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Centurion Ministries, Inc.
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Princeton, New Jersey 08542-3215

Rev. James McCloskey and Centurion Team,

My name is Chad Evans and I am a wrongly convicted inmate in the New Hampshire State Prison. Until November 9, 2000, I was an involved, productive citizen of Rochester, NH. Part time through shared custody with my to-be-ex-wife, I was living with my then 3-year-old son, Kyle. The woman I loved, Amanda Bortner, and her young daughter, Cassidy, whom I also loved, lived with me as well. As an area supervisor for eight McDonald's restaurants, my income was more than adequate for expenses and savings for the future, including education for my son, stepson, and Cassidy. We were melding a family, embraced by our larger families, and life was good.

On November 9, 2000, Cassidy Bortner died in Kittery, Maine, at the home of her babysitter, Jeff Marshall, where she had been for over four hours. My last interaction with Cassidy was at 7:20 that morning when she was being driven to Jeff's by Amanda. Cassidy was tired when I last saw her, but awake and as she was leaving, she opened her Zip Loc of cereal and began eating. The police of Maine and New Hampshire decided within a few hours of Cassidy's death that I killed her. They reinforced that belief with an investigation centered solely on me, immediately ruling out any other possible determinations, and focused their remaining energies on persuading others that their belief was correct.

Case History-

I was introduced to Cassidy's mother, Amanda by Jeff Marshall and his girlfriend, Amanda's sister, Jennifer Conley, on June 2 of 2000. Our romance flourished quickly and within weeks Cassidy and Amanda moved into my Rochester home.

With any blended family, adjustments needed to be made, but by July we were flowing smoothly. We were enjoying family outings to the lake, county fairs, parks, etc. We enjoyed spending time together creating memories with the kids and teaching Kyle and Cassidy new things.

As part of an obligation to a program that Amanda was involved with through the state of Maine for single moms, she began to seek employment around Oct. 1st. Her first job was a data entry project; Amanda would sometimes work for big blocks of time on our home computer. On occasion she would take Cassidy to Jeff Marshall for babysitting as his business slowed significantly in the fall. Cassidy's moods began to change drastically. She became possessive of her time with Amanda and overall, more irritable. At that point, we suspected it was all due to the major change for her. Cassidy started having temper tantrums, the likes of which we had never seen. Since her language skills were not yet developed, I didn't know how to help her. I felt inadequate and frustrated.

I've never believed in corporal punishment. I feel it to be counterproductive, often being doled out in the spirit of revenge. Instead, my major form of discipline was to obtain eye contact and proceed with

explanation. Sometimes Kassidy would not look me in the eyes as requested and I would hold her cheeks in the palm of my hand to obtain eye contact. The purpose of this was not for punishment. My goal was always to provide instruction and advance communication. This happened 10 times or so and small fingertip bruising resulted 3-4 times. Unfortunately, we never thought much of this bruising or had a doctor check into it. Anemia was prevalent in Amanda's family and we assumed that Kassidy suffered from it as well because there was no sense from her actions that this holding was causing any pain whatsoever. In addition, I thought I was applying approximately the same amount of pressure with each hold.

As the month of October went on Kassidy spent additional time being babysat by Jeff Marshall. Many times she came home with bruises on her and Amanda received excuses that seemed plausible. We knew from a previous doctors appointment that Kassidy had a "toed in gait" and was a bit clumsy at times. On one trip from Jeff's house, Kassidy was returned with two large eggs on her head. Amanda was told by Jeff that Kassidy fell headfirst out of his truck window onto the driveway. During that stay it was later revealed that she also ingested some Windex. In hindsight, it is clear that Kassidy had a significant health decline after the fall from Jeff Marshall's truck. Within 12 days of this fall, she died.

The night prior to Kassidy's death Amanda was scheduled to work her new job at Old Navy clothing retailer and Kassidy was to spend the night with Jeff Marshall. Due to recent "accidents" at Jeff's house I wasn't comfortable with Kassidy staying away from Amanda or I anymore than necessary. Kassidy had recently been very sick, and I was going to have Kyle that night anyway, so I arranged to pick Kassidy up. From the moment I picked her up, (Nov. 8th) she didn't seem well. She wasn't her normal self: her eyes were "glassy", she was very quiet, had no appetite, and appeared to be drooling in the backseat. It was concerning to me but I rationalized it away when I spoke to Kassidy and she responded. On top of that, I spoke to Jeff several times and he didn't sound alarmed nor see any of the symptoms I was witnessing so I felt I might be overreacting. I took both kids home and tried to feed them, but Kassidy had no interest. We then carried out our nightly routines.

