yeah.

SH Than when she came in.

JM Um, just kind of laid there in bed, you know, but you'd be like, hey Kassidy, you know, and turned on Nickelodeon for her, that's what I did, you know, I went, out to the living room and laid down on the couch and watched the polls, to see what's happening, you know, and that's basically how it kind of worked when she was at my house, you know, whether she sat in the room with me, and just, and like I said before she just sits there, dazed, dazed and confused, dazed and confused is the only way I can, you know, whether she was, or if she was eating (inaudible) she'd be eating, she'd say dog or kitty, you know, because we have a cat and a dog, but today she was just like laying there, you know, and I was like (inaudible) put the blankets over her, she had blankets on her, she's just sitting there watching TV, and that's basically, you know, how I left her and then, I got up, went outside, grabbed the news, uh, the, post office box stuff, came in, went in to check on her and she's sitting in there, and the look on her face, I mean, it scared me, because I'm like, what the hell, you know what I mean, just like her eyes were like in the back of her head just laying there, and I mean, I hadn't paid any attention to her for like, a, probably an hour, hour and a half or so, you know, because I was too busy laying down watching TV, you know, and, uh, it's just like she was in shock, I took down the blankets, I'm like, Kassidy, Kassidy, are you there, and I started like, you know, I didn't shake her violently but I just kind of, I'm like, Kassidy, Kassidy, you know, and then I started, she was like gargling or something, like, um, breathing kind of (JM demonstrating child labored breathing sounds) like that, you know, something like that, and I was like, alright, so I started pumping on her stomach, you know, and I, I didn't know what to do, and then I called up my, uh, girlfriend at work, I said, "Something's wrong with Kassidy," and she's like, "Well, I'm too busy," you know, like, "You got to get a hold of Mandy" what do I do, you know. Tried calling 411 to get a hold of Mandy, couldn't get a hold of her, called back Jen, Jen said get, call 911, called 911, you know, um, brought her out to the kitchen, put water on her face, you know, trying to revive her or whatever, you know, I could do, um, carried her out, got her out of the house, brang her down that way the

<i>Jim</i>	Page 32 of 69	SIGNED	DATE
------------	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

ambulance could just pull right up, I wanted, you know, I couldn't do anything. I don't know if you know what that's like.

JL Kind of a feeling of helplessness, isn't it?

JM Yeah, 6'3", 240lbs, you know, I can do just about everything else, but, uh, I lost a little brother with cancer, (inaudible), I was in the same room with him when he passed away, you know, he just laid there and he kind of died and I was like, you know, I did not think, they said that she passed away. I did not think that she was, at that point, I thought, you know, she's just going through the same thing she went through with Chad, you know, kind of dazed. And I just kept pumping on her stomach, kept trying to get some breath into her and I felt up here, I believe it was right here, I felt on her, you know, she had blood pressure going, or whatever you call it, you know, and I was like, everything's going to be good, and then the cop came, and, said, "Well, no, you don't want to push on her stomach, you want to pump, pump right here." I said, "Okay," so we started pumping right there, he started giving her mouth to mouth...

SH Well, I guess, um, just wanted I wanted to touch on was, as far as, I know how she normally was when she was at your house, you know, she's normally dazed and confused, that's just the kind of little girl she was, um, but on this morning, the way that she acted, after you had gotten all those phone calls from him the night before, the way that she acted was different to you?

JM Maybe a little more dazed, you know what I mean, a little more inactive.

SH Less active, just kind of laid there.

JM Like I said, she wouldn't get out of bed, you know, I, I because when she came in, you know, her mother put her down on the floor, and she like, you know like, kind of like a kid with her first steps, you know, and this girl had been walking, um, you know, and I tried to get her back out of bed to show Jen, I'm like, you got to see this, something's wrong, you know, and put her on (inaudible) and she, just, you know, and, uh, we basically decided just to let her stay, you know, not bother her as far as that goes, you know, and just...

SH What time did she arrive?

JM 9 o'clock, or 8:30, I don't know, it was...

SH Can you just tell me the comings and goings in the house, like who, who left, who came, who...

<i>Am</i>	Page 33 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1299

1. CASE NO.	2. INVESTIGATING TROOPER	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT
MCI-00-216	SGT JAMES WHITE				11/21/00

JM Um, me and Jen were there all night, obviously, after Chad had taken her last night, I think I waited around the house, I was watching the votes and everything trying to....

SH Wasting your time like the rest of us.

JM And, uh, Jen came home, we went out to get a bite to eat at Wendy's, and, came home, hung out, watched the news again, you know, she, she kind of got bored with that, and went into the bedroom and watched TV, I think and, then I kind of said, well, time for me to go to bed because I was up the whole night before watching the god damn votes, you know...

SH You and me both.

JM You know, I was up, I mean all night long, because I get right into the political part of it, you know, uh, went to bed, got up this morning, Mandy coming through the door, you know, other than the phone call we got from Chad yesterday, you know...

SH Right, so, that was about seven o'clock?

JM ...but the phone call I got from Chad, like I said, came before Jen got home from work, and the only way I could tell you exactly what time it was, by looking on my caller ID, you know, because the caller ID has the exact times that he called, you know...

SH We think it was about three of them?

JM It was a long distance phone call, too, so, obviously you'd be able to tell when he called too, um...

JL Right.

SH Was it always just him or did she call and check with you after, say, like when she got home and discovered it did she call?


SIDE 2 TAPE 1 ENDS

TAPE 2 SIDE 1

JM Getting back (inaudible), I didn't have to change her diaper though, you know.

SH That morning.

JM This morning. No, there was no...

	Page 34 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

SH Okay, did you have to feed her, this morning?

JM Nope, I, like I said all she had was a baggy next to her with the chocolate cocoa puffs, whatever they were, that was the only thing I saw her eat this morning. She didn't eat anything at my house and she certainly didn't drink anything, that I can think of, because, I didn't see a bottle, or, something, you know what I mean?

JL Mm, but she was eating them, the, the chocolate cereal or whatever, she was...

JM I, I don't think I actually saw her eat one, she kind of, kind of had them next to her, you know.

SH I don't want to get to far ahead of us but did you change any diapers today?

JM No.

SH Not a diaper?

JM Not a diaper.

SH Okay, and do you know if your girlfriend did?

JM I, she wouldn't of, she left.

SH Okay.

JL What time did she take off for, uh, work, Jen that is?

JM She had to be at work at 9 I believe, so...

JL Okay, so...

JM I think Mandy was there earlier than that, like I said I just got up, we got up from her walking through the door.

SH Now, I imagine you probably changed a lot of diapers in your day...

JM Yeah.

SH ...as, as a babysitter, um, had there ever been anything that raised your eyebrows, um, I know its tough when you don't know a lot about babies and baby girls, um, as far as their private parts and anything but, you do have common sense, and, did you ever see anything

<i>J. White</i>	Page 35 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

that looked a little odd to you, a little off, over the past, say 6 months or so, when you were changing a diaper and you said, "Gee, that, you know, I didn't know it looked like that," or, it looked like swelling or anything like that?

JM No.

SH You never saw anything that ever raised your eyes?

JM No.

SH Okay. You would know if you're changing the diaper.

JM Yeah, I...

SH I have kids of my own and I know every inch of their body.

JM Yeah, no, I mean, you know, besides her having diarrhea, you know what I mean, something like that, but like, I don't know, there wasn't nothing, bruises or nothing like that, or, I don't know, but...

SH In the other areas you told us about there was bruises but you never noticed anything, say, like towards her private parts that would indicate...

JM No, absolutely not, absolutely not...

SH ...that there was anything, anything going on there, that you would be suspicious of.


JM ...not that, like I said though, I'm looking at hindsight as far as, you know what I mean, whether, I'm no expert, so, you know, while I was changing her diaper, the whole thing about changing the diaper is, I want to get in there, get it done...

SH Yup, no, I hear you.

JM ...you know, get that filthy diaper in the trash, and, you know, she was very good about that too, you know, she kind of, you know, she knew, she wasn't, you know, she wasn't like, "Don't," you know, or you know, she, but like I said that's because she just kind of, basically...

SH Okay.

JM ...hey, you know...

	Page 36 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1302

1. CASE NO.	2. INVESTIGATING TROOPER	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT
MCI-00-216	SGT JAMES WHITE				11/21/00

SH Yep, that's all I wanted to get, I just, you, you are our best witness, you're our best eyes and ears, for so many of these things, for primary care givers.

JM Well, her mother will know too, you know, I, uh, I'm just, and like today, you know, um, I get a phone call while I'm here from Chad, you know, he's like, "What's going on?" you know, and I'm like, "We're at the police department, you know, you need to come down here."

SH And what was his reaction to that?

JM You know what I mean, like, he didn't even know, that anything was wrong, you know what I mean, so it's not like anyone got, I don't know, it, I mean, I called him, I called everybody, that I was calling, people on the phone, like, "Hey, you know, I need to get a hold of Mandy," Mandy, work thing, you get the voice thing, press this number for that, you know, you can't get through, you call Chad's cell phone, wasn't answering, call Jen back at work, call, call 911, you know, call 911, to me they were a little slow, uh, the cop was quick but the ambulance was a little slow, um...

SH Mm, so as far as what...

JM And then, you know, you get a phone call from him today, whether he was calling to check up, and see how she was doing, you know what I mean, because...

JL Did you leave a message on his cell phone when you, when you tried him?

JM No, no...

JL You didn't.


JM No, just, you know, he wasn't answering, so, that was it, you know, end of, end of subject.

JL Right, then you have to try your next option, yeah.

