

# Maine sets hearing on 'Kassidy' bill

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KITTERY, Maine — Four and a half months after Kassidy Bortner's death, legislation to protect child victims of abuse is moving to the next phase in the approval process.

Rep. Stephen Estes, D-Kittery, said a public hearing has been scheduled for a pending bill, titled "An Act to Protect Children and Elderly or Incapacitated Adults." The hearing

will be held before the Judiciary Committee at the State House in Augusta on Wednesday at 1 p.m.

Estes, who is a co-sponsor of the bill, approached primary sponsor Rep. Nancy Sullivan, D-

Biddeford, after learning the details of Kassidy's short life as described in police reports and court documents. Sullivan had proposed the bill to protect the elderly and Estes asked her to consider including a provision for chil-

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dren. Sullivan agreed and Estes became the bill's first co-sponsor.

The resulting document "imposes a duty on every person to report suspected cases of abuse, neglect or exploitation of an incapacitated, dependent or elderly adult or of any child to either the Department of Human Services or a law enforcement agency," Estes explained.

Currently, only individuals in professional capacities such as teachers, doctors and law enforcement officials are required to report suspicions of abuse in Maine. In Kassidy's case, court documents indicate she was withheld from medical attention and kept away from others who might have reported the bruises covering her small body.

Chad E. Evans, 29, of 191 Milton Road in Rochester, N.H., will stand trial in November on charges he beat 21-month-old Kassidy over about six weeks, eventually causing her death.

A preliminary scheduling conference set for Friday in preparation for Evans' trial has been postponed. A Strafford County Superior Court clerk said this morning Evans' attorney had filed a joint motion on behalf of the defense and state, asking for the hearing to be continued. The motion was granted Wednesday. No new date has been scheduled.

New Hampshire State Police affidavits unsealed at Rochester District Court in January indi-

cate Kassidy's mother, 19-year-old Amanda Bortner, and about a half-dozen others were aware the child was being abused. Authorities in both Maine and New Hampshire have stated they did not anticipate any additional charges being filed related to Kassidy's death.

Learning no additional criminal charges would be filed partly because Maine law did not require those who had reason to know or suspect the abuse to report what they saw, Estes began looking at a way to amend the current child abuse reporting statute. Fellow legislators Sen. Ken Lemont, R-Kittery, and Rep. Mary Black Andrews, R-York, also expressed immediate support for additional action protecting children when the court documents were released in January.

Estes said Wednesday that Lemont is a co-sponsor of the bill and Andrews is planning to offer testimony at the public hearing next week.

Kassidy was pronounced dead at York Hospital on Nov. 9 after sustaining blunt force trauma to her head, according to a preliminary report by the Maine chief medical examiner's office. Bortner and Evans were living together at the Milton Road residence for about two months before Kassidy's death. Bortner, however, reportedly brought Kassidy to the home of relatives in Kittery who took care of the child while she worked. Those

relatives would later tell police they had seen bruises on Kassidy's face on multiple occasions — but never as severe as the morning of Nov. 9. They would also tell police they had noticed a "marked change" in Kassidy during the two months she and her mother resided with Evans.

Several Maine residents indicated they knew or suspected what was happening to Kassidy, but none told police of their suspicions while Kassidy was alive.

To Estes and others who have become familiar with Kassidy's case, a mandatory reporting law is the first step to protecting children. The next step in the process will be to ensure any laws adopted are enforced.

For example, New Hampshire does have a mandatory reporting law with light penalties for not reporting suspicions of abuse. Those who have stated they knew of Kassidy's suffering, however, are not being charged with any crime.

Estes said he hopes supporters of Maine's proposed law will take part in the public hearing either by testifying in person on Wednesday or by submitting written testimony. Estes said information may be sent to him care of Rep. Stephen Estes, House of Representatives, 2 State House Station, Augusta, Maine, 04333-0002, or to Rep. Mary Black Andrews, R-York, Old Post Road, York, Maine, 03909.