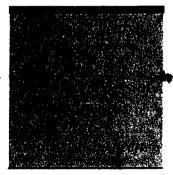
Minnesota's tough reporting law spawned from case like Kassidy's

By JENNIFER L. SAUNDERS Democrat Staff Writer

ROCHESTER — Minnesota, the state with the toughest child abuse reporting law in the nation, was once shaken by a case that mirrors the November beating death of Kassidy Caitlyn Bortner.

The 21-month-old girl died at York Hospital in York, Maine, after her mother's boyfriend allegedly beat her repeatedly over a six-week period. The boyfriend, Chad E. Evans, is expected to stand trial this fall on second-degree murder and felony



assault charges in connection with the child's death.

While Kassidy and her mother,

Amanda Bortner, 19, lived with Evans at his Milton Road residence at the time of the child's death, she died in Maine after Bortner brought her to the home of a relative in Kittery and went to work.

And while the abuse reporting statutes in Maine and New Hampshire have come under close scrutiny since Kassidy's death, they are by no means abnormal compared with other states.

In fact, Minnesota's reporting statute stands apart from those

☆ Minnesota's law

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MORE /

Clear standard makes Mi

Minnesota's law

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one with specific criminal penalguardians and caretakers who do not report abuse District of Columbia as the only in the other 49 states and the assigned. 5 parents.

reporting as mandatory for any-one who "knows or has reason to believe" and for any parent, Clearinghouse on Child Abuse guardian or caretaker who "knows or reasonably should know." according to the National clearly defines the standard for and Neglect Information Minnesota and for any parent, statute 626.556

their innocence by saying they results of abuse cannot pledge By phrasing the standard that ay, witnesses of abuse or the

did not know Craig Jurgens Kassidy's death In the history of child abuse in Minnesota, the case of Dennis parallels

Kassidy was born on Feb

atrent were suggested in the four year-old unwed mother decades apart, they suffered a fered slightly and these two chilmother she should give him up for adop-Dennis' biological mother, Jerry Sherwood, was convinced 1961, was also the child of a 17: Although to a 17-year-old unw er Dennis, born Dec. Bortner their beginnings difkept Kassidy Feb 4, unwed

blond, with round cheeks and big dren are barely recognizable. **DENNIS** by authorities, these two chil post-mortem photographs taken smiles. By all accounts, in the toddlers In photographs taken prior to e abuse they suffered, both are _blue-eyed they and

"A Death in White Bear The True Chronicle of An

> Jurgens and the long road to Barry Siegel retells the short tragic life of Dennis Craig murdered him conviction for the woman who All-American Town," author

book describes the events that led to Dennis' death in 1965 - in Calling upon court documents police reports, interviews and Harold apparently never beat ture Dennis Harold Jurgens, knew the tor-It is clear as the book unfolds that Dennis' adoptive father. adoptive mother. Lois Jurgens particular, almost two years of beatings at the hands of his newspaper in the house and the manner of Dennis' death indicate he never family Dennis himself, his comments to members, his proximity accounts, Siegel's endured. While and

eventually, the courts. However, in the 1980s Sherwood began searching for the son she gave to be recognized by doctors and so many young children before battered child syndrome came gone unnoticed attempted to stop the abuse.

Dennis' death might F up for adoption. might have like those of.

had simply "deferred." I ventable, death in the warmarked "Accident, Suicide or Homicide (specify)" the coroner extremely painten.
extremely painten.
he death. In the tured bowel, ed as peritabilitis causad by a rup-1965 with the cause of death list-What she found was a death certificate dating back to April Dennis was 3 years el, leading to painful, but written the word pre-

al and physical abuse he suflife and the repeatedly emotion Siegel traces the story of Dennis fered from the time he was sent In more than 500 pages of text

> December 1962. to live at the Jurgens' home in

Siegel wrote, there was a level of ing for her son in decades earlier. abuse that did awareness The case had been looked into When Sherwood began searchregarding not exist the 1980s, child

had reported multiple injuries to Dennis at his time of death, but in the 1960s. A newspaper article

iner. As the case was reopened, witnesses came forward who had seen Lois Jurgens abuse attorneys or the medical exam matter. Siegel wrote, neither would law enforcement officials. not let the case rest. For that with the child's small body. all that was quickly laid to rest In the 1980s, Sherwood would