JM You know, I was in the middle of a crisis, I was in the middle of a, I got this kids that's, you know, going into shock, or, whatever.

SH Yup, just to help me with the time frame, because the last thing I have is, um, the adult girls are out of the house around 9ish, you said, um, the little baby's in bed, pretty much the whole time, you said you checked on her a couple of times and she was just her normal self, basically.

JM Came in, yup, checked on her, uh...

	Page 37 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1303

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

SH Do you remember what were times, like did you check on her at 9:30, or 10, when Barney's on, or do you, do you remember anything like that?

JM No, I just came in because my shoes were in the bedroom, you know, I got my shoes, and put my shoes on and, you know, at that time, you know, she was kind of, not sleeping or whatever, you know, and kind of...

JL How many bedrooms in your place?

JM Just one.

JL So she's in, she's in the master, uh, master bed, she's in your bed.

JM There's no master suite, you know, it's a little apartment, but, yeah, she's in there and, you know, she's laying down.

JL Okay, and you're out in the living room.

JM In the living room, you know, because I want to watch my own thing, I don't want to watch Barney and, or whatever's on TV, like you said, and, uh, I'm watching, flipping through, MSNBC and Fox, you know, and I'm trying to get the last, trying to hear what ballots are coming in, you know, and, uh, after that...

SH About what time do you go to check the mail?


JM You know, it's like, uh, she was by herself for, I'd say, about an hour, hour and a half, she was by herself, and I went out to check the mail.

SH Any idea what time it is?

JM No, I have no idea, uh, whatever time the mail came, it was right before, I mean, I would say, from the time I went out to check the mail, to the time the police came, within minutes probably, of each other, you know what I mean, I mean, it all happened, about the same time, you know, I went right out there and got the mail, came in...

JL Where do you go to get the mail, just out in front of your place?

JM Yup, right on my porch, we got a mailbox, went out, always get it, walk in, you know, went inside the bedroom, because the damn cat, the cat will come out and he goes after your feet and he goes running back in there, so I happen to go in there and I'm like, I see her and I'm like, "Kassidy," and she's like...

	Page 38 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

SH Now in that condition that you're talking about right now with the eyes in the back of the head, um, had that ever been brought to your attention before that someone else had seen that same thing?

JM Last night, last night.

SH Last night.

JM Like I told you with Chad.

SH ~~Chad said that I had thought I heard Amanda say that she had seen it weeks prior but I don't want to put words in your mouth, do you hear that, or are you sure that you just heard...?~~

JM I don't want to say, I don't want to get any, you know what I mean, I don't want to say anything untruthful, that I heard something or not, because I can't say I...

SH If you didn't hear it, that's fine.

JM ~~I can't say~~ I did hear that.

SH ~~Because that's pretty specific,~~ eyes in the back of the head, now, you did hear him say that last night.

JM Last night, yep.

SH Okay, and that's the only other time you heard this baby have that symptom?

JM (Inaudible) unconscious, you know, which...

SH And what did he say that was from? Which thing?

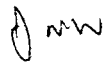
JM He, he said that she got hit by a baseball and now she's kind of acting kind of weird, you know...

SH Did he say baseball, like an actual...?

JM Yeah, I don't know...

JL Something, kids two year olds is a wiffle ball or was it a baseball?

JM Probably a wiffle ball.

	Page 39 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1. CASE NO.	2. INVESTIGATING TROOPER	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT
MCI-00-216	SGT JAMES WHITE				11/21/00

SH Okay.

JM You know, I can't be sure though.

SH And she had gotten hit with that, and that's what had done that to her?

JM That's what he said, you know, that's what he said, because he said, "She's acting really weird in the house," and, you know...

JL So he didn't say it was the bat, I mean, the, you know, his little son swung a bat and hit her he, he made it sound like it was the ball that hit her.

JM This is from my accounts of the whole situation, from what I understood over the phone, now you're talking about not that long talking to the guy and he just telling you this. I took it as though they were inside his bedroom, the little kid's bedroom, now it's not a huge bedroom, they were in there, he said, "I went to play baseball," you know, which, that, that has no meaning to me, but, you know, he said, "I like to play baseball with them every now and then, hit the bat around, you know, hit the ball and stuff," and then he says, "You won't believe what happened, you know, Kassidy was standing there next to me, I threw the ball a little more and he hit the ball and it hit Kassidy, you know, and she fell down crying, and, you know, then the next minute she's in a daze, you know, and her eyes are in the back of her head." I mean, and if you saw the bruises, that ball did some amazing things (inaudible), it did some amazing things, it, you know, it bounced off, and ricocheted off the wall, then came back again, you know, and...

SH Now who else saw that, the result of that supposed situation?

JM Yeah, Jen, Mandy, this morning.

SH Anyone else, because I know that your, your neighbor had seen some in the past and noticed them, did he see today's?


JM I don't, no.

SH Okay, so just the two sisters, you, obviously...

JM Yup, yup, and Chad.

SH Chad, um, and nobody, nobody else had actually seen today's.

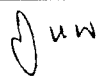
JM I think Chad, Chad would have the best idea of what happened to her face, as far as...

	Page 40 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

- JL Jeff, what did Amanda say this morning when she dropped off, uh, Kassidy, because you noticed right away?
- JM Well, she said look at her face, you know and, like I said, you look at her face and you're like, "Oh," you know, it's not good, you know.
- JL She said, so Amanda said, "Look at her face?"
- JM Yeah.
- JL And, what, what else did she...
- JM But this is the other thing I want to make very clear to you, okay? When Chad was on the phone with me, and he talked to me, about Kassidy being hit by a baseball and stuff, he then, because at that time my girlfriend was working down at Perfumania, that's why Mandy hung out down there because she had her break, that time, he got on the phone with me, whether they contacted, I don't know, but I do know she talked to Chad too, at that, about the incident because, from what Jennifer says, you know, I told Jennifer, man, you know, because, it's kind of gotten to the point where, everyday there's something new, so I told, told Jen, I said, "Hey, I got a phone call from Chad, today she got in the head with a baseball," you know and, Jen's like, "Well, that's why Mandy got pissed off on the phone, walked out pissed off, you know, um, ~~I think Mandy was kind of getting sick of the bruises~~ you know, obviously you want to be able to take your kid and bring her somewhere, you know, and there were other times that we had her over the house, um, Mandy's going to college, took some college classes, and, uh, Chad's sister would come over, and, uh, pick Mandy up, and Chad didn't want Kassidy around the house because she had bruises, and, I, you know, whether, I don't, I'm trying to think back, but, I think I can remember like Mandy saying, "It's because, you know, we don't want them to think that something's happening with..." you know, it was always kind of like, "Can you watch her?" You know, we were kind of the ones that watched her, she had a bruise, or, you know what I mean, that way I kind of, no one else would kind of see it.
- JL Mm.
- SH Jeff, let me ask you this, um, I, from, from what you're saying, uh, ~~I think he's a pretty special guy in that, you cared quite a bit for this little girl that, wasn't even a blood relative,~~ um, and I don't know too many young people your age...
- JM I should have done something, that's what I should have fucking done.

	Page 41 of 69	SIGNED	DATE
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1307

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

SH Well, you still did care for her, quite a bit, you're also, um, seem like a pretty sensible guy, knowing everything that you know, what do you think happened, just what do you think?

JM I think all along, I don't know, I don't know, you know.

SH I know you don't know, none of us really know, but what do you think, you do have an opinion right? You know what you're thinking inside your head, I'm not going to hold you to this.

JM I, I think, I'm just confu, you know, I'm just, I'm mad, I'm very mad right now because, he calls me up, like, "What's going on?" You know what I mean?

SH Are you saying you're mad?

JM It puts me in a position of, here I am talking to detectives and, talking to people, you know, and having to tell them things that, you know, unfortunately all this time, I never said to anybody else, you know, now here I am...

SH Right, so you're saying you're mad at a particular person?

JM Oh, I'm mad at Chad, you know.

SH Do you suspect that he's done anything here, do you think this child died of natural causes, what do you think?

JM I have no idea, about that, I, uh, I would assume, and once again, I assume I make an ass out of you and me but, I would assume, that, probably something that's been going on for a while, uh, I think, see, I don't want to accuse, you know what I mean, I hate to accuse...


JL Jeff, you know we're all accountable for our actions, right?

JM Well I know, but...

JL You're, you're a landscaper right?

JM He'll be pissed, ~~he's gonna be pissed off, between me and him, if it did not happen, he did not, I don't want him to be able to come back after me and do something, you know what I mean?~~

JL Right, right, you all know we're accountable for our actions, right? This is, this is, pretty serious stuff right here, you're talking about, uh, you know, a year and a half, uh, year old kid that just isn't, stopped living today, now that's, that's serious, that's a human life. We're all

	Page 42 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

accountable for our actions right, you're a landscaper, you're accountable, to, you go out mowing and other things, you got to fill your, uh, your engine with, uh, oil, gasoline and all that, you, say you don't one day, you change your oil, forgot to put new stuff in, pop, engine goes, there goes the block, you know, are you going to blame it on Jennifer, you know, "Jennifer, you didn't remind me to change, to put oil in, it's your fault." You, you know it's on you, right? You know that \$500 bucks for the replacement engine's coming out of your pocket, you screwed up, that's all we are trying to do, we're not trying to say things that aren't there, but, hey, if someone's accountable, someone's accountable.

JM I would say, after getting phone calls like I did last night, if I hadn't gotten phone calls, last night, I may not sway towards that, but, but if I take from what I got from last night and the phone calls today, I kind of swing towards the fact that, you know, something happened last night and, uh, you know, and when, see, I should have probably told him last night when she was going in a daze, but, "You need to bring this kid to the hospital," you know, or something, you know what I mean?

