

654



[Business](#) [Search](#) [Obituaries](#) [Sports](#) [Weather](#) [Classifieds](#)

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- [News Menu](#)
- [Fosters Home](#)
- [N.H. State/Local](#)
- [ME State/Local](#)
- [Lakes Region](#)
- [Back Issues](#)
- [Sports](#)
- [Business](#)
- [Obituaries](#)
- [Commentary](#)
- [Politics](#)
- [Today in History](#)
- [Entertainment](#)
- [Showcase](#)
- [TV Listings](#)
- [Movie Listings](#)
- [Calendar](#)
- [Nightlife](#)
- [Special Sections](#)
- [Autos](#)
- [Online 2000](#)
- [Homes](#)
- [Dining](#)
- [Health](#)
- [Vital Statistics](#)
- [Births](#)
- [Police Logs](#)
- [Indictments](#)
- [Licenses](#)
- [Divorces](#)
- [Community Info](#)
- [Happenings](#)
- [Club News](#)
- [School Lunches](#)
- [Suppers](#)
- [Wish Lists](#)
- [Hon. Mentions](#)
- [Submit Forms](#)
- [Engagement](#)
- [Wedding](#)
- [Services](#)
- [Classified](#)
- [Weather](#)
- [Lotteries](#)
- [Local Links](#)

News - Tuesday, November 28, 2000

Evans' bail terms: No restrictions on contact with children

DCYF official: Overwhelming case loads, laws make it hard to fight abuse

By JENNIFER L. SAUNDERS

Democrat Staff Writer

YORK, Maine — After making bail the day before Thanksgiving, a Rochester, N.H., man accused of beating his girlfriend's daughter to death is out of jail with no restrictions regarding contact with children.

Chad E. Evans, 29, of 191 Milton Road in Rochester is facing a charge of manslaughter in connection with the Nov. 9 death of 21-month-old Kassidy Bortner. The little girl died at York Hospital that afternoon from what officials have described as a "blunt injury to her head."

Evans' bail conditions include no contact with his 18-year-old girlfriend, Amanda Bortner, and other state witnesses in the case, New Hampshire Assistant Attorney General Christopher Carter said Monday. Evans had to surrender his passport, Carter said, but is not required to remain in New Hampshire. He does need to check in with probation officials, however, because he is on probation after pleading guilty to simple assault charges against his ex-wife in March.

Although Evans is forbidden to contact Bortner or her family, there are no specific restrictions against contact with children as part of his bail provision, Carter said.

During court proceedings earlier this month, Evans' ex-wife was awarded full custody of their 3-year-old son. Evans is allowed visitation with his son only with his ex-wife's supervision.

Evans was held for almost one week at the Strafford County House of Corrections on \$100,000 cash surety bail before a bond was posted for him at Rochester District Court through Denis Bail Bonds of Raymond, N.H.

Evans' attorney, Alan Cronheim of Portsmouth, said Monday he does not know who posted the bond.

655

[Biz Guide](#)

[Search](#)

[Site Info](#)

[Site Index](#)

[About Us](#)

[Feedback](#)

Almost three weeks have passed since Cassidy was rushed by emergency personnel from her aunt's home in Kittery to York Hospital. However, the Maine Chief Medical Examiner's Office has still not released her official cause of death or results of the autopsy performed on the toddler's body Nov. 10. On Monday, a spokeswoman for the office said those results are still pending.

Evans is scheduled to appear in Rochester District Court next week for a probable cause hearing, and police and prosecutors remain very circumspect in what information they can release regarding the case. An official at Rochester District Court confirmed that documents related to the case — including affidavits — have been sealed by order of the prosecution.

"This is routinely done to prevent details from being released prematurely," Carter explained Monday afternoon, citing concerns with the continuing investigation and the need for a fair trial for the suspect.

Officials have not said whether charges will be filed against Cassidy's mother, who was living with Evans in Rochester at the time he allegedly beat the little girl and inflicted the injuries that led to her death. Officials have refused to comment on where Bortner was at the time Evans allegedly inflicted the fatal blow to Cassidy's head.

Kassidy was laid to rest following a private ceremony in Buckfield, Maine. Friends of the child's mother said Bortner spoke at the service of the difficulties of being a teen mother. Friends of Bortner have stated she has since left the Seacoast and is residing in Texas. Carter said he could not confirm or deny that information.

On the day she died, Cassidy was left at the residence of her aunt, Jennifer Conley, and Conley's boyfriend, Jeff Marshall, on Rogers Road in Kittery at 8:30 a.m. while her mother went to work at a nearby clothing store.

"Police and rescue units were summoned there after Mr. Marshall discovered a dramatic decline in Cassidy's health. She was transported to York Hospital where she was pronounced dead," according to a press release issued Nov. 16 by New Hampshire Attorney General Philip T. McLaughlin.

The Kittery police log of Nov. 9 indicates the medical aid call came in from the Rogers Road residence at 12:41 p.m. requesting an ambulance.

In the weeks since, authorities in Maine and New Hampshire have been continuing their investigation of the circumstances surrounding Cassidy's death, but few additional details have been released.

"We consider the circumstances of Cassidy's death and the nature of her injuries to be very suspicious," Maine State Police Sgt. Matthew Stewart said prior to Evans' arrest Nov. 16. Beyond acknowledging the serious nature of the case, Stewart said it was "premature and inappropriate to comment on any specifics of the case at this time."

When asked Monday whether additional charges might be forthcoming once the medical examiner's results are released, Carter said he could only speak in general terms.

656

"In any case where the state brings a charge in district court and there are further proceedings before the grand jury, there is always the potential for additional or further charges to be brought," he said.

In addition to the Dec. 4 probable cause hearing regarding the death of Cassidy, Evans will be back in Rochester District Court in January for a trial on charges he violated his probation by possessing ammunition and being arrested in connection with a felony.

Rochester Bureau Chief Teresa Robinson contributed to this report.

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