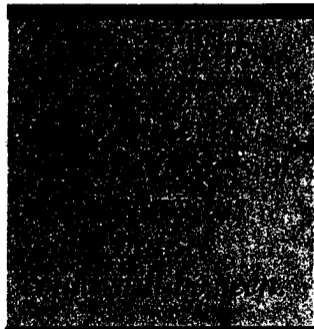


# Minnesota's tough reporting law spawned from case like Cassidy's

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ROCHESTER — Minnesota, the state with the toughest child abuse reporting law in the nation, was once shaken by a case that mirrors the November beating death of Cassidy Caitlyn Bortner.

The 21-month-old girl died at York Hospital in York, Maine, after her mother's boyfriend allegedly beat her repeatedly over a six-week period. The boyfriend, Chad E. Evans, is expected to stand trial this fall on second-degree murder and felony



assault charges in connection with the child's death.

While Cassidy and her mother,

Amanda Bortner, 19, lived with Evans at his Milton Road residence at the time of the child's death, she died in Maine after Bortner brought her to the home of a relative in Kittery and went to work.

And while the abuse reporting statutes in Maine and New Hampshire have come under close scrutiny since Cassidy's death, they are by no means abnormal compared with other states.

In fact, Minnesota's reporting statute stands apart from those

☆ *Minnesota's law*

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However, Minnesota now has a law that gives police the ability to arrest parents and guardians for failing to protect children from abuse.

## KASSIDY

Unlike Dennis Craig Jurgens, Kassidy Bortner was not abused for years. Kassidy did not suffer abuse until after her mother moved in with Evans in August, according to all court documents released to date.

Kassidy's case also differs in that while Dennis was abused by his adopted mother, it is her mother's boyfriend who is charged with beating her to

death.

In Kassidy's case, court documents paint a clear picture of Bortner standing by while Evans allegedly threw Kassidy into walls, choked her and fractured her arm and leg.

In the chronicle of Dennis' life, Siegel reveals how it was Harold, the adoptive father, that did nothing to protect the little boy.

Like Dennis, Kassidy showed multiple signs of trauma at the time of her death.

When Kassidy's body was examined at the Maine State Medical Examiner's Office in November, bruises were found

all over her head as well as on her chin, lips, temple and cheeks. Pin-prick marks were found on the bottom of both of Kassidy's feet. The cause of death was listed as blunt-force trauma to the head that occurred within 24 hours of Kassidy's death.

According to Rochester District Court affidavits, Bortner told police, "Evans had abused Kassidy for approximately 4-6 weeks. ... Evans grabbed Kassidy's face in a 'palming' fashion and threw her into corners in the home hard enough for Kassidy to strike her head on the floor and/or wall. He would also

grab Kassidy's arm and throw her against the wall. On one or two occasions, Evans choked Kassidy until she gagged to stop Kassidy from crying."

Bortner told police she and Evans agreed not to seek medical attention for Kassidy's injuries, and routinely told anyone who asked them that Kassidy was bruised because she fell off a trampoline or down stairs.

The details of the abuse that ultimately killed Kassidy are, as yet, unknown. On the morning of Nov. 9, however, it was Bortner who traveled from Rochester to Kittery, Maine, with Kassidy.

Bortner would later tell police Kassidy had trouble focusing her eyes, could not eat and was not walking properly when she dropped her off at her aunt's home in Kittery.

The indictment handed down against Evans by a Strafford County grand jury in December states he purposely violated a duty of care when he "withheld Kassidy from proper medical treatment" for her injuries.

Officials in both Maine and New Hampshire have indicated they do not intend to charge Bortner in connection with her daughter's death.

Whether New Hampshire's mandatory child abuse reporting law or Maine's law would apply to Bortner is questionable because her residency is unclear.

Bortner was receiving public assistance from the state of Maine at the time of Kassidy's death although she had been living with Evans in New Hampshire for at least two months.

Evans is free on \$100,000 corporate surety bail. An indictment is not an indication of guilt. Rather, it means a grand jury believes there is enough evidence to warrant a trial.

many were aware — to some extent or another — of the abuse Lois inflicted on the little boy, he noted in the book that the statute

of limitations had run out for all crimes except murder. Harold was never charged for his alleged effort to keep Dennis'

abuse and the cause of his death a secret.

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