JL Yeah, but you're not a doctor, you're not a pediatrician.

JM I can't remember saying that to him. I can't remember saying, "Hey you should have brought. . . when I get old and I die, I want to go up there and have her mad at me, you know what I mean, because I should have done something."

SH Well, you got to also remember, um, you're a bit of a victim here as well, because what you had in this guy is trust, right? He was your friend, so you had some trust, and he betrayed your trust, let's say that that's what he did, betrayed your trust, don't take it so hard, I mean, is it your fault if someone puts one over on you? I mean, I don't know if you should beat yourself up about that. Yeah, you and I both know, because you're a big boy, you and I both know that it would have been nicer had you been able to maybe report it, or call someone, but you didn't do it, you had trust in your friend, that's not a crime, you believed in him, you didn't believe he was a nasty person.

JM It is a crime though, it is a cri, I just, you know, if people don't tell other people, then it's a crime.

SH Well, when they, when they take advantage of you like this, but, it sounds like you got taken advantage, sounds like you have a trusting nature about you and somebody pulled the wool over your eyes on some things.

JM No, I, you know, it's her sister, I mean, how do you...

JL It's as close as family as you can, you can get, I guess.

<i>JWW</i>	Page 43 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1309

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

- JM How do you, how do you say, "Hey," you know, "Uh, let's kind of go down to the police department with this kid and say, you know, what's going on," and then, then you got family pissed off at you.
- JL But you're not telling her, you're not telling Amanda anything she didn't already know.
- JM Oh, most, most definitely.
- JL I mean, she came in this morning and dropped off Cassidy, what's the first words out of her mouth? "Look at her face." I mean, she knows what's up, right?
- JM She's a smart girl, as far as that goes.
- JL What, what, tell me what else she said, tell me about what she said this morning, did she say anything after "look at her face," did she say, you know, I don't want to put words in your mouth...
- JM She didn't say, she didn't go into any kind of...
- JL Did she say Chad did anything to Cassidy?
- JM She might have said about the baseball, you know, supposedly it was done by a baseball, you know what I mean, or, but nothing, I, I can't say she said that he did anything, you know, and whether he would say that to her or what, you know what I mean.
- JL Do you think she was inferring, when she said, "Look at her face," do you think she was inferring, you know, "Look what Chad did to her face"?
- JM ~~Yeah, she said~~
- JL I mean that's an underlying theme here, I mean, the kids coming to your house because, you know, bruises are on the kid.
- JM I want to make it clear though, I think you can confirm that with my girlfriend, because, I, I feel, that I know Jen...
- SH (inaudible)
- JM ...pretty good, and I think me and Jen got the same feeling about it, that this kind of shit, don't get me wrong, shit happens with baseball, you know.

Aww	Page 44 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL Do you think maybe they, do you think they talk, uh, you think, uh, Jen knows a little bit, uh, more about this being sisters, do you think maybe they talk when you're not around, so Jen may know more of what really goes on in their house.

JM I know, that, I, can't say I know, but, when they do hang out, because they have been hanging out a lot more lately, you know, they never got along I guess in the beginning, but now they start getting along, and, because she's more down here in Rochester so its easier for those two to go out and they go out shopping and they do things that sisters do and, you know, that kind of stuff and, I know ~~that she was talking to her about Chad and I know, grabbing her by the throat, grabbing Mandy by the throat or hitting her or something like that, or, you know, being kind of, a little abusive with her, and I know Mandy's friends, had~~ said the same thing, you know, and that was one of his concerns this morning, you know, when he called up, you know, and says, "I got this phone call," I mean, it wasn't like, "Hey, hi," you know what I mean, it was more or less like, kind of seemed like, "You won't believe what this is," you know what I mean, "What do you think of this?" you know, like trying to get an answer from me, like what I thought of the situation. I basically said, "Well, it could be a number of things," you know, I said, ~~that she was talking to her about Chad and I know, grabbing her by the throat, grabbing Mandy by the throat or hitting her or something like that, or, you know, being kind of, a little abusive with her, and I know Mandy's friends, had~~ I mean, maybe it's her parents, because Mandy's parents, I think all along, have kind of, you know, I think Mandy's told her parents that, you know, Cassidy and her get hit a little bit over at the house, you know, so I said, "Maybe," you know, and then I kind of kidded, I said, "Well, I don't think they would have spent the money to call down there because it's long distance," you know, so I says, "It's more likely an ex-wife, you know, about the kids at your house," you know, as far as...

SH Right.

JL Oh right.

JM ...that goes, but then again, I don't know what circumstances is with Mandy and the state as far as her making sure she gets her, you know, money or whatever, or whatever, you know, because she's on a, she's got a kid, she gets money from the state, you know, to, so I didn't know if it was like...

JL Kid should be covered by Medicare or something like that.

JM Yeah, but, I, didn't know if it was the state calling or the, you know, the office and they were just calling to check up and make sure that Kassie lived there or what, so he was just, you know, seemed to me like frantic, like just kept speculating, kept going, "What's....," you know what I mean. And like I said, I never got phone calls like that from him, you know, like, I would never believe we get a phone... I'll tell you, I would have got a hell of a lot more phone calls, over these past few months, of hanging out, and, you know, with these people if he called me every time she supposedly got hit or fallen, with the amount of bruises

<i>JWW</i>	Page 45 of 69	SIGNED	DATE
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1311

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

this little girl has, you know, it just, just that he obviously thought that something was wrong because when he called me and said, you know, "She's like, her eyes are in the back of her head, she's kind of sitting there, you know, she's kind of dazed and, I don't know what to do," you know, I don't know, I feel like a, a, idiot, you know.

SH Over the past say four five months, can you remember a time, that you and your girlfriend were laying there in bed one night, and, had a serious talk about this, and said "Um, I'm kind of worried something bad might be happening to that little girl," did you ever have that conversation?

JM No, um, not really, the thing is, is, me and her talk, and I don't think I ever told my girlfriend, because, you know, we like to believe that people change, in a way, you know what I mean, um, why he exactly got divorced, I know that part of the reason is, because of beatings and...


SH Physical abuse, yeah.

JM Um, he's abusive to his wife, I know, whether they're divorced or not I don't know, like I said, but, um...

JL You know that through things he's told you?

JM Um, I know he went to court over the assault and stuff over being, uh, but, I've heard it from other people too in the stores, you know, like managers and stuff like that, you know, like, uh, his name's in the newspaper, you know, he, they quote, unquote, called it **the worst beating in New Hampshire, in a domestic abuse beating in New Hampshire,** that's what, you know, everyone at the stores had said, uh, but I never really, I guess this is where the stupid part from me comes out, because I never said, "I got these two together," so obviously, I feel awful stupid saying to Mandy, "Hey, you know, uh, this guy..." you know, not knowing, because, I know as well as anything, somebody could say something about you and it not be true, you know what I mean, so I never said, "Hey, you know, this is why he got..." She always thought it was probably because his wife cheated on him, you know, and well, what made his wife cheat on her, make her leave, you know, um, but recently I had said that, I told that to Jen, you know, I said, "You know, he is kind of abusive." And Mandy ~~told about~~ going to a party or something for McDonald's, they went there and they got into a fight, you know, he grabbed her by the throat, you know, and, and that's when, but we wouldn't sit there and kind of talked about it in bed, it would be more or less driving around or something, you know, and I'd kid around with her, I'd be like, "Yeah, you're going home and going to get a boot to the ass," you know, or something like that because she's like, "I got to get home because Chad's waiting for me," you know.

JL ~~Yeah, now I know (inaudible)~~

	Page 46 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM You know, so, and that's the way I am, I basically was like, "Yeah, you're going to get a cap in the ass," and she'd get all mad and she'd be like, "(JM makes whining sound)", you know, and, uh, she did come over with bruises too, um...

JL Amanda?

JM Mandy did. I'm trying to, I'm trying to think where they were.

SH Well, you guys touch on that, I'm going to step out and, uh, probably, you know, wrap it up shortly so...

JM No, no, any, any...

SH Okay? Good, good, why don't you go through that?

JM Um, I don't know where they were exactly. I want to say around the throat, uh, I want to say on her arm ~~but I can't be~~ quite sure, you know.

JL Something you saw, anyway?

JM Yeah.

JL Yeah.

JM Now, I've lived with my girlfriend, a hell of a lot longer than they lived together, okay, and you ask my girl ~~if we get into a fight or we get into an argument, we don't, I don't see it~~ fighting, but we get into an argument, you know, it's usually just us yelling at each other, you know, and that's it, you don't get into a physical altercation, especially with a woman that's... He's a pretty rugged guy, I'm taller than him but he's, you know, and, and I'm not the kind of guy that comes up to you and goes, you know, hits you on the shoulder, I'd be like, yeah. He is, as far as he'll come up, you know what I mean, and that's how he...

JL Physical, yeah.

JM ~~He uses himself in that sense~~, um, but me and her never, you know, get into a physical, that's why we thought it was kind of...

JL Did it, when you saw, uh, Amanda, and she'd been, she got these bruises on her, was it kind of not say anything, you know, when you saw them or did you, did you say, "Did Chad do this to you?"

<i>JWW</i>	Page 47 of 69	SIGNED	DATE
------------	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1313

1. CASE NO.	2. INVESTIGATING TROOPER	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT
MCI-00-216	SGT JAMES WHITE				11/21/00

JM Yeah, I mean, you kind of, want to...

JL Joke about it or something. Yeah, that's a way to lighten up a serious thing, you know.

JM No, no, no it's not actually, you know, when you think about it now, you're thinking about something that's very serious, you know, uh...

