

CHAD EVANS LETTER TO HIS ATTORNEYS, NOVEMBER, 2000.

Presented below are notes by Chad Evans to his attorneys, Mark Sisti and Alan Cronheim, to help them understand his case. It was written by hand approximately shortly after his release from jail on bail in November 2000 and later typed. It was converted to a Word document on 28 February 2010 with only a few deletions. There are two 2010 clarifications with italics in brackets [], on pages 2 and 18.

Before I met Amanda Bortner, my girlfriend, Jeff Marshall did work for us at my McDonald's locations snowplowing, landscaping and cleaning play places. My opinion of him was that he was a nice guy. When I was going through my separation with Tristan he would at times come into my office in Portsmouth and just shoot the shit. He said things like. "I know what you are going through. I myself had a similar situation with my girlfriend, Nicki." I told him all about my breakup and what had happened. He seemed genuine.

Not two weeks after I had been talking to Jeff about my breakup with Tristan, I ran into him and Jen doing a job for me at the McDonald's at the Rochester Wal-Mart. He said, "I got a great idea. Why don't you take Jen's little sister Mandy out." He and Jen went on to describe her as a cute girl that had recently had a kid and was starting to get her shit together. They then told me she was only 19 and I was like, "Are you nuts, I am 28." I then jokingly said to them. "Well, find out if she is still single and wants to go on a date with an older man." Jeff piped right up and said, "Oh yeah she will," and swished his fingers around as if to indicate dollar signs. I laughed and finished up my conversation and then left. I ran into Jeff a few days later (This must have been around mid-May.) He mentioned something about Mandy again. I told him that I was actually seeing a few different people and he made some comment like, "Well just take her out ...I don't give a shit. She has a kid so" He laughed and said, "No, seriously, she is a nice girl. Just go out to dinner and see if you like each other." I think he would make comments like this to me trying to be funny. I agreed to a double-date thinking, "What the Hell. I met Amanda, Jen and Jeff at Applebee's in Portsmouth on June 2, and we went from there. On the day prior to the date Jeff told me that Amanda lived in Auburn, Me. He said, "So take her out, give her a few drinks and then maybe you can take her home and...." I replied. "I'll take her out and see what happens, but if she gets drunk she has to come stay at your house because I have a date later that night." As I said, at the time I was seeing a few girls. I was determined after the pain I went through in marriage to never get attached to anyone again. I was expecting only to go to dinner with Amanda and then a concert and not have it really be anything. I never expected to like her, but after I met her I honestly wished I hadn't made any plans for later in the evening. We hit it off really well from the start. She was great and within a week I had stopped seeing the other

girls, and had focused solely on her. I was torn; even though I liked her I tried to remain as distant as I could because of my fear for getting hurt.

Amanda started coming around a lot after that first date. It was weird. It was almost like love at first sight. Approx. a week and a half after I met her, I met Kassidy for the 1st time. Amanda brought her over for an overnight visit. She was a very cute little girl. Amanda would come back throughout the month of June on her days off. I even went up to her parents' house a couple of times. We never had an official "move in" but she quit her job the 1st week in July and never went home after that. I worked hard to foster a relationship with the baby. She was extremely jealous of Amanda. If I was anywhere near her mom, Kassidy would freak out. This never went completely away, but it got better with time.

Amanda and I were working hard to build relations with the other's child. She would do many spin art and painting projects with Kyle while I worked with Kassidy on the alphabet, new words, and reading bed time stories. She had the cutest little smile and gave the sweetest hugs you had ever received.

The summer went pretty well. A couple of times Jen and Jeff would watch Kassidy for the evening so that Amanda and I could go out. He would say, "If you guys ever need a sitter for a night out or whatever we will take her."

I guess that in the beginning of October things got a little crazy for us. I was involved in a million things. We had all sorts of things going on. Amanda was bored sitting at home and wanted a job etc. Jeff's landscaping had slowed drastically, and he started watching Kassidy much more frequently in October. The following are some of the reasons that I remembered he watched her. The 1st I will elaborate on because I thought it was strange. He told Amanda that he had some fall cleanups that he could hire her to help her and Jen do. The odd thing was Jeff would take Amanda to the sites to do work and then he would leave and take the baby with him. Other times Jeff watched her in October. When Amanda went shopping 4 or 5 times with Jen, while Amanda looked for a job 2 or 3 days, while Amanda landscaped for him twice, while Amanda went to a money management class I sent her to, and while we went to a concert. A couple of times when I took Amanda out, once or twice when she went over to her friend Tracey's house. The last week of Kassidy's life Jeff babysat Kassidy while Amanda worked, and one time he took her while Amanda did a stay at home project. He was supposed to have her for one night and kept calling and didn't bring her home for 3 days. Amanda couldn't go get her because her car was in the shop and by the time I got home at night Amanda would say, "She is already in bed now and Jeff said he would bring her back in the morning." He never brought her back until she called up and demanded he bring her back, 3 days later! This was approx 1 1/2 to 2 weeks prior to her death. When Jeff brought her back, Kassidy was very sick and lethargic. She had two of the hugest eggs you had ever seen on the back of her head. When I got home that night, Amanda was mortified. She reported to me that when Jeff had

dropped her off he told her Kassidy "fell out" of her car seat onto his driveway head first, (out of his Dodge Ram Truck) while he was doing something. Amanda stated to me that the baby was starving, she said to Amanda "Hungry, Hungry". She gave Kassidy a bowl of cereal. Kassidy had learned table manners and usually she ate very well with a spoon and fork, but at this time she stuck her face in the bowl and drank every bit of the milk out. Amanda then filled the milk back up and she did it again. Amanda also told me that she witnessed Kassidy's eyes roll into her head for a second approximately an hour before I had gotten home. I asked her at that point, "Do you think we should take her to the hospital?" She said, "No, I think she will be ok." Amanda then asked me to get some Pedialite. We both stayed up with Kassidy that night, taking turns holding her and walking with her as she cried. Amanda described the way Kassidy ate as if she hadn't been fed the entire time she was at Jeff's house.

