

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

**3174**

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER Sgt. James W. White	3. I.D. NO. 650	4. TOWN OF CRIME Rochester	5. TN. CD. ****	6. DATE OF REPORT 11-09-00
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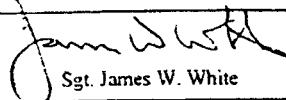
On Monday, November 12, 2001, at about 0900 hours, I interviewed,

WILLIAM D. MODLIN JR. [REDACTED]  
4 Beaudoin Court  
Rochester, NH  
[REDACTED]

in my cruiser, in the parking lot of Bickford's Restaurant, in Newington. MODLIN is a former McDonald's Restaurant employee and knows CHAD EVANS. MODLIN is also familiar with AMANDA and KASSIDY BORTNER. MODLIN began working at the Rochester McDonald's in August or September of 1997. EVANS was the Area Manager and his brother, JASON EVANS was the Store Manager. In September 1999, MODLIN transferred to the Greenland McDonald's. The Store Manager was Melissa (LNU). MODLIN left McDonald's in December 1999. In May 2000, MODLIN went to work for the Hampton McDonald's, staying there until January 2001, when he left for a job at Burger King. MODLIN returned to work at the Kittery McDonald's in June 2001 and left in August 2001 for a job at BJ's Wholesale Club, in Portsmouth.

MODLIN said he was at EVANS' house in Rochester, for parties, about five times or so. MODLIN said they were McDonald's parties. MODLIN said that EVANS' drank a lot and was easily set off (angered) when he was drunk.

MODLIN told me he had observed EVANS, AMANDA, and KASSIDY, at the Hampton McDonald's, he believes two days before KASSIDY'S death. MODLIN was on break, sitting at a table in the dining area. KASSIDY was crying and EVANS was yelling at her to shut up which caused her to cry more which angered EVANS more. MODLIN said AMANDA finally intervened and told EVANS to calm down and she would take care of it. AMANDA laid KASSIDY on a table and patted her back and calmed her down. I asked MODLIN to describe KASSIDY'S appearance. He said she looked a little yellow and sickly. He saw bruises around one eye and her jaw area. MODLIN said he asked EVANS about the bruises and asked if KASSIDY was okay because she didn't look normal. EVANS told MODLIN that she was okay and not to worry about it because KASSIDY just falls a lot. MODLIN said the next thing he knows is two days later KASSIDY'S dead and he feels like an ass. I asked him why he felt that way and he said it was because he didn't do anything about what he had observed. MODLIN said he didn't make a phone call because EVANS was a powerful man in McDonald's, everybody liked him, including MODLIN, and MODLIN didn't know if he would get fired or if EVANS would hurt him physically. I asked MODLIN to explain and he told me when EVANS is in those drunken rages, you don't mess with him. MODLIN further explained that he had seen EVANS in drunken rages at various parties when he would get mad at someone or something and go off. MODLIN said EVANS would yell, scream, pick things up and throw them, or sometimes run after the person and yell at them. MODLIN said he never witnessed a physical assault. MODLIN said he would back off and leave the party when those things happened.

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MODLIN did describe two things he had witnessed between EVANS and TRISTAN EVANS' oldest son. MODLIN said at one party, EVANS got angry and yelled at the oldest boy for misbehaving (MODLIN didn't recall what the misbehavior was), EVANS picked up a stick and almost hit the boy. MODLIN described a second incident when he was at a party at EVANS' house. The older boy was acting up, EVANS picked the boy up by his belt buckle and tossed him across the room. MODLIN believes they were in the basement. MODLIN said TRISTAN came into the room and said words to the effect of "What the hell's going on?" EVANS said they were just having fun. MODLIN said he wasn't sure if EVANS was playing around or not.

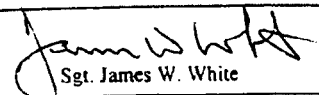
MODLIN said he observed EVANS get mad and yell and swear at employees at work when they made mistakes, EVANS would say "Stupid fucking mistakes", according to MODLIN.

MODLIN said he was told on several occasions not to talk to the police about his observations. I asked him who had spoken with him. MODLIN said on one occasion, TOM TOOMEY and LISA HANIOS told him not to say anything. Another time, he was called into the office, at Hampton, about one month after KASSIDY'S death, by LARRY LANE and BOB (LNU) who is the Vice President of Operations. He was told by them not to talk to the police and to forget it ever happened. MODLIN said his sense was that their concerns were a combination of concern for McDonald's image and concern for EVANS. MODLIN said BOB did most of the talking. MODLIN was told, "Be careful what you say and do, if a police officer comes up and asks you, say you don't know anything, because it's none of your business. MODLIN said the meeting lasted for ten to fifteen minutes. MODLIN also said sometime during his employment at the Kittery McDonald's, LARRY LANE asked him "Have you said anything to the cops, please say you didn't."

MODLIN said before he was hired by the Kittery McDonald's, in June of 2001, he met with the Store Manager, JAY HINTON and his brother, JEREMY HINTON. MODLIN said one of the conditions of his being hired back was not to say anything to the cops about EVANS. MODLIN said they told him words to the effect of, "We've had problems with you before being uppity and mouthy, and if it happens again, you won't work at McDonald's. CHAD has problems of his own that he has to deal with, and it's none of our business."