JL But I know how human nature is and human nature sometimes, it's easier to deal with it if you make light of it.

JM You know, and you take it, and the way I looked at it was, she should get up, you know, if she, if this is going on, and this is the way I look at it and I, I don't know what, what they actually think about but, if you're in a situation where you're being abused and you're getting hurt by somebody, then you get the hell out of there.

JL Oh right, right.

JM You know, uh...

JL So did she say anything about it, when that day she came over and you saw it either on her...

JM Oh yeah, "These are from Chad," you know, and, you know, "did this"

JL "We got in a fight last night whatever and..."

JM Yeah, like I said, I think it was around here, you know, it was a pretty good one, you know, and she's the kind of girl, though, that will go right back at him but even so, even if she did go back at him, he had fucking no right to be hitting her.

JL Right.


JM You know...

JL Right, did she say that was from the, uh, the argument at the McDonald's party or something?

JM I think so, there was other arguments, you know.

JL So it's not a one time, one time occurrence.

JM No, no, not at all. I mean, but, as far as bruises go, you know, ones that I could see, that was probably one of the, few times that I saw the actual...

	Page 48 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL On her, on Amanda.

JM Black and blues, yeah.

JL Alright.

JM Because the other ones...

JL Let me get with you some, uh, some dates that you, uh, you watched, um, uh, Kassidy, I know today, obviously, and I know last, last night or yesterday for that hour in the afternoon or so, uh, of course today is Thursday, yesterday was Wednesday, how about earlier in the week, Tuesday or Monday?

JM I think those two days too, I'm trying to, like I said, I...

JL No, I know, you're not a schedule keeper and all that.

JM Well, no, I am, because I have a business but, um, I believe it's been right along during the week...

JL Um-huh.

JM ...you know, since she's been actually working down there, you know, because she needs the, baby watched, we watch her, you know that's just...

JL Either you, or...

JM Jennifer.

JL Jen...


JM Yup.

JL ...or someone, whoever can fit it into their schedule.

JM ~~Yeah, Jen, you know, obviously Jen doesn't like doing it if it's her day off, you know, because she's worked all week, you know.~~

JL Right.

JM Um, but she's good about that as far as taking care of her.

	Page 49 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1515

1. CASE NO.	2. INVESTIGATING TROOPER	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT
MCI-00-216	SGT JAMES WHITE				11/21/00

JL So you think Monday and Tuesday you, you probably did watch her as well?

JM I, I think so.

JL How about the weekend, uh, Saturday, Sunday, do you remember what you, what you did?

JM Trying to think, because I know Saturday, Will took the truck, and then, I believe he did, I can't remember, I'm trying to think, Monday...

JL I mean what's, what's, uh...

X JM Sunday, Sunday, actually, we had a fall clean up, and I, I don't think I watched her Sunday because I watched football.

JL Right.

JM And uh, it was raining Sunday, if I remember correctly because the guys came over...

JL Yeah, it sure was raining, yeah.

JM ...they were doing a fall clean up, um, so I could, most definitely probably, most definitely say Sunday I didn't have her. Sat, I don't think I had her Saturday too, I might be wrong but...

JL What does Jen work for a shift at wherever she works?


JM All changes, like sometimes, like this week, I think she worked couple days at 1, she went in at 1 yesterday, um, today she went in at 9.

JL So she worked from, going to working like an evening shift yesterday, to working a day shift today.

JM She worked, she worked from 1 to closing, close up the store and then out she goes, you know, or today, she'll get out at 4:30, you know, I mean, it just all depends on when they need her, you know, whenever overtimes in.

JL Right, right.

JM And, you know, part of that is, is, I guess, she doesn't really have to work, I mean, we have all our bills paid off, anyway, so it's just, you know, you just kind of, that's what I do every

	Page 50 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

winter, we get kind of, you learn as you go down the road, there might not be a good winter, so, take care of yourself as far as making sure all your bills are paid.

JL Right. What do you do in the winter, are you turning it into a plow...

JM Yeah, we plow, we sand, odd jobs, move furniture down to peoples trash if they want us to I suppose.

JL Hmm.

JM Any other questions?


JL Uh, no, just those, uh, just those, uh, dates, uh, do you have that written down somewhere, as far as your...?

JM Jen, Jen would probably know.

JL Okay.

JM Jen would probably know. I think if you talk to Jen, you'd be able to get a good idea because, she's better at it than I am as far as schedule goes.

JL Okay, let me just ask you another thing I was just thinking of Jeff, is, uh, you know, you talked about the unsteadiness on her feet, and she kind of, you know, Kassidy, that is, she's kind of unsteady and all that, ever any, uh, tumbles, uh, inside your house, inside your apartment?

 JM Oh yeah, yeah, uh, like I said, you'd go, "Mumma's here," you know, and she'd get up on the bed and run over with her arms down and fall right off the bed.

JL Trusting type of run.


JM You know and that's...

JL Carpeted floor, wooden floor, I don't know what you got in there?

JM Carpeting, like that much.

JL Yeah.

JM Yeah, um, mostly out in the kitchen it's like regular flooring, you know, just, living room is carpeted but, like, that much.

	Page 51 of 69	SIGNED	DATE
---	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL Yeah. She ever pick up any of those bruises on her from your place, do you think?

JM Oh yeah, I mean, I'm sure she did.

JL Because kids are kids.

JM I'm sure she picked up a few here or there, um, put her in the truck one day and had her stay ~~there and she fall out of the she didn't hit her face or~~ nothing ~~but that's just you know what I~~ mean, she's just standing there and you try to get the safety belt thing locked at her...

SIDE 1 TAPE 2 ENDS

SIDE 2 TAPE 2

JM You know, you're like, "Oh," you know, and you pick her up, wipe her off and she doesn't cry, you know, she didn't cry so, why crying, you know, and you put her in...

JL Will is your, uh, your...

JM Neighbor.

JL Oh, neighbor, okay.

JM Neighbor, um, he's the one that seen her come in, you know, seen her leave and he's been by and, you know, and he was the one that kind of pushed me a little bit and said, you know, you should do something, you know, I mean, as far as, he was probably right all along, you know.

JL What did he recommend, do something, take into your own hands or, do something call the, call someone?

JM No, no, call someone, but once again, you know, its your girlfriend's sister.

JL Yeah.

JM I don't know.

JL Jeff, and I know how it is dealing with, uh, little kids, uh, sometimes, you know, sometimes they do cry and all that, is there a, uh, chance that, uh, you said, you know, she got some of these bruises maybe at your house, falling here, falling there falling that, have you ever lost

<i>JWW</i>	Page 52 of 69	SIGNED	DATE
------------	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

your temper, uh, and, or, you know, where you believe in, in, hard, uh hard love, you know, "I disciplined, uh, Cassidy."

JM The only, the only time she got disciplined over at our house is when I slapped her on the ass one time and that was it, we never, you know, for getting into stuff, anyway, and I believe Jen was there, but I'm not quite sure, but you know, and I mean I'm not sure that we're talking about a little kid that's, obviously, from a little bit of weight could, do some damage so, she's just a little kid.

SH You smacked with your hand?

JM On the butt.

SH Did she have a diaper on, or?

JM Yes.

SH She had a diaper on?

JM Yup.

JL Just enough to get her attention to make her stop her, what she was doing wrong, I guess.

JM Yeah.

SH She cry, even just from the effect, like maybe not the pain, you know how kids do that just because you got mad they'll be....


JM No, not, not really, not really.

SH She didn't cry.

JM You know, but, after that, you know, she was fine, then, told Chad the same thing. I said, "You know," I said, "She kind of got into things," and he's like, "Oh, she does it all the time, she's in the corner over here, she's in the corner at our house, you know, she's up there and," you know, and then I, kind of, it's not my place to touch her, you know what I mean?

JL Hmm-hmm, sure, yeah, I know what you mean.

JM And, uh, that's the, that's the other side of that, you know, it's like where do you draw the line, you're not her father, you're not, you know what I mean, and besides that, she's coming to your house with bruises anyway, why...

	Page 53 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1319

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL Last thing you want to get into.

JM I don't want this, you know, if she's sleeping over at my house and she'll go (JM making child whimpering sounds), obviously, like I say, it's just exactly like the kid was crying, like, you know, she doesn't need to be afraid to come over to my house, that's the, you just don't kind of do that.

JL Right. Did Chad ever talk about what he did for discipline back home, was that, you know, uh, parents have a...

JM Oh, he's strict, he's strict.

JL The time out corner, you know, the kid messes up, you put him in the corner for time out, or, some people believe in, you know, uh, corporal punishment, you know, give them a, give them a smack, give them a spanking.

JM Oh, all those things, I mean...

JL Did he ever say to you, you know, um, what, uh, what he did as far as discipline, was that ever a conversation between you and him at anytime?

JM No, I don't want to, you know what I mean, I don't want to get, I kind of feel...

JL Right, we just, we just need to know the truth, uh, Jeff, you know, and like I said, again, we're all responsible for our own actions...

JM Yup.

JL ...so, if he said something to you, I'd appreciate, you know, you telling me what was said.

JM I'm trying to think, trying to think, um he said he turned the corner, you know, he ~~slapped~~ little ass, you know, if she misbehaved, you know what I mean or, uh...

JL Mmm-hmm, yeah, I know how people talk, yeah, I mean I understand that.

