

Evans defense: Wrong man accused

Lawyers argue evidence points to another suspect

By J.M. HIRSCH
Associated Press

DOVER — Lawyers for a former Keene man on trial for the beating death of his girlfriend's 21-month-old daughter told jurors Tuesday that authorities have the wrong man.

Mark Sisti, a lawyer for Chad Evans of Rochester, said police investigators in Cassidy Bortner's death jumped to conclusions and ignored important evidence that points to another suspect, Jeffrey Marshall, the child's baby sitter.

"You will find out that only four to five weeks before her death she started to go to Jeffrey Marshall's," Sisti said during his

opening statement in Strafford County Superior Court. "That's not a coincidence."

Marshall, who lived with Cassidy's aunt in Kittery, Maine, is expected to testify for the prosecution, but Sisti said jurors should be suspect of everything he says.

"You're going to see Jeffrey Marshall raise his hand and swear to tell the truth," he said. "By the time this case is over, you're going to deliberate and you're going to ask yourself, 'Hey, Jeff, is that the hand you used to beat Cassidy Bortner?'"

Evans, 30, is charged with second-degree murder and as-

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AP photo / JIM COLE

HOME VISIT — Chad Evans, center, under the watchful eye of a court officer, looks around as jurors in his murder trial visit his home in Rochester on Tuesday.

TRIAL OPENS — Chad Evans walks away from his Rochester home with his lawyers and a county sheriff. Jurors visited the site. Evans is accused of beating his girlfriend's 21-month-old daughter to death.

Evans defense says authorities overlooked real murder suspect

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sault in the toddler's Nov. 9, 2000, death. He was living with the girl's mother, Amanda Bortner, at the time the girl died.

Evans was charged in New Hampshire because police said much of the abuse took place in his Rochester home, though the girl died in Kittery. Investigators say the girl was beaten repeatedly in the months leading up to her death.

Senior Assistant Attorney General William Delker in his opening remarks described Evans as a man with a raging temper who would grab Cassidy by the face, beat her and throw her against walls.

Delker said bruises began appearing on the girl shortly after she and her mother moved in with Evans, but that he and Bortner were skilled at making up stories to explain the bruises.

"He told police he would order her into the corner for discipline," Delker said. "But the defendant told police she would throw herself into the corner, hitting her face on the wall."

Delker also said it made no sense that Marshall abused Cassidy for months

Kassidy in life and she may not side with her in death."

The prosecution's first witness was Jacqueline Conley of Buckfield, Maine, Amanda Bortner's mother.

She said Cassidy seemed to love Marshall. But she also said Bortner reacted strangely to

Kassidy's death.

"In a way she said she was relieved and would be able to get on with her life and go to college like other girls," Conley said Bortner told her shortly before Cassidy's funeral.

"I couldn't believe a mother would say that," Conley said.