Weird things happened, but I never thought a lot about them until it was too late. The first sign of trouble came somewhere during the week of Oct. 6-8. Jeff brought Kassidy home one of those nights with three little bruises on her cheek. The odd thing was he had tried to cover them with makeup. He told Amanda, when he brought Kassidy home, that she was standing on the bed and he said to her, "Mamma's here." She repeated, "mamma, mamma" and walked off the edge of the bed. I know it was that weekend because I went To Bruce's (one of my best friends) for football on Sunday and was bitching to Jeremy (my other best friend) about the whole makeup thing.

The next week, Kassidy had bruising on her face caused by me. I was bouncing with her on the trampoline and I let go. She was up in the air and went backwards almost off the trampoline and I reached out and grabbed her with one hand. I grabbed her face and left almost a perfect triangle where I had grabbed her. *[2010 note: While Chad did prevent Kassidy from falling off the trampoline, he didn't grab her by the face. The bruises on her lower cheeks were from his holding Kassidy's face to ensure eye contact with her as he was explaining something to her. The "trampoline story" had been started by Amanda and Chad to explain the bruises, and Chad maintained the story, but it was false.]* That was the weekend of my birthday and Amanda was supposed to be there. But she didn't know my folks all that well and was really worried they would think she had done something to Kassidy. We had gone on several trips during the summer without the kids and she didn't want to seem like a bad mom in my mother's eyes. I remember in typical Jeff fashion, Amanda had arranged to stay Saturday night at Jeff and Jen's house and I talked to him on Friday and he said, "Oh man doesn't she have some other place to go? We don't really want them here." He stated to me, "We don't mind Mandy staying over but Jen and I don't really want to have the kid here too." I was silent in disbelief and he then said, "Well it is Jen. When she gets out of work after working all day you want to come home to some peace and quite. The last thing you want is to listen to a screaming brat." I said to him, "Wow, Jen is her aunt. Maybe she ought to tell

Amanda how she feels." I told Amanda about this when she got home that Friday night and she went and stayed at her friend Tracey's house. It worked out well because Tracey needed a babysitter anyways. Amanda went home to Buckfield sometime on the 12th or 13th of Oct to get some money from her mom for a birthday present for me. While there Josh (Amanda's brother) saw Cassidy's face and told his mom she had some bruising. Her mom called our house, I want to say it was sometime on the 15th at night and asked for Amanda I told her that she was not in and then she asked me about bruising on the baby's face. I told her what had happened on the Trampoline and she seemed fine. She then wished me a happy birthday and we got off the phone. She then called Jen and Jeff's house and they told her the same thing. Jeff then called me and was laughing telling me that Amanda's mom called questioning Jen if; "Chad would do anything to Cassidy." Jen said, "No he never would" and then Jeff proceeded to tell me, "I was yelling behind Jen that that little bitch needed discipline. She was acting up over here last week and I smacked her ass and liked it." I just kind of laughed because I was glad to see they knew better and that was the last thing that I wanted was for Amanda's mom to think I was beating Cassidy. I was going through a somewhat easy divorce with Tristan, but I was scared to death that she could turn at anytime so the last thing I would want is to give her any reason to turn.

The next week is when shit really hit the fan. On Friday night Oct. 19, Amanda brought Cassidy to Jen and Jeff's house. On Sat., I went to Newport to our friend Bruce and Michelle's house. Amanda was going to meet up with me later on and we were all going to party. She never made it over and then Sunday came. I had gone to a state surplus auction with Jeff a couple of weeks prior looking for a 3-wheeler. I found a couple in upstate Maine and Jeff agreed to take me up to get them with his truck. During the ride up to the auction Jeff bitched the whole time about Cassidy, the boys, Josh and Scottie (Amanda and Jen's brothers), Amanda's parents. etc. This ride to Maine was not much different. He showed up at my house around 2PM on Sunday afternoon, dropped Cassidy off and we left. When we were getting ready to leave I ran out to get some stuff out of my car and Jeff was left in the kitchen alone with Travis (my roommate), Amanda, and Cassidy. I didn't find out at the time but two days later I found out Jeff said to Amanda, "Her ass might be a little sore because I spanked it." Immediately after Jeff and I got underway he started talking about how fucked up their family was. He talked about Scottie and Cassidy being retarded. He said Josh is the next unabomber. He then stated that the girl's parents were "useless, lazy trash, that had kids so they could take their paychecks." He proceeded to tell me how Jen worked and her mom would always take her checks, they had borrowed money from him several times, they always cried poor, that I had better watch Mandy's money or they would spend it too. (Come to find out her mom did cash two of her checks.) He said, "The mom is totally fucked, she had Josh call me and ask to come down and work. I told him, "Hello, it is the middle of October. You should be in school." He talked about how they were