JM What's, what's the other, there's, um, he'd get mad, like, if he tries to teach her how to talk, you know, like give her a ~~grape~~, and, if she said, you know, he tried to make her say please, you know, he'd lose control about that, you know, he'd grab her ~~something~~, I mean, you know, but Mandy really ~~was~~, you know, it got a little abusive, I mean, she was the one that kind of ~~told us as far as~~, you know, Chad smacked her if she ~~was~~, well we're downstairs, you know, she was in bed but she got out and now she's downstairs and he

<i>Jmw</i>	Page 54 of 69	SIGNED	DATE
------------	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1320

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

smacked her on, you know, that kind of stuff, uh, not that that's right by any means, officially that's not your kid, and it wasn't his kid.

JL Hmmm, right.

JM Um, but she should have fucking ~~been taken care of~~ I mean, I can see all I want, you ~~can say~~ you can say, "Hey, we should have done this, we should have done that," and I feel like we should of, but if he's sticking her head under water, ~~not~~ I don't, and ~~hitting her~~ and you know, bring her out with bruises on, obviously there's something, get your kid out of ~~there~~ your kid, that's your, like, blood, you know ~~that~~

JL Yeah, now, uh, Kassidy's grandparents, you know, Jen's and Amanda's parents, um, have they, uh, I know they started bringing Kassidy over to you, you know, because, uh, didn't want other people to see the bruises, but did they ever, did the grandparents ever see, see bruises?

JM I, they did question, why she never came around when they were around.

SH They never saw any bruises?

JM I don't know, I, I can't say that they did because I...

JL You never had a conversation with the grandparents about bruises on Kassidy?


JM I'm trying to think, I, I, I don't know if I kind of remember, you know...

JL I mean I don't know how often you go up to see them or anything.

JM How often, no, I don't know if I remember did you have someone say to me, "Do you see Kassidy," you know what I mean, like that, because that might have happened, you know, before up there, when ~~me and I went up to see her parents~~, you know, "We saw Kassidy, did you see the bruises on her?" You know what I mean?

JL Mmm-hmm.

JM That kind of comment but nothing I can definitely put a date on, or, of, who, you know what I mean, I was, that would be a (inaudible) point, um, but they definitely were kind of concerned because they did call her house if I remember correctly from, and Jennifer once again will be the one that you can talk to about that and they asked about, you know, what's up with Kassidy, you know, why didn't she come out when she's around, you know, why is she always going over to your house, you know, kind of asking those questions like if a

	Page 55 of 69	SIGNED	DATE
---	---------------	--------	------

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

grandparent would, you know, as far as why, you're kind of suspicious of what's going on over there.

JL Mmm-hmm.

JM And uh, and what do you say to them, you know, you just...

JL Right. What's uh, what's uh, Jennifer's last name?

JM Uh, Bortner-Conley, she goes by.

JL Bortner.

JM Conley.

JL Conley, hyphenated?

JM I believe so.

JL Okay, and what is...

JM Actually there's two different names, this one's her, uh, real father's name and this one's her stepfather's name.

JL Oh, okay.

JM Yeah, sorry, and I don't know what...

JL Amanda goes by, uh, Bortner right?

JM I've seen her go by Conley before too, so...


JL Oh, have you?

SH Oh, really.

JM Um.

JL Alright.

JM And, and...

	Page 56 of 69	SIGNED	DATE
---	---------------	--------	------

1322

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO.	2. INVESTIGATING TROOPER	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT
MCI-00-216	SGT JAMES WHITE				11/21/00

JL So they're, do you know, they're, uh, I mean, they're sisters, same, same mother and same father?

JM Same mother, same father.

JL Okay.

JM Yup, originally from Pennsylvania, um, I believe, how it goes, um, father basically walked away, you know, and uh, he was an alcoholic I guess and abusive to her mother and stuff and, off they went and then she came up here and that's probably part of the reason why she hasn't left, you know.

JL Mmm-hmm. You never know, huh? Okay, and the, and the grandparents name up there by Auburn, do you remember there, uh, their names?

JM Yup, Jackie Conley and Paul Conley.

JL And they live in Auburn?

JM I believe it's the next town over, something like that, but...

JL Okay.

JM Bucksfield, or something like that.

JL Okay, yeah, that sounds, uh, sounds right. Okay, and, uh, what else, oh, I was just wondering if you had thought of, um, Chad's, uh, uh, ex-wife's name, anything, uh, uh, come to mind?

JM Tristan.

SH Tristan.


JM Tristan, she was married once before I believe too, so it's Tristan.

JL Okay. And she...

SH She's been at least a victim in, at Rochester PD.

JM Mmm-hmm.

SH So, okay.

	Page 57 of 69	SIGNED	DATE
---	---------------	--------	------

1323

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM (Inaudible)

JL Do you know what last name she's, she's using or going by?

JM Probably Chad's, I guess Evans, unless she went back to her maiden name, I have no idea.

SH And is that where that assault took place that was, you know,...

JM In Rochester.

SH ...supposedly the biggest assault in, that was in Rochester?

JM Yup, yup, at their house.

SH And, do you know, did she ever, I know you didn't talk to her, but did she ever start any rumors or, or make any assumptions about him doing anything, Chad doing anything, to their children?

JM Once again, I don't, I...

SH I'm just asking what you remember.

JM ...can't, I can't remember hearing that, you know.

SH So you don't remember hearing that, okay.

JM It's basically to her.

SH To her.

JM You know, and, like I said, said the same thing, from what Mandy says to the same thing that Mandy... for the house, you... was getting fed up with... because she'd come over... I'll have to get out of here, you know, he's going to be abusive, he's going to cheat on you, that's just the way... you know, and he is (inaudible), as far as, you know, and...

SH I guess I'm a little confused with the, the kid count, I got a little lost there, um, I understand the child that you watched, now what are the other children in the picture.

JM One, one of them's his real kid.

SH His real kid with Tristan.

JW	Page 58 of 69	SIGNED	DATE
----	---------------	--------	------

**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM Yes sir.

SH Okay.

JM Um, the other one is hers from a previous marriage or...

SH Boy or girl?

JM Boy.

SH About the same age are they?

JM A little older, um...

SH So maybe like we're talking 4, 2, and 1 1/2.

JM Probably 5.

SH 5.

JM Yeah, he's a little older.

SH And that's an adopted kid?

JM I believe he adopted her, him.

SH And you've seen him with these kids before, all of them?

JM Yup, yeah.

SH And...

JM And Mandy picked them up, you know, and, uh, you know, and that was one of the times he came over last night to pick her up, he said, "You can have her for the rest of the, for another hour, because I got to pick up the other one in Dover, at school, or, you know, you can take her right now and come down to Peter's Palace and drop her off and I certainly wasn't going to go to Peter's Palace parking lot you know, my business trucks, and I said, "Nah, you can come to the house and pick her up," and that's what he did, you know, he came to the house and picked her up, and that was it.

<i>JWW</i>	Page 59 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1325

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL Which ones actually live with, uh, him, uh, the uh, the uh, natural son he's got with Tristan and the adopted?

SH Or do any, live with him?

JM Uh, I believe they come over, joint custody, that's from what I understand, they got their own rooms there so obviously they stay over, you know.

SH They both have their own rooms at his place?

JM Yeah.

JL So, so which one did he have to pick up in, uh, in Rochester?

JM His own, his own one.

JL Okay, and the adopted one, do you know if, uh, he also had that one, had to pick, uh, him up at any school or daycare or anything?

JM I have no idea, he didn't mention him, he didn't mention the other one.

SH Even with the baseball playing that night, it, it was your assumption that it was his natural son that hit the ball?

JM Yeah, yeah, oh yeah.

JL You don't know if the other one was even, even over at his house, that night, could have been, but he didn't mention him. I guess that would be the adopted, uh...

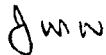
JM Could have been, I mean he didn't mention him so, I mean, I have no idea if he was over there, all I know is the other one was because I heard him in the background.

JL Oh, okay.

JM So I know he was there, as far as, you know, whether the baseball incident happened or whether it didn't happen the kid was still there so...

JL Hmm. The McDonald's, uh, uh, party where, uh, uh, they got in a fight, Amanda, and uh, him got in a fight, do you know where that was?

JM I don't want to say, I have no idea.

	Page 60 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1326

1. CASE NO.	2. INVESTIGATING TROOPER	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT
MCI-00-216	SGT JAMES WHITE				11/21/00

JL Okay.

JM Um, I'm trying to think what it was exactly over, you know, he tends to drink a little bit so, I think that's what the main thing was, they were kind of drinking a little bit and then got into a battle or whatever, you know.

JL Right.

JM She seemed to tell me though it was a pretty bad fight, you know what I mean like they were...

JL Was it a company, company party, you know, company, company get together?

JM Yes. Company get together that McDonald's has all the time, you know, they have get togethers for managers and area reps, get together and talk and do everything, you know.

JL Okay. Ever any, uh, authorities or police called, uh, between uh Amanda and Chad in, in the few months they been together?

JM Not that I know.

JL She reported any of this?

JM Not that I know. She hadn't said anything to her sister, and I think her sister would have said something to me.

JL Hmm.


JM You know, whether, I don't know though, I don't know.

SH I know, um, as far as the drug use goes, I know that, uh, that Amanda had kind of like a running joke, "But don't, you know, don't say anything about the coke type thing," was is it your guess, I'm just saying your guess, that this was a joke about an incident he did a long time ago or that he might still be dabbling in even now?

JM Still be doing.

SH Still, so he might, the way you took it was that he might...

JM But like I said, I never seen the stuff on them, I never seen it over at his house, I never seen, you know, anything.

	Page 61 of 69	SIGNED	DATE
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1327

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JL Ever offered it to you?

JM No, no, he knows I'm straight and narrow, he knows I'm...

SH So, it, the only information then...

