

DOVER

# Evans found guilty in toddler's death

## He faces up to a life sentence

By J.M. HIRSCH  
The Associated Press

DOVER - A former Rochester man was convicted of second-degree murder yesterday in the beating death of his girlfriend's 21-month-old daughter.

Chad Evans, 30, also was convicted of five of six counts of second-degree assault, endangering the welfare of a child and simple assault. He was acquitted of first-degree assault.

He faces up to life in prison.

Evans was charged in the death of Kassidy Bortner, who died Nov. 9, 2000, at a baby sitter's home in Kittery, Maine.

The girl's mother, Amanda Bortner, will be tried in March on child endangerment charges. She testified against Evans under a grant of limited immunity.

Evans showed no emotion as the verdict was read, but as he

was led out of the courtroom, more than a dozen friends and family members yelled, "We love you, Chad!"

Tristan Evans, his ex-wife, said: "He's not guilty. That's all that needs to be said."

Amanda Bortner was not in court.

Jurors deliberated for two days after they were told to begin again Wednesday when one juror was dismissed for personal reasons after two earlier days of deliberations. There were about two weeks of testimony.

"Justice was done here today," said Assistant Attorney General Simon Brown. "The evidence was clear that Chad Evans was responsible for Kassidy's death."

Prosecutors said Kassidy was subjected to months of systematic abuse at the hands of Evans, who was frustrated by the girl's crying. Bortner told the police Evans



Evans

beat Kassidy and threw her into walls, but she backed off those accusations during the trial and admitted she had been living with Evans after Kassidy's death in violation of a court order.

Defense lawyers argued the real killer was Kassidy's baby sitter, Jeffrey Marshall, the last person to see the girl alive. He is the boyfriend of Amanda Bortner's sister.

Marshall testified that he never harmed Kassidy though he regretted not reporting the bruises he frequently saw on her. Yesterday, he urged others not to make the same mistake.

"Don't turn your back," he said.

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"If you know something, do something about it."

Marshall praised the jury, saying, "the truth worked." But he said the verdict was no victory.

"You just have to keep remembering it's about a little girl. It's not about Chad, it's not about me. It's not about anybody in this case. It's about Kassidy."

Evans did not testify. His lawyers called only one witness, a doctor who testified the child's fatal injury could have been caused within two hours of her death, at a time when she was with Marshall.

Defense lawyer Mark Sisti said he plans to appeal but did not say on what grounds.