raising Kassidy up there he said she was a cute kid, but he thought maybe Josh was the father, because she is "fuckin' retarded." He said, "She lacks discipline. They baby the shit out of the little bitch." They all let her have her own way. It is not Mandy's fault because she seems like she wants to do the right thing, but they all will go pick her up or whatever." (At the time I thought he really had a lot of respect for Mandy. I have since realized....) He described an incident at his house where he was teaching Kassidy a lesson about listening. When watching her the previous week, she started crying and he threw her in on the bed; and she started crying louder. So he then threw a pillow over her head and said, "Cry into that you little bitch. I have neighbors you know." He let Kassidy get up once she was quiet and she sat still in the chair until it was time to go home after that. At this point I just sat in amazement listening. ... a week or two prior I was talking to him about something to do with Amanda he sat agreeing with me. Next thing I know he is running to her telling her to "watch herself" around me. "I don't want to see you get emotionally hurt by Chad." So I never got further into the conversation about how I would discipline her other than to say sometimes Kassidy's crying got on my nerves and I would occasionally put her into time outs. He said to me, "The other night she was being a little bitch so I let her have it. I smacked her ass." I assumed when he said this that he spanked her pretty age appropriately. He said to me, "Now when Jake (his dog), sees her coming he and the cat are psyched, they say to themselves, 'Oh good here she comes again.' She can take the beating we would have gotten." "The way he described it, I just started chuckling because he was so determined. I never thought he was serious. He then proceeded to pretty much convince me Kassidy was slow. "I mean it, Chad, she is like Children of the Corn. It freaks me out. She just will sit there and stare at walls like a retard." When we got home that night, Jen was over. Amanda was not in a great mood. We were all sitting at the table shooting the shit and the subject of Kassidy came up. Jeff chimed in that she needed discipline in her life. I agreed that she was a bit spoiled at times. I told them that she was freaking out one time so bad that I had to splash cold water on her face to get her to calm down. I could see Amanda getting a little upset. Jeff was in the middle of a story and Amanda got up from the table and said, "I don't think you should hit anybody else's kid Jeff." Kassidy was acting up about going to bed and I took her up and loudly told her to lay down and go to sleep. When I came back down the stairs and was rounding the corner Jeff said to me while I was coming out of the bathroom, "Let me know if you are going to beat her I want to watch." I gave him a real fucked up look and then he kind of laughed off what he said. They left soon after and Amanda was a little mad at me for saying Kassidy did need discipline every now and then. (I had no idea why she was so upset at this point.) The next night I came home right before lifting and Amanda was changing Kassidy's diaper. She was visibly upset and I asked her what was wrong. She said with tears in her eyes, "Look at her butt." I had never seen anything like it. Her ass was completely black. Amanda did not tell me how hard Jeff had beaten her ass because Jen asked her not to,

the night before. Jen said, "She will talk to Jeff." If she had shown me while he was there the night before I would have beaten him senseless. Up to this point I had given Amanda no real direction. I let her come and go and do as she pleased because I did not want to control her and lose her like I did Tristan. I knew this was wrong though. I stated to her, "I don't think Jeff should watch her anymore." Amanda told me that she talked to Jeff and he apologized. I went off to lift and watch Monday night Football at Bruce's house. That night Jeremy came and stayed at the house as we were leaving at 7 AM the next morning for a company golf outing. After noticing Kassidy in our bed, Jeremy made a comment to me in the car on the way to the golf course; "Does the baby always sleep with you guys?" I said, "No, she just crawls in with us." We got home that night and Kassidy had a few fresh bruises on her face. Jeremy looked at her and said, "Chad, what the fuck happened to her face, it wasn't like that this morning?" I said, "I don't know" (it didn't really alarm me because like any 20 mo. old baby, she was sometimes very clumsy.) "But look at this." I said to him and proceeded to pull her diaper down. He said, "Holy shit, who the hell did that?" I told him Jeff did and asked him what he thought I should do if anything? He replied, "You have to beat his ass or at least talk to him. If anyone ever hit my kid like that they would be dead." I said you are right and then Amanda heard us talking from the computer room. Jeremy went into the room and she confirmed the story. Amanda also told him that Travis was standing right there when Jeff said it. The very next day I called Jeff to confront him on the situation I said, "Jeff, I guess the hell you smacked Kassidy's ass." I had expected him to apologize to me as he did Amanda the day before and let me know that he just let his anger get the best of him. Instead he replied, "Yah! My friggin hand was killing me too." As if he was proud of what he did and that I would be too. I went off. I said, "You dumb shit. You beat her ass that hard through her diaper. You ever do that again and I will beat your ass. Do you understand me?" He then piped down and told me how sorry he was and he didn't mean to do it that hard. I told him that I didn't want to hear it. I made my threat and no one had ever not listened so I figured he would listen as well.

After that, Kassidy would come home with more bruises but there was always an excuse and they were always things that were believable, so I never suspected anything. One time it was changing her diaper, and leaving her standing on the bed while he went to get wipes with her pants around both ankles and she fell face first. The next time it was the dropping her onto her head from the truck incident. The next time it was she was knocked over by the dog. About 10 days before she died he stepped back and "accidentally" stepped on Kassidy's left foot. She could not walk after that without limping. We thought it was a bone bruise because we squeezed all over, and she never showed any signs of pain. We figured it would just heal.

Sometime after he dropped her on her head and before he stepped on her foot. I was carrying her upstairs to bed when I was holding onto one of her feet I felt this funny feeling. I turned her foot up and

found all kinds of little pin prick like things on the bottom of her foot. I yelled to Amanda and she came running. I asked her, "What the hell is this?" She said, "I don't know." I asked, "Could she have gotten into something here?" She said, "No" and then I said, "Well then you better find out what the hell he did to her." The next day Amanda explained to me that Jen and Jeff had little nails sticking out of their floor and that must be what she stepped on. I said, "How fucking dumb is he? If you have nails in your floor you don't let a baby walk barefoot." I then told her to make sure he takes care of them.