JM And, and that's part of the reason why I don't get invited over at many parties anymore, because, you know, I'll sit there and, and I have one beer, you know, and, you know, so its like...

SH So the only reason cokes even brought up is because Amanda brings it up to you?

JM Yeah, she just brought it up to me, whether...

SH What was the context of that, like, she brought it up to you, uh, how was it put out to you? How did you get onto that subject and how did you talk about it?

JM I'm trying to think, uh, can we shut that off for a minute though?

JL Yeah.

TAPE WAS INTERRUPTED


JM Whether that matters or not, but, um, she said to me, you know, "It's really weird how he spends all this money and stuff. You know, and he does because, I been over there and he's been gambling on football games and stuff, and I said, how much money can one person, you know, I knew he probably makes about a grand a week from McDonald's or maybe a little bit over, but I said that's an awful lot of money. He does 500 bucks on a pool for one week, that's a lot a money to me, and I said, "Yeah, it's really weird," you know. I'm like, well where else does all the money go, I said, "What does he do, marijuana?" "No, no he used to but he doesn't anymore," she says, "Don't say anything, but he does coke every now...", you know what I mean?

SH Yeah.

JM I said, "You know," and she said, "Don't tell him he'll get mad at me," you know, and, but of course I said, "Oh yeah, you're going to get a boot to the ass because I'm going to tell him this one."

SH When was that conversation, that just recently or what?

JM Yeah, probably about a week and a half ago, two weeks ago, I would say.

	Page 62 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

SH How about her, you think she would do something like that?

JM I don't know, I'd like to believe she wouldn't.

SH Right.

JM Um, marijuana, maybe, uh, drinking, maybe, because we've been over her parents house, you know, she'd be in there and, you know, I, I can smell just about anything right off, you know, I can just smell hard liquor in a cup, you know, she had walking around the house, you know, I never said anything to her parents, but I'd go up to her and I'd be like, "I know what's in that cup," and she'd kind of like look at me like, you know, like I got busted, you know, but and that was, about it but they were, and I think that's why they get along, kind of because they both like kind of the same, I don't say that she does drugs by any means, and I don't want to say she does because I don't, I don't know, I don't live her life, I don't, she never offered to me, most certainly she never offered them to my girlfriend, I, I think, but uh, nothing surprises me, you know, about people, people I think don't do a lot a things do a lot of things, you know, like friends that, you know, drink and you wouldn't think that they, you know.

JL Jeff, anything, anything else that, uh, that you either thought we would, uh, ask, and, and we haven't, we forgot to, or just didn't mention it, or anything you want to mention to us that you haven't, haven't already?


JM Nope, nope, I, uh...

SH Just don't want you to go out of here, feel like, "Jeez, I wish I had said that or that or whatever," you know, I want, take, take a minute or so, let's make sure that you said everything to us that you want to say.

JM I'm just trying to remember back if, if there was anything. You know, there was probably signs all along. I don't want to incriminate myself by saying this, you know, there were signs all along, Mr. Marshall and your girlfriend should have done something because, well, I guess I'm doing that, but, uh, I guess that's it. I can't really, I mean everything I basically have said, I mean my handwriting is not that good, by any means, my spelling is off, but I basically wrote it down, you know, and it's not all there, by any means, as far as, you know, the ex (inaudible) and stuff like that.

JL Right. Yeah, no, it was, uh...

JM I just, I feel in my heart, because I sit here with you guys, it's a little suspicious when I get a phone call, yesterday, saying, "You won't believe this," you know, and then the next minute

	Page 63 of 69	SIGNED	DATE
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**NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

I get another phone call, "You won't believe..." you know, it's like, he did something, he knew that it wasn't good because she was messed up.

JL When this guy has never called you in the past about any tumble, fall, chitchat, it doesn't sound like it was a chitchat...

JM Chit chat stuff but nothing like, nothing in that kind of, that kind of voice, as far as saying, "You know, you won't believe this, what do I do, you know, her eyes are in the back of her head, she's kind of laying there unconscious, you know, she's not coming with it, you know, and what do I," you know what I mean.

SH And these are all (inaudible).

JL Hmm.

JM Wouldn't you call the mother at work, wouldn't you if you're, you're this concerned, you know, ~~you wouldn't you, or, at least, what the hell, and girl needs to go to the doctor, she needs to go to the hospital, she needs something, you know, um.~~

SH And these 2 or 3 phone calls all were costing him money right?

JM Yeah, yeah, yeah. Uh, and then the phone call this morning, you know, that's very unlikely to happen, I believe, you know, you get a phone call, "You won't believe this, I got a phone call from the..., how's she doing?" you know. and I'm like, "You know, she's laying down." You know, "I don't know what it's from. I'll tell you this much, though, she frigging goes ahead, you know, they ~~say I'm abusing this child, with her kid because I don't need this, I got two sons to worry...~~" you know what I mean, that kind of, like, I don't know.

SH Well, uh, on another note, I know you've been through this whole process of this, I know you've been to the PD for a while and now you've talked to us for a couple hours, all that being said, are you comfortable with us looking you up if we need any more questions giving you a call or whatever.

JM You guys need me to travel to East Bumfuck, I'll be up there, anyway you want.

SH I just want to make sure that...

JM This is a little girl, you know.

SH We're still, we're still...

<i>Jmw</i>	Page 64 of 69	SIGNED	DATE
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1330

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM This is a god damned [redacted] thing, okay; something happened, I'm pissed off, but I'm sad
but I'm pissed off, I'm pissed-off that, this asshole, you know, just like out there I said I don't
want to be in here when he comes.

SH And lord only knows what he's going to say, I mean, you're not a dumb kid, lord only knows what this guys going to say.

JM I'll confront him about anything he has to say.

SH Don't worry, that's what we're here for, and you got to trust us to do a good investigation.

JM As long as you've got enough guards, you can put me in the same room with him, I mean, I'm so cross I'll confront him on anything he has to say.

SH Just trust us to do a decent investigation here and get to the truth, but, um, you know him better than we do, you know if he, if he's the type that lies, you know how he handles things with his ex-wife, um...

JM I just, I believe in God so much, you know, I got a little brother, I believe the angel in my life, and I just don't want to get up there someday and have her be mad at me that we didn't do nothing along, you know, and now here I am, oh, we're finally doing something, finally telling people about this stuff, you know, and I, a little too fucking late, you know.

SH Well, like I told you, um, if everything that you're telling me is, is how it really is...

JM I'll confront him 100 and...

SH Just listen to me, if you got duped, I don't know how much you should beat yourself up about it, you know what I mean, you trusted someone, you trusted a friend, so I don't know how much you should, like I know this is going to hurt you and I know you're going to hurt for awhile, but just remember that I said this to you, it's not all your fault, it might feel like your fault, you might feel like you should have done something, but, you trusted a friend, which is something we do all the time, you trusted this kid, not to be hurting your, maybe future sister in law...

JM How would you feel?

SH I'd feel pretty bad, but I'm telling you as, I'm not your friend, but as someone else looking down, saying, hey, maybe you should look at it this way too, you know what I mean, just trying to save you a little grief, and I'd like to keep a good relationship, where, if we have more questions a week from now, we can still talk.

Jwr	Page 65 of 69	SIGNED	DATE
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1331

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

JM I'll, let me tell you something, take my cell phone number, you know, anything.

SH Okay.

JM I mean, if I come up with something, you know, because I'm sure, right now I'm going to be totally honest with you, right now it's in here, I'm so like, messed up, you know as far as, my feelings, my emotional, you know, I feel like I could just walk through a wall, you know, and just reach out and grab him, you know, and I'm, I'm mad because he knew something was wrong, he wouldn't have called me, why not do something then, you know, why not say, "Hey, you know, I made a mistake or whatever, just take the kid and bring them down to a hospital," you know. But I'll do anything I can, I mean, I got nothing to hide by any means, you know, me and my girlfriend, we live in a modest apartment, I run a business, I, you know, all my friends will tell you the same, you know.

JL And, you understand, we got, there's other detectives out, uh, you know, talking with some other people, so there's a bunch of us out doing our thing and then we get together afterward and we put our heads together, but I just wanted to run, uh, something by you, and not that I'm, uh, uh, need to do it right now, but, just, uh, while I have you here, I just want to ask you, uh, if at some point, uh, you know, if someone else out there may say, you know, "Look at, uh, look at Jeff, he was doing something, uh, doing something shaky, uh, would it be a problem if, uh, say I, uh, wanted to, uh, look through your apartment for any reason.

JM Go ahead.

JL Would you, would you have a problem with that?

JM Go ahead, look in my trucks, look in, you know what I mean, you're not going to find much, you'll find, you know, dirty magazines here or there, you know what I mean, stuff that me and the old lady have, but, you know, there's nothing to hide as far as, you know...

JL Okay. And I don't know if it'll get to that, but...

JM (Inaudible) and you can talk to my neighbors, you can talk to my friends, you can talk to anybody.

SH Well let me ask you this, Jeff, because, I mean, getting down to brass tacks here, let's just shoot straight, let's say this Chad guy says, "Hey, who was with her last, that's who we need to look at," okay, let's say he says that and I go to my boss and I say, "Well, I talked to him for two hours and I feel pretty good about the kid." I mean, they're going to say is, "Well, if we're going to eliminate him, and this Chad guy is pointing a finger at him, is he willing to come in and take a polygraph test?" and you know what that is, you

JWW	Page 66 of 69	SIGNED	DATE
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1332

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

come in and take, basically what they call on TV, a lie detector test. Is that something that scares you or something you'd be willing to do?

JM I'd probably be willing to do it, like I, you know, I have, like I said, I have nothing to worry about.