Dennis as a small boy. Robert, the Jurgens' medical examiner would order in the Jurgens' house, And, the remembered as a 5-year-old boy adopted son, would tell what he Dennis' body to be exhumed. other

death, Siegel wrote, Ramsey County Medical Examiner boy's body. casket, Michael McGee stood over the Almost 22 years after Dennis looking down

some bluish-black, some brownand theeks. WeGee eould clear process of embalming, Dennis' many bruises could still be seen. those years and even with the ish-black, some reddish, some greenish," Siegel wrote. After all ly see dark round markings "There on the forehead, nose

for beating Dennis death. While Siegel prison term of eight to 25 years sentenced to an indeterminate Lois Jurgens was convicted in 1987 of third-degree murder and Jurgens l wrote th that

However, Minnesota now has a law that gives police the ability to arrest parents and guardians for failing to protect children from abuse.

KASSIDY

Unlike Dennis Craig Jurgens, Kassidy Bortner was not abused for years. Kassidy did not suffer abuse until after her mother moved in with Evans in August.

according to all court documents released to date. Kassidy's case also differs in that while Dennis was abused by his adopted mother, it is her mother's boyfriend who is

charged with beating her to

'In Kassidy's case, court docu-

ments paint a clear picture of Bortner standing by while Evans allegedly threw Kassidy into walls, choked her and fractured

her arm and leg. In the chronicle of Dennis' life. Siegel reveals how it was Harold. the adoptive father, that did noth-

ing to protect the little boy. Like Dennis, Kassidy showed multiple signs of trauma at the

time of her death. When Kassidy's body was examined at the Maine State Medical Examiner's Office in

November, bruises were found

all over her head as well as on her chin, lips, temple and cheeks. Pin-prick marks were found on the bottom of both of Kassidy's

hours of Kassidy's death. According to Rochester District Court affidavits, Bortner told police, "Evans had abused Kassidy for approximately 4-6

floor and/or wall. He would also

Evans grabbed

Kassidy's face in a 'palming' fashion and threw her into corners in the home hard enough for Kassidy to strike her head on the grab Kassidy's arm and throw her against the wall. On one or two occasions. Evans choked Kassidy until she gagged to stop

Kassidy from crying." feet. The cause of death was list-Bortner told police she and ed as blunt-force trauma to the Evans agreed not to seek medhead that occurred within 24 ical attention for Kassidy's injuries, and routinely told any-

> was bruised because she fell off a trampoline or down stairs. The details of the abuse that ultimately killed Kassidy are, as vet, unknown. On the morning of Nov. 9, however, it was Bortner who traveled from Rochester to Kittery, Maine, with Kassidy.

one who asked them that Kassidy

Bortner would later tell police Kassidy had trouble focusing her eyes, could not eat and was not walking properly when she dropped her off at her aunt's

The indictment handed down against Evans by a Strafford County grand jury in December states he purposely violated a duty of care when he "withheld Kassidy from proper medical treatment" for her injuries. Officials in both Maine and New Hampshire have indicated they do not intend to charge Bortner in connection with her to warrant a trial. daughter's death.

law or Maine's law would apply to Bortner is questionable because her residency is unclear. Bortner was receiving public home in Kittery. assistance from the state of Maine at the time of Kassidy's death although she had been living with Evans in New Hampshire for at least two months. Evans is free on \$100,000 corporate surety bail. An indictment is not an indication of guilt. Rather, it means a grand jury believes there is enough evidence

hether New Hampshire's

mandatory child abuse reporting

many were aware — to some of limitations had run out for all abuse and the cause of his death extent or another — of the abuse crimes except murder. Harold a secret. Lois inflicted on the little boy, he was never charged for his ☆ Minnesota's law noted in the book that the statute alleged effort to keep Dennis' Please turn to Page B5