The week of the 30th Amanda was over to Jen and Jeff's a couple of days in a row. She came home and reported to me one night that she was going to get a job. She told me that she had found one at Old Navy and they wanted her to start right off. She said her hours would be 8 to 8. I asked her how she planned on working that out and she said that she was going to get a daycare for Cassidy and that Jeff had volunteered to pick her up and watch her after day care closes at 5 or so until when she got out of work. I wasn't really fond of the idea. 1. He hadn't proven to be good with her. 2. I liked having Amanda at home. But I also understood she was going stir crazy. She was hopefully starting school in January and I did not want to control her. Well, getting a daycare was not as easy as she thought. She had called like seven places and was on the waiting list for two. So Jeff ended up watching her that 1st entire week of work. I was so unhappy about the situation, I asked the director of Kyle's school about taking her in. The director of Kyle's school, Mrs. Edgars, explained they would not be able to take Cassidy in their program until she was potty trained. (It was a combination daycare/kindergarten.) At some point Jeff made some comment to me in his usual, what I thought to be joking, way. I think it was Monday or Tuesday of that week. "I told Mandy about this daycare right down the road. She thought it was too close to the road and in front of a factory. I say, 'what the hell. This might be your one chance to get rid of her.' Ha Ha."

On the night prior to Cassidy's death, I was working all day in my Hampton, Rte. 1 store. I called Jeff right before five and said that I would be there soon. I had to go to Peter's Palace because they screwed up my credit card bill last month. (Amanda got added on to work the night shift at Old Navy and I volunteered to watch Cassidy as soon as I got out of work so Jeff wouldn't be with her that long.) He was acting really strange on the phone. I said, "Where do you want to meet?" (He never wanted me to see his house because he was ashamed or something.) He said, "I don't care." I said, "I will just come to your house." He said, "Ok, well tell me exactly how long you will be." This struck me as odd so I said, "I have no idea, why do you need to know exactly when I will be there?" He said, "Oh, Uh so I can have her ready when you get here. Know what I mean?" I said ok. I went and did my business at Peter's Palace. It took longer than expected and I now had to fly to his house because I still needed to get back to Dover to pick up Kyle at School by 6:00 PM. When I got there, Jeff came running out of the house with her under one arm and her bag in the other. He was walking very briskly towards me and handed Cassidy to me. I asked

him where her car seat was and he said, "I don't know. I guess her dumb ass mother didn't bring it." (I didn't know it at the time, but it was on his porch.) I said, "Ok," and just loaded Kassidy in the car and buckled her up. He seemed a little disturbed about something. While I was bent over in the car buckling her up, he was standing behind me and talking to me. Jeff said in a very determined tone. "Amanda has to find something else to do with this kid. I don't mind helping out but I am tired of watching her. I want a kid that will do something. All this little retard does is sit around and either bawl or stare off into space. She fuckin' freaks me out. It is like she is one of the kids in Children of the Com." (This is not the 1st time he has said that to me.) I was kind of surprised because this conversation seemed to be coming from out of the blue. I said, "Jeff, I am really late getting Kyle so I don't really have time to get into it but as far as I knew you were only watching her for a little bit until she found a day care. She has called some but is put on waiting lists or something. But if you really feel this way you should probably talk to her." I then shut the car door and he was still talking a little bit. I told him, "Listen I have to go to get Kyle. I will call you in my car or at home." I didn't really have much to say to him but I hate being rude to people. I started pulling out of the driveway and he started inside. He turned around and signaled to me from the steps and then came running back to the car. He said (In a totally different mood than he was just in. Dr. Jekyll - Mr. Hyde anyone?) All smiles, "So what did you get at Peter's Palace? Anything good?" I said, "No, as I said to you on the phone, I just had to run in real quick because they screwed up my credit card receipt last month. It was a movie or something." He said, "Oh." I then said, "I got to go, I will call you soon." I left and was headed to Dover and noticed about 5 minutes later that Kassidy was being even more quiet than usual. I started talking to her once I got on the Spaulding Turnpike, and she wasn't talking back. I reached back to grab her leg and say, "Hey, are you being shy?" She still didn't answer. I then looked back it was dark by now so I saw her not real clearly, but I could see her little head was hanging over the seat belt and she looked like she was drooling or something. I called her name and she didn't respond. I immediately called Jeff and asked him, "What the hell did you do to her?" He replied, startled, "Nothing, why? What is she doing?" I explained what she was doing and he said, "I told you she was fucking retarded." We talked for several more minutes. I asked if she was normal when she was dropped off? What time she came, etc. I lost my connection with him once in Dover and can't remember if I called him right back or not. I got to Kyle's school about 5 after 6. I ran in real quick to get him and was actually in there for a minute because the teacher was finishing a song with Kyle and another child. Once I got home I went over to the passenger's side and let Kassidy out of the car. Kyle was having a shit fit with himself, so I stood Kassidy outside the car (I should have never done that because about 8-10 days prior Jeff stepped, or so he said, back on her foot and she could barely walk.) I went and let Kyle out and spoke to him about not being patient enough to wait 2 seconds. When I went back over to get Kassidy she was laying face down on the

