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Evans to stand trial on probation violation

By JENNIFER L. SAUNDERS
Democrat Staff Writer

ROCHESTER — A local man convicted last month of murdering his girlfriend's daughter will stand trial on a probation violation charge in February.

Chad E. Evans, 30, was convicted in December of second-degree murder, multiple counts of assault and endangering the welfare of a child for abusing and killing 21-month-old Kassidy Caitlyn Bortner in the autumn of 2000.

Kassidy and her mother, 20-year-old Amanda Bortner, lived with Evans at his 191 Milton Road residence for about three months prior to the toddler's death.

At the time of Evans' arrest in connection with Kassidy's death in November 2000, he was on probation for a domestic assault charge against his former wife. However, prosecutors and Evans' defense attorneys agreed to postpone the probation violation trial until the murder trial was complete.

Last April, when the probation violation trial for Evans' arrest was delayed, a spokesman for the New Hampshire Attorney General's office explained that the facts of the probation violation case were essentially the same facts that would be used to prove the murder case.

When Evans was placed on probation in March 2000, he signed paperwork stating he would remain of good behavior and "arrest free" as conditions of his probation. Evans' attorneys argued he should not have his probation revoked on an arrest they asserted was made in error.

Evans was acquitted in August of a second probation violation charge alleging he possessed ammunition at the time of his arrest.

If Evans is found guilty at his probation violation trial at Rochester District Court on February 20, he could be required to serve his full one-year domestic assault sentence in jail.

Evans is currently behind bars at Strafford County House of Corrections awaiting his March sentencing on the murder and assault convictions. The second-degree murder conviction carries a maximum sentence of life in prison.

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Mark Sisti and Alan Cronheim, Evans' attorneys, have indicated they plan to file an appeal once sentencing is complete.

Bortner has been charged with two counts of endangering the welfare of a child for allegedly failing to protect Cassidy from Evans' abuse in the months leading up to her death and for her conduct on the day Cassidy died.

Kassidy suffered blunt force injuries to the head and abdomen between November 8 and 9, 2000 and died at her aunt's Kittery, Maine, home sometime in the morning or early afternoon of November 9. Bortner drove Cassidy from Evans' Rochester residence to Kittery early that morning and left Cassidy with her sister's boyfriend before going to work at a nearby clothing store.

The two misdemeanor child endangerment charges pending against Bortner each carry a maximum jail sentence of one year.