Then I made a huge mistake. Part of our nightly routine was to hit balls with Kyle. Because of Kassidy's actions that evening, I didn't feel comfortable taking her outside so I pitched balls to Kyle in his bedroom while Kassidy sat on my lap. There was approximately two dozen balls in Kyle's basket of balls, mostly wiffle balls, but also one or two T-Balls. On the second rotation of balls I tossed Kyle the only ball left, the hard Tee Ball that Kyle and his brother typically use outside. He hit it directly back at us with his brown plastic Fisher Price bat and the ball struck Kassidy directly under her eye. She whimpered for a second and the area discolored quickly, but other than that Kassidy seemed fine. Right away I put ice in a towel and applied it as a precaution.

I then gave Kassidy a bath. My roommate, Travis Hunt, came home and observed Kassidy in the bathtub. She was acting more like her normal self, splashing around a bit. After this I fed Kassidy a freeze pop, read her a bed time story and put her to bed around 8:30 PM. Kassidy seemed fine. Around 11:30 PM Amanda returned from work. We argued for a minute or so, went upstairs, to bed. we went in, kissed the kids goodnight, and noticed Kassidy had defecated in her diaper. Amanda decided against waking her and opted to change the diaper in the morning.

On the morning of Nov. 9th Kassidy woke up crying. She had been doing this more frequently as of late. Typically she would wander into bed with us or we would go get her. On this particular morning, I yelled out, "*Go to sleep baby, you are just having a dream.*" It was at least an hour before we had to get up. We ended up oversleeping a bit so we had to rush around and get the kids ready to go. Kassidy walked to Amanda from the end of her bed. Amanda changed Kassidy's diaper and dressed her. I then

took Cassidy downstairs and packed up her chosen cereal, Reese's Puffs, and snacks for the day. When I kissed them all goodbye that morning, I had no idea it would be the last time I would ever see Cassidy alive.

I received a phone call from the Kittery Maine Police Station around 2:20 PM instructing me to go there. I called them back from the Hudson NH meeting I was in and was told something had happened to Cassidy. I went to the police station and waited over three hours before my interrogation began. I tried to be as helpful as I could. In hindsight it is clear I wasn't A suspect, I was THE suspect. At one point I made a fatal mistake and lied about the origin of the bruising I had caused when I held Cassidy's cheeks around her jaw line to obtain eye contact. I knew these bruises had NOTHING to with causing Cassidy's death and I was afraid that if I made an admission, it would avert the police focus on finding the truth. In addition I was embarrassed and thought Amanda was telling the same story and I didn't want to get her into any trouble for my actions. It was frustrating and quickly became clear that the police weren't interested in anything I had to say unless it was an admission of guilt.

A full scale "witch hunt" proceeded and I was arrested on Nov. 16th 2000.

I went on trial in December 2001 and after three full days of deliberations, was found guilty of Second Degree murder and multiple assault charges. The evidence was weak, based completely on hearsay and twisted statements, (including my own) of over emotional parties. There was no scientific evidence despite over 300 hours of searching my home. The only physical evidence was found at Jeff Marshall's house. Much of the trial testimony was inaccurate and though we were able to disprove most, it didn't seem to impact the jury. For example, Jeff and Jennifer testified they were watching Cassidy because I was abusing her and we couldn't take her out in public or to any other daycare. We had a list of 17 qualified daycares that Amanda had recently contacted and we were trying to get Cassidy enrolled. In addition, Amanda took Cassidy out in public often and I took Cassidy to a family gathering 4 days before she died. This is but one example of how we disproved the prosecutions' theories. My lawyers made many mistakes, chief among them advising me not to testify and only putting one defense witness on the stand, even if it was the esteemed forensic pathologist, Dr. Michael Baden. He testified that in his opinion I had nothing to do with Cassidy's death "*She died as a result of a fat emboli that was caused from trauma less than four hours before her death.*" This was a time period that Cassidy was only in the care of Jeff Marshall. This testimony was not enough to convince the jury

Since April 2010, my website, www.chadevanswronglyconvicted.org, has sought to present the entire truth about me and this case. There was much that the jury did not see, hear or understand. This letter is not the place to present the reasons for those deficits, arising generally from the nature of our adversarial system; but it is clear that the jury did not see the evidence, or enough of the evidence of my actual innocence.