ground with her hands down by her side as if she didn't even put her hands out to break her fall. Kyle was with me and said, "Daddy why is Cassidy laying on the ground?" I said, "I don't know" and picked her up. I brought her inside and now I called Jeff again immediately. This time I was less than nice. I explained what had happened in detail. I said, "You had to have done something. This baby is all fucked up." We went through everything again and by the time I got off the phone, he convinced me she was just tired or something and that nothing happened at his house. While on the phone with him I was fixing her and Kyle something to eat for dinner. Once I was off the phone with him I was holding her in the living room talking to Kyle about school and I noticed her eyes fluttering up in the back of her head. It really freaked me out I grabbed her head in one hand and patted her face similar to what you would see in a boxing match when the guy gets his bell rung. Her eyes stopped doing it and I got up. I decided I was going to give her a bath. She hardly touched her supper and I figured I would just put her to bed early. I set her down again standing up in the hallway to start her bath water. I heard this thud apparently she took a step and fell back hitting her head on the wall. I ran out to see what happened and her eyes did it again. I picked her up by her shoulders and brought her right up to my face and said, "You are freaking me out kid," and she kind of smiled at me. I was really worried though and decided to postpone the bath a little while. I tried calling my mom twice to tell her what was going on and to see if she felt I should bring her to get checked. There was no answer at her house so I said, "Ok, well, I am taking you with me wherever I go now." I had a nightly ritual to play ball with Kyle and I took her in with me. I sat her on my lap and started pitching the balls to him. He was slugging them pretty good that night and on the second to last ball on the 1st wheelbarrow full he knocked the only hard ball just out of my reach and hit her in the side of the head. She whimpered for a minute and then was fine. I was like, "Wow, she is pretty tough." I sat her on the floor and ran down to get an ice pack to put on her. She hated that and it didn't stay on too long. By now she was playing away and acting like none of the previous events happened. This put my mind at ease a lot. About then the phone rang and it was my ex-wife Tristan. I told her briefly what had happened: the fall, the eyes rolling, the ball and now she was acting completely normal. I asked Tristan what she thought to get a mom's perspective and she said, "If she is talking and acting normal now I wouldn't worry about it." So I felt even more relieved. I took her into give her a bath and while in the tub Travis came home. He started talking about his day and playing with Kyle and Cassidy. Cassidy was being her normal self, talking away and saying words. He was standing there as I took her out to dry her off. I turned real quick to let the tub water out and she started to fall back. (This was the last time I forgot about her leg.) I asked Travis, "Can you just hold her for a second while I go and get her jammies. And a diaper?" He said, "Sure" and picked her up and held her. As I put her diaper on, Kyle came in and said to Travis that he accidentally hit Cassidy with a ball. Travis went to pitch Kyle some more balls and I finished getting

Kassidy dressed. It was now about 7:45 and I was on the phone with Jeff. I made some comment about what had happened with her and the baseball. He put me on hold for a minute and freaked out on his dog. When he got back to the phone my phone was beeping and I told him to hold on a second. It was Amanda calling me on her break from her sister's job (they worked in the same strip mall.). I told Jeff, "I have to go for a minute, I will call you back in a minute." I proceeded to go off to Amanda about Jeff. I told her that he told me he doesn't want to watch Kassidy anymore. I asked her, "I thought he was only going to watch her after daycare? How is that search coming?" She said, "He is." I said to her, "This is it. He doesn't have kids of his own, he is not good with her, Jeff told me, 'she acts like children of the com' etc." Amanda acted as if she was half listening to me and at one point interrupted and told me to call her back because it was her sister's work phone and Jen would get in trouble. So Amanda gave me the number and I called back. I finished up our conversation and told her about Kassidy's eyes, falling on the ground etc. (After Kassidy died, Amanda told me she didn't hear me when I was talking about her eyes, etc. That was pretty common. Amanda often times half listened to me.) I made some comment to her, to the fact that it freaked me out and I didn't want to watch Kassidy if this was how things were going to be, and I felt bad because accidents always happen when I have her (referring to the ball). I noticed a small mark under Kassidy's right eye and I asked Amanda about it on the phone. I wanted to be sure that Jeff had not done anything and I knew this was not the side that the ball had hit. Amanda said, "Oh no, she fell forward yesterday and hit the coffee table. I saw her do it." I had originally planned on telling Amanda about Jeff and him not watching Kassidy when she got home from work, but she called me, so I just told her then. I then called Jeff back and finished my conversation with him. I went through Kassidy's behavior for the night and asked him if he thought it was strange? Trying a little different angle and he just replied, "I told you she is retarded." I explained how for a while tonight she acted like she wasn't even in there. I told him, "I was like 'Kassidy, Kassidy'," he started laughing and said, "Oh yeah, it's like children of the fucking corn. She is either crying or looking at you like she is dumb." It was just the way he said it that made me laugh. Somehow, we then got onto the presidential election. I asked him something about the Electoral College. He then started going off about the Democrats about how they liked giving money to the poor and the people that cry poor. He said, "You know people like Mandy's parents. Or single mom's like Mandy that you and I pay for." I guess at this point I did as I usually did, just rationalized away everything with Kassidy thinking he would somehow give something up if he was really doing something. I always felt paranoid after because I didn't want to think badly of people, and I felt a little stupid at the time for questioning him. I guess when I think back to that night there were three main reasons I didn't take her to the hospital and God do I wish I had:

1. She was fine after a while and I got confirmation from Tristan who works with doctors all the time that she was sure Cassidy was fine.
2. I knew Cassidy's eyes rolled into her head before, based on what Amanda had told me. She told me that the night Jeff dropped Cassidy out of his truck window it had happened, so I didn't think it was a life and death situation.
3. I was going through a divorce with Tristan. Things were almost final and I didn't want anything to screw it up. Cassidy had a mark under her eye from the coffee table and two faint bruises on her forehead that I have no idea where they came from. She also had a huge bump on the back of her head where she fell out of the truck and thinning hair in the back (caused from the bump on the head.) Not to mention she still walked with a limp. I didn't really want to take her to the doctor's and have them start pointing the finger at me. I knew I was not responsible for her condition, but I didn't want to be questioned either and have things screwed up for visitation with my son. I had a sweet deal arranged, and Tristan or the state could have screwed it up if they thought I had done something to Cassidy. Had I known or even suspected that whatever happened to Cassidy was life threatening, I would have taken her to get checked in a second. Looking back I was being very selfish. I hate myself for this, it should have been so clear, the condition she was in.

Travis was upstairs with me as I put Cassidy to bed. I read her two stories and gave her about 50 kisses. She went to bed and seemed to be fine. I then put Kyle to bed and Travis and I went downstairs. I worked on a project in the living room and Travis went to his room. He left around 9:30 to go to a friend's house. I remember because I answered the phone and thought it was funny that the call showed coming in at 9:11 PM. Amanda returned home around midnight we argued and then we cuddled on the couch for a few minutes, and then went up to bed. She went in and gave Cassidy a kiss as did I. Immediately upon entering the room you could smell a messy diaper. I said to Amanda, after she left the room, "Whew, baby, change that diaper it stinks!" She said, "I am not waking her up. I will change it in the morning." I leaned over Cassidy and looked at her face. (Her back was to the door.) I saw her eyes were open and she said, "Hi!" I said, "You little shit, you are supposed to be sleeping." I gave her another kiss, and told Amanda as I walked by the bathroom, that she is awake and then we went to bed.