SH And if you really, if you didn't do anything, you really do, you got to believe me on that.

JM Yeah, oh yeah.

SH Um, but sometimes, especially, and he hasn't, I haven't talked to him, but if he points the finger at you, the person I interviewed, uh, we take offense to that because we sat here and talked to you and you should certainly take offense to it.

JM I would love, let me tell you, I don't know if its legal or not, but I'd love to be with him and actually hear what he has to say, that way I could tell him what he told me, you know, and confront him about it.

SH Right. Well, just your willingness, if I could tell my boss that, yeah, he would be willing to take a polygraph test, you may never have to take one.

JM Yeah.

SH But if you are willing, a week from now, I could call you and say I'm going to do that.

JM Give me, give me a call, give me a call, I want your numbers too.

SH Yeah.

JL Oh yeah.

SH No problem.

JM You know, I, uh, because I'm sure I'm going to come up with something, you know, I'm going to sit down, and I'm going to either sit there with Jen, and, and I know if it's right or not, but she, but she might be able to bring something up that might catch my attention about what was...

JL Right, she might have heard something or remembered something differently than, than you did, absolutely.

	Page 67 of 69	SIGNED	DATE
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1333

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
---------------------------	---	-------------	------------------	------------	-------------------------------

SH There's a 1 800# here that you can call, and, uh, they'll page us with your message, and especially if you tell them it's very important we'll get back to you as soon as we can. Uh, it's just Scott and Jeff, and my last name is Harakles, but if you just told them, "His name's Scott and he's a detective," they'll figure the rest out, so don't, don't worry if you can't pronounce it, um, that's really, that's all, all I could really see coming down the road, we might want to follow up and, and if he does say something....


JM If this goes to court, don't, see, I'm mad, you know, I'm mad because this is a kid, he is my friend, but if I do anything I can to, you know, solve whatever happens.

JL Right. We understand that and we appreciate that.

SH Pretty comfortable with seeing if we can get him out of here?

END OF SIDE 2 TAPE 2

JL

	Page 68 of 69	SIGNED	DATE
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NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

1334

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER SGT JAMES WHITE	3. I.D. NO.	4. TOWN OF CRIME	5. TN. CD.	6. DATE OF REPORT 11/21/00
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<i>JWW</i>	Page 69 of 69	SIGNED	DATE
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**MAINE STATE POLICE
CRIMINAL INVESTIGATION DIVISION I
CONTINUATION REPORT**

INCIDENT #: K20435897**CASE: HOMICIDE
(KASSIDY BORTNER, DOB: 2-4-99)****OFFICER: Det. Jeffrey A. Linscott** **I.D. #: 2930****Approved:**

November 9, 2000

1410 Hrs. I was notified by SP Gray to respond to the Kittery Police Department for the death of a child.

1455 Hrs. I arrived at the Kittery Police Department and was briefed on the case facts that are as follows: The child was identified as KASSIDY BORTNER, DOB: 2-4-99. BORTNER'S mother was identified as AMANDA BORTNER, DOB: 1-21-82. KASSIDY BORTNER and AMANDA BORTNER live at 191 Milton Road, Rochester, NH with the mother's boyfriend, CHAD EVANS. BORTNER was being babysat at 51 Rogers Road, Kittery by JEFFEREY MARSHALL, DOB: 3-21-75 and MARSHALL'S girlfriend, JENNIFER CONNELLY, who is also AMANDA BORTNER'S sister. MARSHALL'S neighbor, WILLIAM PIERCE, of 6 Johnson Court, Kittery, had information that MARSHALL was concerned about the bruises on KASSIDY BORTNER. EVANS and MARSHALL are reportedly friends. The injuries sustained by KASSIDY BORTNER were described as being extensive bruising on the body and head that included retinal hemorrhaging. There was also scabbing found on the soles of KASSIDY BORTNER'S feet and there was also a possibility of sexual abuse. MARSHALL had made statements that when KASSIDY BORTNER arrived at his residence this morning, there were two marks on her face that appeared as if she had been grabbed around her chin. MARSHALL reported that KASSIDY BORTNER had been dropped off at his residence yesterday at 4:15 PM and that EVANS had picked up KASSIDY BORTNER from MARSHALL'S residence at 5:30 PM yesterday. MARSHALL also reported that AMANDA BORTNER dropped off KASSIDY BORTNER at MARSHALL'S residence this morning at 8:15 AM while MARSHALL and his girlfriend, JENNIFER

CONNELLY, were home. JENNIFER CONNELLY works at Perfumania, a perfume store, AMANDA BORTNER works at Old Navy clothing store, JEFFEREY MARSHALL is a self-employed landscaper and CHAD EVANS works for McDonalds as an area representative. The 911 call came in at approximately 12:30 PM from MARSHALL. He had noticed problems with KASSIDY BORTNER and had called CONNELLY for advice. She was too busy and told him to call someone else or 911. MARSHALL attempted to call AMANDA BORTNER but could not get through. MARSHALL eventually called 911 and the ambulance arrived and found KASSIDY BORTNER and MARSHALL on the front porch of the residence. CHAD EVANS is not the father of KASSIDY BORTNER; EVANS has a son, KYLE, who goes to a Christian daycare in Dover. AMANDA BORTNER drops off the children in the morning and CHAD EVANS always picks them up.

- 1612 Hrs. Det. Scott Harakles and I (Det. Jeffrey Linscott) interviewed JEFFEREY MARSHALL at the Kittery Police Department. MARSHALL was the babysitter for KASSIDY BORTNER at the time of her death. MARSHALL was questioned on the activities leading to KASSIDY BORTNER'S death and MARSHALL provided background information on KASSIDY BORTNER, AMANDA BORTNER and CHAD EVANS. See attached transcript of interview.
- 1905 Hrs. I (Det. Jeffrey Linscott) attended a case briefing at the Kittery Police Department.
- 2005 Hrs. Tpr. John Marasco, NHSP and I (Det. Jeffrey Linscott) interviewed TRISTAN EVANS, the ex-wife of CHAD EVANS at the Kittery Police Department. TRISTAN EVANS provided background information on CHAD EVANS, AMANDA BORTNER and KASSIDY BORTNER. TRISTAN EVANS provided information on seeing suspicious bruises on KASSIDY BORTNER and admitted to placing an anonymous call to DCYF Rochester about the bruises and care of KASSIDY BORTNER. See Tpr. Marasco's report for further information on this interview.
- 2045 Hrs. Tpr. John Marasco, NHSP and I (Det. Jeffrey Linscott) interviewed BRUCE AUBIE at the Kittery Police Department. AUBIE is a friend of CHAD EVAN'S and provided background information on CHAD EVANS and provided information on seeing bruises on KASSIDY BORTNER. See Tpr. Marasco's report for further information on this interview.

November 10, 2000

- 1000 Hrs. I arrived at the Rochester, NH Police Department to assist in the search of CHAD EVANS residence at 191 Milton Road, Rochester. New Hampshire police obtained the search warrant.
- 1045 Hrs. I arrived at the CHAD EVANS residence, 191 Milton Road, Rochester, NH and assisted NHSP personnel process the scene. I assisted with diagramming and searching the residence.
- 2015 Hrs. I cleared the scene in New Hampshire.

November 11, 2000

- 1905 Hrs. I received a telephone call from JEFFEREY MARSHALL, who advised that earlier this date at AMANDA BORTNER'S parents residence in Maine, MARSHALL secreted a running tape recorder on his person and engaged AMANDA BORTNER in conversation about the death of KASSIDY BORTNER. MARSHALL advised he wanted to turn over the tape to me as soon as possible.

November 12, 2000

- 1300 Hrs. I interviewed VICKI NORMAN, who provided background information on AMANDA BORTNER and KASSIDY BORTNER. NORMAN also reported observing bruising on KASSIDY BORTNER. See attached Summary of Interview for further information.
- 1315 Hrs. I interviewed SHANNON GAGNE, who provided background information on AMANDA BORTER, KASSIDY BORTNER and CHAD EVANS. See attached Summary of Interview for further information.
- 1530 Hrs. Det. Angela Blodgett interviewed AMANDA BORTNER in an interview room at the Gray State Police Barracks. I observed this interview from a separate observation/taping room. See Det. Blodgett's report for further information.

November 13, 2000

- 1000 Hrs. I attended a case briefing at the Kittery Police Department.

1620 Hrs. JEFFEREY MARSHALL turned over to me the audio tape of his secretly taped conversation with AMANDA BORTNER.

November 14, 2000

1130 Hrs. ~~JEFFEREY MARSHALL arrived at the Alfred State Police Barracks for a pre-arranged Polygraph test. MARSHALL declined to take the test.~~

November 15, 2000

1000 Hrs. The 911 tape from Kittery PD was turned over to me.

1115 Hrs. Tpr. John Marasco and I (Det. Jeffrey Linscott) interviewed BRUCE AUBIE at the Kittery Police Department. AUBIE provided more information on CHAD EVANS, AMANDA BORTNER and KASSIDY BORTNER. See Tpr. Marasco's report for further information.

1450 Hrs. I interviewed EMILY CONLEY at the Sanford Police Department. CONLEY provided background information on AMANDA BORTNER, KASSIDY BORTNER and CHAD EVANS. CONLEY also provided information on seeing bruising on KASSIDY BORTNER. See attached Summary of Interview for further information.

November 16, 2000

0930 Hrs. I attended a case briefing at the Kittery Police Department with members of the New Hampshire Attorney General's Office and with police investigators from the Maine State Police, New Hampshire State Police and the Rochester, NH Police Department.