I asked MODLIN how he knew JEREMY HINTON. MODLIN said JEREMY used to be his boss at the Hampton Beach McDonald's and the Greenland McDonald's before MELISSA (LNU). MODLIN described EVANS and JEREMY as "partners in crime" MODLIN explained they did anything and everything together.

MODLIN said JEREMY had called his parent's home a couple of times after he quit the Hampton McDonald's to check up on MODLIN. MODLIN said no one spoke with him but he left messages on the answering machine with words to the effect of "Just checking on you, hope you're not saying anything about the case to the cops." I asked MODLIN to explain. He told me that EVANS McDonald's friends were concerned because they knew that MODLIN had a lot of

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information. MODLIN said they never said why they didn't want him to say anything about EVANS.

I asked MODLIN if he had ever discussed the case with any McDonald's co-workers. MODLIN said he didn't because the employees were told not to talk to the press and not to discuss the case with fellow employees. I asked MODLIN how that had been communicated. He told me it was noted on a paycheck memo not to discuss the case with anyone, even fellow employees. MODLIN said the memos probably would have been from BOB (LNU) or PETER NAPOLI, another Vice President of Operations. MODLIN said he had thrown the memos away. MODLIN said he believed there were two or three memos that referenced the case.

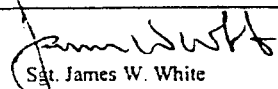
I asked MODLIN how he knew TRISTAN EVANS. MODLIN said when he was first hired by McDonald's, TRISTAN worked there and he had a crush on her before he found out she was married to CHAD EVANS. MODLIN said that TRISTAN told him several times that EVANS scared her when he got angry. MODLIN said he hasn't spoken with TRISTAN since KASSIDY'S death.

I asked MODLIN if he knew TRAVIS HUNT. MODLIN said he knows HUNT, but not well. He said HUNT lived in EVANS' house and may still be living there.

I asked MODLIN how many times he had seen KASSIDY. He said he believes it was only the time he saw her at the Hampton McDonald's. MODLIN said he has seen EVANS and AMANDA several times. MODLIN said he never really liked AMANDA. I asked him why, he told me that he didn't trust her, he said it was just something about the way she acted, talked, and said things. He said she didn't act like a caring mother in his view. I asked him for an example. He told me that a month or two before KASSIDY died, he overheard a conversation she was having with someone at the Hampton McDonald's. MODLIN said there were a bunch of people with EVANS and AMANDA that he didn't know. AMANDA was telling someone, "The baby fell on her head the other day, CHAD picked her up and shook her, I told him to stop, the baby woke up and I started laughing."

I asked MODLIN if he made any observations about EVANS and AMANDA'S relationship. MODLIN said he saw anger and frustration on EVANS part, much like he saw with TRISTAN. MODLIN explained there was yelling, distrust, and anger. MODLIN said EVANS was always watchful, like he was afraid AMANDA would walk away from him, or someone would come along and take her away from him. MODLIN said he never saw anything physical between EVANS and AMANDA.

I asked MODLIN what spurred him to come forward. He told me he had a conversation with JEFF MARSHALL at BJ's Wholesale Club. MODLIN knew MARSHALL from his doing the lawn care maintenance for McDonald's. MODLIN brought up the fact to MARSHALL that McDonald's management had told employees not to speak with him if he came into McDonald's. MODLIN said

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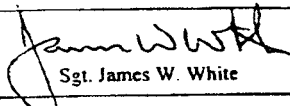
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that they were told that MARSHALL was the one who actually killed KASSIDY, not EVANS, he was innocent. MODLIN said that MARSHALL had lost his maintenance contracts with McDonald's because of that. MODLIN said he felt this was wrong, for someone else to be blamed and have them lose their livelihood. MODLIN said knowing EVANS demeanor, and what he had observed of his treatment of KASSIDY at Hampton McDonald's, as well as her bruises and appearance, he knew MARSHALL wasn't responsible for KASSIDY'S death. MODLIN said that MARSHALL encouraged him to contact the police with what he knew. MARSHALL told him words to the effect of "You're out of there, don't be afraid of them, they can't hold a rope over your head the rest of your life." MARSHALL gave MODLIN the phone number for the Kittery Police. MODLIN said he called and spoke with a dispatcher. He was told that someone would get back to him, but no one ever did, so he figured no one was interested in the information he had.

MODLIN said he was afraid of McDonald's and their employment power. He said he always ended up going back to work there because he couldn't find other work. MODLIN said he felt good about speaking to the police but he fears there will be repercussions. MODLIN said he's never been threatened by anyone but he is physically afraid of EVANS and his friends. MODLIN said "I'm not pissed, I think something needs to be done about the death. Maybe there's a little revenge for McDonald's for the way they treat people but I want to do something good for someone who died. She could've had a good life."

MODLIN told me he takes medication, Lithium, for bi-polar disorder and also an anti-psychotic medication, Gendone.

End of Report

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