A March 22, 2001 report of DNA testing done by the Maine State Police Crime lab was recently discovered by my advocate, Morrison Bonpasse, through a FOIA request to Maine authorities. (Neither my attorneys nor myself saw it prior to my trial.) The results of the test showed Cassidy had blood under all 10 fingernails. It turns out the blood was hers. Cassidy's DNA was also found on a napkin. That report also found male DNA from an apparent saliva stain on a paper towel recovered from the home of Jeff Marshall, where Cassidy died. Had my attorneys known of the testing, they would have insisted on further testing prior to trial to determine the sources of DNA already located, and for the testing of other items relating to Cassidy's death. For example, a red stain on a bed sheet found on the bed where Cassidy was sitting at Jeff Marshall's house was not tested and should now be tested. With the results of DNA Tests, the jury could have fairly weighed the evidence. By themselves, the DNA

tests may not have been determinative, but they would have shifted the direction of the evidence toward science and physical evidence, and away from unreliable statements from people whose motives were questionable.

My advocate, Morrison, has also recently discovered some of Cassidy's medical records that were not turned over to my lawyers. These records show that Cassidy had doctors' appointments during the periods when the state alleges the assaults on Cassidy had already begun. Couple the doctors records with the 10 photographs of Cassidy from that period that were not lost in a 2001 fire, and it becomes apparent that much of the testimony was misleading and inaccurate. It was not clear to the jury that a number of people were describing the same injuries.

On November 5 2000, four days prior to Cassidy's death, Amanda purchased approximately \$300 in new clothes for Cassidy with money I had given her. Included in that purchase was a new winter jacket. While at the Strafford County Court house to check trial exhibits in April of 2011 Morrison discovered the jacket had what appears to be bloodstains on the front of it. Cassidy was wearing this brand new, stain free, jacket when she left our house on the morning of Nov. 9th. From the police interviews, we know that Amanda sat Cassidy in Jeff's bed, wearing this jacket before leaving for work. Upon arrival to Jeff's apartment, the Kittery Police found Cassidy lying semi nude on Jeff Marshall's porch. Jeff would later testify that he didn't go near Cassidy all morning and she laid in his bed watching cartoons and sleeping until he found her in distress just prior to her death.. This jacket was never submitted for DNA analysis and no questions were ever asked at trial of how that blood might have gotten there.

In July of 2010 I took a Voice Stress Analysis Lie Detection Test. It was administered by a former NY State Police Detective with over 30 years on the force. I was asked multiple questions about Cassidy's death and passed the test with No Deception Indicated. Four other professionals independently examined the results and came to the same conclusion.

There is far too much information in this case to explain it in a preliminary letter. What I am hoping is that you will go to the website listed above and spend a little time reviewing the case. Morrison has written a nearly 700 page book about all aspects of the case which is available and we can email to you if you would like to read. If we get that far in the process, you may find that the book is easier to read than sifting through nearly 10,000 pages of trial transcripts and discovery material. In addition, there is a section of the website titled "LETTERS FROM NH STATE PRISON" where I have corresponded with Morrison over the past 18 months, answering the questions that were never asked 10 years ago. All of the above is available on the website and I am happy to provide paper copies if you prefer.

Incidentally, Amanda supported me throughout the trial and was even charged with endangerment at one point, because she refused to repeat many of the same statements she made under duress, hours after Cassidy's death. Amanda met with an investigator hired by my family back in 2007 and gave a tape recorded statement, again denouncing much of what she felt "coerced" into saying by the police shortly after Cassidy's death. Understandably, Amanda moved on with her life after my incarceration but has met and spoken to Morrison as well, reiterating her belief that I am innocent in causing the death of her daughter. She indicated at one point her willingness to also take a lie detection test if it would be helpful.

Please do not hesitate to contact me with any questions. On behalf of all the wrongly convicted men and women, thank you for your time and the hard work you do so selflessly.

Sincerely,