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Child endangerment trial set in June for Amanda Bortner

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DOVER — Jury selection for the trial of a former Rochester woman charged with child endangerment in connection with the beating death of her 21-month-old daughter has been scheduled for June 10.

Amanda Bortner was charged with two counts of endangering the welfare of a child in November — one year after her daughter Kassidy Bortner died from blunt force trauma to the head and abdomen.

Bortner's live-in boyfriend at the time, 30-year-old Chad E. Evans, was convicted in December of second-degree murder, multiple counts of assault and endangering the welfare of a child for abusing Kassidy in the months before her death. He is currently being held at Strafford County House of Corrections pending sentencing in March.

Bortner, 20, and Kassidy lived with Evans at his 191 Milton Road residence in Rochester for about three months. During that time, Bortner allegedly endangered Kassidy's welfare by withholding medical treatment and failing to protect her from Evans' abuse, according to court documents.

In police affidavits filed within weeks of Kassidy's death, Bortner described Evans as throwing the toddler into the walls of their Rochester home as well as grabbing her face, arms and legs. During her testimony in Evans' trial, however, Bortner's description of the abuse differed.

Bortner said Evans would squeeze Kassidy's face with enough force to leave bruises, but that she did not believe it had hurt her daughter. Bortner blamed Kassidy's severe bruising and the injuries that caused her death on her sister's boyfriend, F. Jefferey Marshall.

When the 12 jurors in Evans' trial were polled about their guilty verdict on the second-degree murder charge at the request of Evans' defense counsel Mark Sisti and Alan Cronheim, each juror affirmed the decision.

Bortner, however, disagrees. She told Foster's Daily Democrat

"Chad is innocent and Jeff Marshall is guilty — but that's all I have to say for right now," Bortner said.

Bortner's child endangerment trial had been scheduled for March, however, a change in attorneys for the state and a need for both prosecution and defense to review the more than 3,000 pages of discovery material related to the charges prompted continuance.

Bortner's case was originally being prosecuted by senior assistant attorneys general Simon Brown and N. William Delker. However, they have been replaced as counsel for the state by Senior Assistant Attorney General Malinda Lawrence.

"Given the history of the Chad Evans case where Amanda Bortner was a state's witness, to avoid any appearance of conflict Will Delker and I are withdrawing from the Amanda Bortner case," Brown told Foster's Daily Democrat in January.

In court documents filed in the case, the state has indicated it will not offer or accept a negotiated plea with Bortner on the charges.

Bortner is currently free on \$5,000 cash surety bail. If convicted, she could face up to one year in jail on each of the two counts of endangering the welfare of a child.

At his March sentencing, Evans faces up to life in prison on the second-degree murder conviction as well as varying prison terms on each of the felony and misdemeanor assault charges and up to one year in jail on the child endangerment charge.

Judge Tina L. Nadeau will determine, at sentencing, whether Evans' sentences on each charge should be served concurrently or consecutively.

Evans' attorneys have stated they plan to appeal the guilty verdict after sentencing.