The morning of her death we got up a little late. I remember Cassidy woke up crying once; it must have been around 4:30. Amanda said, "Chad, yell to her and tell her to go to sleep." I yelled, so she could hear me, and she did fall back to sleep. It didn't seem odd because she had done that a lot the last couple of weeks. I usually went in and got her and brought her in to sleep with us. But this morning I was too dead tired to move. I remember thinking, "Oh shit", when I read 6:39 on the alarm clock. I woke Amanda up and told her she was going to be late if she didn't get a move on, as she had to work at 8 am. I got up

with her initially. She walked into Cassidy's room and I started towards Kyle's when she entered Cassidy's room, Cassidy woke up and said, "Mamma." Cassidy got up and walked to the edge of the bed and put her arms out for Amanda. Amanda changed her diaper and put her onto the couch to watch cartoons while she jumped into the shower. I actually went back to bed for a few more minutes. Towards the end of Amanda's shower I got up and woke Kyle. I got him dressed and brought him down for breakfast. I yelled up to Amanda, "Do you want me to feed her cereal or put it in a baggy to bring to Jeff's?" She replied, "Put it in a baggy, please, I will be really late if not." She came down, got Cassidy dressed. I picked Cassidy up and sat her on the kitchen counter while I let her choose her cereal and then I filled a baggy. I carried Kyle to the car and Amanda carried Cassidy to the car. As I buckled Kyle in, I looked over and Cassidy had the baggy of cereal opened up. I couldn't believe it because it was one of those zip locks and I didn't know she could do it. I said, "You little shit, I didn't know you could open those." I smiled at her and gave her a big kiss and a hug. Amanda was bringing Cassidy to Jeff's house and brought Kyle to school for me as I had a report I needed to finish for work. From what I was told, Amanda punched in at Old Navy around 8:15, so the baby was dropped off by 8:10. I remember before she left the house Cassidy had a red mark around her left eye where the ball hit her and a red spot under her right one from the coffee table. I can honestly say, although I am not proud to, based on what happened between Tristan and I, and the fact that Tristan had a red mark on her face given by me; and then went to work and her coworkers talked her into leaving me, there is no way in God's green earth that I would have let Cassidy out of the house if I had beaten her. Jeff and Jen are mistaken when they say she arrived at their house covered in bruises. The way I see it, if I had beaten her senseless, from 7-7:30 when Travis got home she would have had at least red marks all over her. And would have been bawling. He was there with me until I put her to bed. He left at 9:30 and Amanda came home around midnight. So the only other time would have been for me to go up into her bedroom, wake her up and then proceed to beat her to death. If I was capable of that one.

1. Why haven't I done it to my own kids in the past?
2. I don't think I would be alive myself.

DCYF called me around 8:30 that morning at my house. I was in the shower and had no idea what DCYF was, so as I headed out I called the number from my cell phone. All I got was this office voicemail so I left my name and number and a way that I could be reached, by some lady named Patricia Hocter. I then called my friend Vanessa (my friend of 25 years) to find out what the agency was. I thought DCYF was something to do with child support or something and Tristan was trying to pull a fast one. Vanessa told me that it wasn't, she said it has to do with abused or neglected kids. We both had a little laugh and she said, "Yeah right, as if Kyle is so abused." (She really didn't know Cassidy, but knew I spoiled Kyle

and Brent rotten.) So I went about my business until it dawned on me, "Wait a minute, maybe they are calling because of Cassidy. The poor girl has a limp, bump on her head, bruise on her forehead, etc." So I then called Jeff and told him I got a call from DCYF. He asked me what they were and I told him. I said, "I wonder what they are calling about and who called them." He said, "Oh it was probably Amanda's friend Emily (Another entire story) and that it was nothing to worry about she was a bitch anyway." I said to him, "Well Jeff, I don't know what they are calling about but if it is anything to do with the baby, she and Amanda are going to come stay with you until it blows over. You are the one that stepped on her, dropped her out of the truck onto her head, and bruised her head. I am going through a divorce right now and until it is final I don't need to be involved with any shit or give Tristan anything to screw me with." He said, "Oh no, don't worry about it. They can if that is it." I then asked, "How is the little princess?" He said, "She is fine. She is sitting right here with me." I could hear her cooing in the background. Then he said, (laughing as he said it) "Man, her eye looks like shit. I told you to call me if you were going to beat her up so I could watch." I said, "Man you're fucked up. I didn't hit her. I told you last night she got hit by Kyle's ball!" He could tell I was pissed. He said, "I know, I know, I was just kidding." (The thing I don't understand is if her face was so fucked up like he told the cops that Amanda brought her that way. Why did he just say her eye looked like shit and not her entire face?) He made a similar comment the night before and I think it was during our last conversation when I said she was acting weird like she wasn't even in there. He said before we got off the phone, "Ok, well, don't beat her too hard without me." I got off the phone with him and arrived at my first restaurant.