1315 Hrs. I conducted a video re-enactment with JEFFERY MARSHALL regarding the CPR he administered to KASSIDY BORTNER.

1400 Hrs. I interviewed JEFFEREY MARSHALL regarding the circumstances surrounding the death of KASSIDY BORTNER. See attached transcript of interview.

2305 Hrs. SGT Russ Conti, NHSP and I (Det. Jeffrey Linscott) interviewed CHAD EVANS at the Rochester, NH Police Department after his arrest on a warrant for Manslaughter in the death of KASSIDY BORTNER. EVANS was read his Miranda rights by SGT Conti and EVANS requested his attorney at 2311 Hrs.

November 17, 2000

1625 Hrs. SGT James White, NHSP and I (Det. Jeffrey Linscott) interviewed TRISTAN EVANS at the Kittery Police Department. An interview with TRISTAN and CHAD EVANS' son, KYLE, had been scheduled for earlier this day that TRISTAN EVANS had cancelled, and TRISTAN EVANS was asked about this cancellation and the scheduling of another appointment.

November 20, 2000

1100 Hrs. I attended an interview done of KYLE EVANS by the Victim/Witness Advocates of the Strafford County District Attorney's Office, Dover, NH.

1240 Hrs. I turned over 11 audio tapes and 2 video tapes to SGT James White, NHSP. See SGT White's report for Evidence Control Sheets.

1345 Hrs. I returned the Search Warrant and Inventory to the York District Court and I filed a Motion to Impound them, which was signed by the Judge. See attached Affidavit, Request for Search Warrant, Search Warrant and Inventory.

November 21, 2000

1230 Hrs. Tpr. Jill Rockey, NHSP and I (Det. Jeffrey Linscott) interviewed KRISTIN PARSONS at the Kittery Police Department. PARSONS is an employee at Old Navy in Kittery and was friends with AMANDA BORTNER. See Tpr. Rockey's report for further information on this interview.

1310 Hrs. I received a telephone call from JENNIFER CONLEY who had additional information on injuries sustained by KASSIDY BORTNER. See attached Summary of Interview for further information.

1435 Hrs. Tpr. John Marasco and I (Det. Jeffrey Linscott) interviewed HEATHER HAMILTON at the Kittery Police Department. HAMILTON is the store manager at Perfumania, the employer of JENNIFER CONLEY, and HAMILTON provided information on knowing AMANDA BORTNER and KASSIDY BORTNER. See attached Summary of Interview for further information.

November 24, 2000

1530 Hrs. I turned over additional tapes to SGT James White, NHSP. See SGT White's report for Evidence Control Sheets.

November 30, 2000

1500 Hrs. I attended a case briefing at the New Hampshire Attorney General's Office with members of that office and with members of the Maine and New Hampshire State Police.

December 12, 2000

1015 Hrs. I attended a case briefing at the Gray State Police Barracks with members of the Maine and New Hampshire State Police, Maine State Police Crime Laboratory, Maine Medical Examiner's Office and New Hampshire Attorney General's Office.

~~January 5, 2001~~

1600 Hrs. I interviewed **CRYSTAL MARTIN** at the Sanford Police Department. ~~MARTIN provided background information on FREDERICK BORTNER,~~ AMANDA BORTNER and CHAD EVANS. See attached Summary of Interview for further information.

Enclosures: Transcript of Interview – Jefferey Marshall (11/9/00)
Summary's of Interview – Vicki Norman
Shannon Gagne
Emily Conley (11/15/00)
Transcript of Interview – Jefferey Marshall (11/16/00)
Affidavit, Request for Search Warrant, Search Warrant & Inventory
Summary's of Interview – Emily Conley (11/21/00)
Heather Hamilton
Crystal Martin
NCRPA Reports – Chad Evans
Jefferey Marshall

Copies: HQ
CID I File
Attorney General – Fernand Larochelle
New Hampshire State Police – Sgt. James White
New Hampshire Attorney General – Christopher Carter
Det. Jeffrey Linscott

Recommendation: I recommend this report be included with the case report and forwarded to New Hampshire for prosecution.

INVESTIGATION REPORT

FORM 15 15

MAINE STATE POLICE

CASE NO
K20435897
CROSS FILE
1341

1	COMPLAINANT (LAST NAME)	FIRST	MIDDLE	AGE	DOB
2	Kittery Police Department				
3	ADDRESS	COUNTY			PHONE
4	EMPLOYER	ADDRESS			OCCUPATION
5	PLACE OF OCCURRENCE "SPECIFIC LOCATION"				
6	Marshall Residence, 51 Rogers Road				
7	CITY	COUNTY	DATE OCCURRED	TIME OCCURRED	
8	Kittery	York	11/9/2000	12:30	
9	VICTIM IF OTHER THAN COMPLAINANT	ADDRESS	WEATHER	X CLEAR RAIN CLOUDY SNOW SLEET	DATE REPORTED
10	Kassidy Bortner, DOB: 2-4-99	191 Milton Road, Rochester, NH			11/9/2000
11	CHARACTER OF CASE	UCR CODE			TIME REPORTED
12	Homicide (Assist to New Hampshire State Police)				14:10
13					TIME ARRIVED
14					14:55
15	NAME (LAST, FIRST, MIDDLE)	ADDRESS	RACE	SEX	AGE
16	Kassidy Bortner	191 Milton Road, Rochester, NH	W	F	1
17	NATURE OF INJURY	HOSPITAL AND/OR PHYSICIAN			DOB
18	Head Injury	York Hospital / Dr. Anthony Bock			2/4/1999
19	DATE OF DEATH	M.E.	AUTOPSY		PATHOLOGIST
20	11/9/2000	Dr. Margaret Greenwald	YES X NO		Dr. Margaret Greenwald
21	NAME (LAST, FIRST, MIDDLE)	ADDRESS	AGE	DOB	
22					
23	NAME (LAST, FIRST, MIDDLE)	ADDRESS	ALIAS	SEX	AGE
24	Chad Evans	191 Milton Road, Rochester, NH		M	29
25	RACE	HT	WT	HAIR	EYES
26	W	5'8"	180	Brown	
27	CRIME	TITLE	SECTION	ARREST	
28	DISTRICT	DATE ISSUED	EXTRADITE	BY WHOM	DISPOSITION
29		YES NO X			YES NO X
30	ID	PHOTOS TAKEN	BY WHOM	DUSTED FOR LATENT PRINTS	BY WHOM
31		Yes	Det. Eric Baker	YES NO X	
32	EV	EVIDENCE TAKEN	TOT	LOCATION	
33		YES X NO	Evidence Locker	Gray State Police Barracks	
34	OA	OTHER AGENCY NOTIFIED	RESPONDED	IF "YES" NAME OF PERSON IN CHARGE	IF "NO" NAME OF PERSON NOTIFIED
35		New Hampshire State Police	YES X NO	SGT James White	
36	TYPE OF BUILDING	SECURED	ENTRY		
37	MODE OF ENTRY OR MANNER COMMITTED	OCCUPIED	EXIT		
38	TOOL, WEAPON, OR METHOD USED				
39	CODE: STOLEN (S) USED IN CRIME (C) CRIMINAL MISCHIEF (M) RECOVERED (R) EVIDENCE (E) OTHER (O)				
40	CODE	QTY	DESCRIPTION	ID - SERIAL NUMBER	
41					
42	X USED IN CRIME	ACC. NON-MV	CRIM. MISCH.	STOLEN	RECOVERED
43	DESCRIPTION	TITLE NO.	YEAR MFG	REG NO	STATE
44	Ford Taurus		1999	830887	NH
45	COLOR	BODY - MODEL	VIN - ID NO	STOLEN MV - KEY IN IGNITION	RECOVERED - RUNNING CONDITION
46	Red	4 Door	1FAFP52U2XG282412	YES NO X	YES NO X
47	TYPE OF DOCUMENT	NAME OF RECEIVER		REASON	NO ACCT. NO
48	NAME OF MAKER - I.D. OR ADDRESS GIVEN			INSUFF. FUNDS	FORGERY
49	BANK DRAWN ON - ADDRESS			IDENTIFIABLE	YES NO X
50	DOCUMENT ACCOUNT	DOCUMENT DATE	MONEY, PROPERTY, OR SERVICE OBTAINED	DOC NO	PHOTO - SUSPECT
51					YES NO X
52	NO	FILE	DATE	STATION	
53	NCIC	YES	NO	X	
54	C/A	C/EX	C/RV	C/UF	OPEN
55	OTHER				
56	USED IN CRIME	UNLAWFUL POS.	STOLEN	OTHER	
57	REVOLVER	D E S C R I P T	MAKE - TYPE/MODEL	CAL. - GA.	
58	PISTOL		SERIAL NO	UNLOADED	
59	RIFLE		FINISH BLUE	TOT. CAPACITY	
60	SHOTGUN		SILVER	ROUNDS FIRED	
61	OTHER			ROUNDS UNUSED	
62	On 11/9/00 at 0800 Hrs., 21 month old Kassidy Bortner is dropped off by her mother, Amanda Bortner, at babysitter Jefferey Marshall's residence in Kittery with severe bruising present. At 1230 Hrs., Marshall finds Kassidy unresponsive and calls his girlfriend, Jennifer Connelly, and attempts to contact Kassidy's mother and the mothers boyfriend, Chad Evans, without success. Marshall calls 911 at 1242 Hrs. and starts CPR on the unresponsive child. The child is transported to York Hospital and pronounced dead. Investigation reveals history of abuse on Kassidy Bortner by Chad Evans. Evans arrested and charged.				
63	SIGNATURE AND RANK				CODE NO.
64	Det. Jeffrey A Linscott				2930
65					APPROVED