Around 2:20 p.m., I received a page from the Kittery Police Department. I called them and they told me that there was a problem with Cassidy and they wanted to see if I could help them. I said, "Holy shit, what is wrong?" The officer said, "we can't discuss it over the phone." I said, "Ok I will be there in an hour and a half or so." (I was in Hudson NH and they wanted me to drive to Kittery.) When I got to my car I noticed that my cell phone had some messages so I checked them. The 1st one was around 2 p.m. with the Kittery police asking me to call them. The second one was from Jeff around 12:30 or so that was frantic. He said, "Chad, This is Jeff. Call me as soon as you get this, bye!" He sounded scared shitless. So I then called him and left a message and then called him right back. Some guy answered and I asked for Jeff. He said, "Hold on," and handed Jeff the phone. Jeff was very rude on the phone. I asked him what was going on and he said very loudly, "I am at the police station, What the hell did you say you did to Cassidy last night? Hit her in the face with a ball?" I was like, "What?" He said, "Just get your ass down here now." I said to him, "You know damn well what happened to her last night, and don't talk to me like that or I will kick your ass." He then calmly replied, "Just come here." And I said, "I am already on my way." When I hung up I immediately thought to myself that bastard got caught doing something to her

and said all of that shit loud enough to get the cops thinking I did it. After Jeff's phone call, I went to Portsmouth real quick. I had to start soup the next day, so I dropped their kettles off. (Keep in mind this entire time I had no idea Cassidy was dead.) I wanted to just get the kettles there so that if she was really hurt or something I could be with her and Amanda uninterrupted. When I got there I went through the grill with the kettles. One of the grills was not cooking properly so I went to fix it. I knew it would only take a minute or so to fix. I saw Travis there on my way out and I said to him, "Something is wrong with Cassidy. I don't know what but I got a phone call from the police department. I am going up there to answer a few questions for them and then heading to the hospital. I don't know which hospital she is at, but I will call you when I find out anything. Or you can call around and find her." And then I said to him, "If anyone asks, you have seen me with her." He said, "Oh yeah, you are great." (I was thinking of Jeff and my little phone conversation and his, what seemed to me, attempt to push anything that happened onto me. I then left the store. About 5 minutes down the road, I remembered that I left my office door unlocked, so I called Portsmouth to have Jeremy lock it up. While driving to Kittery, I got to thinking and freaked myself out. I called my best friend Bruce. My calling Bruce and talking to Travis were solely because of my paranoia with regards to the cops. It is a long story but they intimidate the shit out of me. I called Bruce, and briefly explained what had happened and he said to just go there and answer their questions. I was freaking and said, "You know how the cops are they are going to twist everything, they have done it to me once already." He said, "Well just don't say anything to them, then. You know you tend to get worked up Chad. I'm sure you are worrying about nothing."

When I got to the police station I sat around for what seemed to be forever, and waited for someone to come talk to me. Finally, a state police detective came out with a Kittery cop and sat down, thanked me for coming in. I said, "Sure. What is going on?" He said, "There has been an accident with Cassidy today." I asked, "What happened, is she ok?" He said, "No, Cassidy is dead." Nothing could have prepared me for this. I was not expecting to hear that. I felt like I was going to throw up, as a matter of fact, I asked to go to the bathroom. I had dry heaves. I asked, "How did it happened, did she fall down, did she get hit by a car, what?" and he said, "We are not sure, that is why we asked you to come in, can you tell us anything about it?" I said, "What do you mean, you're not sure? And how the hell can I tell you anything about it, I haven't seen her since about 7:30 this morning!" The cop really pissed me off because almost in the same breath that he tells me that Cassidy had died he basically asks me if I knew how she died, as if I had done something. They left me alone for a minute. I called Tristan because I was supposed to meet a couple of friends later and I wanted her to call them. Also I wanted to tell her. I then went back into one of the Kittery captains' offices. He sat with me and just shot the shit for a while. I completely lost it back there. I think it finally hit me that she was dead. I bawled for an hour straight. He let me call my

mom and let me break the news to her. He was really nice and understanding. He put his hand on my shoulder and said you will get through it. I just kept saying, "I can't believe it, I just gave her a kiss this morning. I just read her a story last night and did the alphabet with her. I am never going to be able to do those things again. She was just a baby. What could have happened to her?" This officer was very understanding. Finally, after hours and when I had no more tears, they pulled me into a room for questioning. I will review all that in person, but I remember them trying to act like I was their best friend. I went in and answered every question as honestly as I could not thinking I had anything to hide. I was paranoid but that is just I. I just didn't really think they thought I was responsible for Cassidy's death. One thing I know for sure about my questioning is I really tried to down play my relationship with Amanda. She recently got involved with some program with the state of Maine where they were going to pay for her college. She was talking about getting her own place in Kittery soon anyways, so I didn't think it was a big deal that she wasn't living in Maine at the time. But when I started getting questioned I really didn't want her to get into trouble. I will explain my entire relationship with Amanda later, but the major mental block I had going through my head was that I was very badly hurt in my relationship with Tristan and I didn't want to fall for anyone again or admit to myself I had. She basically lived with me from July but when she ever talked about moving her dresser in, I had a fit. I would say, "I am not ready for a live-in girlfriend," and she would get pissed and say "What the fuck, I do live here Chad. I haven't been home in months." My feeling on the education front was, I was paying for everything for Amanda and Cassidy and had no problems doing so, but I wasn't about to put another woman through school and have her leave me also. If she moved to Maine and I couldn't have lived without her, I would have brought her back, moved her in, and paid for her education but I wanted to see how things would be first.

The rest of my questioning I am sure we will talk about at another time but a couple things I found odd about Jeff that day. He was being questioned in the room beside me, they were out in the hallway talking and I heard him say, "I want to help in any way I can. I really cared about that little girl." I wanted to puke because he never did anything but bitch about her and call her a retard. I then went out in the hall to use the bathroom while he was in a room. He was writing something out on a piece of paper and I said, "Jeff." He looked up saw me and put his eyes right down to the ground as if to say "Oh shit." He couldn't look me in the eye. When my questioning was through, I walked out into the lobby area and Jeremy was standing there in front of the door to stop me from going out. Jeremy said, "Let's wait a minute Chad before we go out. Jeff is out there and I know you want to kill him. He will get his, Chad. It just won't be today." I said, "Let me go, Jeremy. I just want to say something to him. I won't touch him today. I promise." Jeremy walked out with me and I walked right up to where Jeff was sitting and said, "You son of a bitch! I hope you rot for what you did!" He stayed hunched over with his elbows on his knees and said nothing to me. I

then said, "And then you go in there and run your mouth to those jerks and push every thing off onto me. He looked up at me at this point and said, "I didn't run my mouth." (He never denied pushing it off on to me though.)

Other things of note-

- After her death I found out about Kassidy drinking Windex at Jeff's and his attitude about it.
- Jeff testing Kassidy through the windows. Putting her into the corner, him calling her bad girl all the time.
- Jeff made comment that we never talked about Kassidy. BS. I never called anywhere without inquiring about her or Kyle.
- Don't know what I told cops, but was nervous as hell because of situation with Tristan.

Other Key FACTS

- Amanda, Maine Department of Human Services. She went to their office on a few occasions and always had Kassidy with her. If she was all-beat up by me surely these people would have noticed and reported it.
- Jeff's allegations about me.
- What I told cops. And what was meant. For example, I consider wrestling playing rough. It was not as though I was sitting with a coloring book and crayons all the time. (Non-rough play)
- Touching throat vs. Choking
- Jeff's past (Restraining orders- several girlfriends,...)
- Amanda witnessed Kassidy jump off trampoline around week of Oct 1.
- Isn't it weird, Kassidy lived with me with no problems from July on and never was a problem but all these problems occurred starting in October when Jeff came into the picture and started watching her.
- As I look at it now, as sick as it seems, the situation almost had the appearance, that he could have been in competition in his mind with me to see.....
- Approx. a week ago I was thinking about the situation and I remember Jeff telling me when he was watching her early on in the summer that she would sit there and cry. He would take her into the bedroom because he had neighbors and he didn't want them to hear the crying. He told me once, "She tripped and fell and then started screaming. (This must have been August or so) I picked her up and put her on the bed lying face down so that she was screaming into a pillow rather than out loud. I didn't want anyone to hear here and think I was beating her or something. Sometimes though when she is just being a bitch I will throw her onto the bed and put a pillow down onto her face until she shuts up." I remember being pretty unimpressed with this comment and said, "What the hell is wrong with you. She could suffocate you know." He would come back with a big classic Jeff Marshall smile and say, "I

didn't really do it hard. I just wanted her to stop. I would just set it there for a second, you know what I mean?" As crazy as it sounds, he is one of those people that can kind of tell you something horrible, and then cover it up in a way with humor or seriousness that would put your mind at ease so it was never questioned again.....

- I took Kassidy to Nicole's house the Sunday before her death. She was very tired. She was a little playful but took about a 5 hour nap. She woke long enough to eat.
- I find it kind of odd that Jeff told me the night prior to Kassidy's death that he didn't want to watch her anymore and then he thought it was important enough that he called Jen (Amanda's sister) while she was working to tell her the same thing. If he didn't do anything and wasn't covering something up why wouldn't he just tell Jen when she got home?
- Welfare situation. A good thing to ask Amanda about. Jeff ... (Yes this is the same Jeff that bashed Democrats.)
- Jeff had made several comments to Jeremy about Kassidy, Amanda, etc. at McDonald's. I can't remember what they are and didn't want to jeopardize things by talking with Jeremy about it, but hopefully he will remember.
- Travis made a point to me right after I got home from jail and was pretty upset about things that made me really think. He said, "Chad, I know you didn't do this man. Most nights you aren't even here until well after I get home and Kassidy was in bed by the time you got here. The only nights you get home early are Tues. and Weds. When you have Kyle. (I didn't realize he was so observant.) I have only ever seen you be nice to that little girl." I guess I consider this a good point because I hadn't really thought of it, but I was never home and rarely had her. On Mondays and Thursdays, I worked out until 9:30 pm. Fridays I never got home before 8 pm. Tues and Weds. I usually got home by 6 pm although in the very beginning of October, I took up candlepin bowling with my friends Bruce and Jeremy. We were going all the time. Sometimes, 2-3 times per week. Saturdays and Sundays that I didn't have Kyle I spent mainly with Bruce figuring out our betting game plan and watching football. On the weekends that I did have Kyle, the four of us (Kyle, Amanda, Kassidy and myself) would take off and do something. I was simply never around. Which leads me to my second thought. Travis told me that he had seen Kassidy being dropped off by Jeff a couple of times with new bruises. And he was standing in the kitchen the time Jeff brought her home and had beaten her ass black and blue. He heard Jeff say, "Her ass might be a little sore, I kind of spanked it." When Travis asked Amanda about her bruises or anything he always got what he would consider a reasonable explanation that she was given by Jeff. It made me realize I only directly dealt with Jeff on a few occasions. Most of the time I got my information second hand from Amanda and I would pretty much assume she was handling things. It

was her baby and as I said before, it was the last thing that I wanted to do was to step onto her toes and push her away. When I did see something that I considered being odd, I would ask Amanda about it. For example, I saw a fresh bruise on Kassidy's cheek one time when she came back from being with Jeff. I asked Amanda about it as I walked in from work and she said, "Oh, Jeff told me his dog knocked her over." It seemed reasonable; the way Amanda explained it.

- As I said earlier, I can't remember everything about my interview with the cops, but I know it wasn't pretty. I suspect you will know what I mean if they ever send us our discovery. I know I was evasive and told what I thought was a small lie to them. I had lost my temper with Kassidy. I had squeezed her cheeks [*to get eye contact with her*]; I even had bruised them. I knew this had nothing to do with her death though and I didn't want their attention diverted from what really mattered, I never thought this would steer their entire approach.