

Editorial - Friday, April 19, 2002

Justice denied: Cassidy was more than a statistic

Kassidy Bortner is dead and Chad Evans is expected to spend at least 28 years in prison.

Twenty-eight years? Where is the justice in the sentence?

Chad Evans beat the life out of a 21-month-old child and he will be eligible for release when he is 58?

Chad Evans deprived Kassidy Caitlyn Bortner of seeing her second birthday and a judge in Strafford County says Evans may walk the streets again at age 58?

Someone must cry on behalf of Cassidy.

It was a day in November when Chad Evans beat Kassidy Bortner to death. Justice moved slowly, but deliberately — until Tuesday. A jury pondered what had been offered in court and found Evans, the boyfriend of Cassidy's mother — guilty of one of society's foulest crimes — the murder of a defenseless child.

The state asked Judge Tina Nadeau to impose a sentence of 60 years to life in prison. She declined the state's plea and set the minimum sentence at 28 years. Twenty-eight years for the heartless killing of a 21-month-old child.

Judge Nadeau reduced the life of Kassidy Bortner to a statistic.

The following is from the text of Wednesday's news story. They are not Nadeau's exact words, but a reporter's account of them.

"In explaining the sentence, Nadeau cited the range of sentences for 43 second-degree murder cases. In 29 of those cases, the sentences ranged between 15 years minimum and 30 years maximum. Only two cases had sentences of 45 years to life, and she noted those were cases where an individual was charged with first-degree murder and pleaded guilty to second-degree murder."

A very interesting statistical analysis of sentencing in second-degree murder cases, but what about Kassidy Bortner? Where is the Cassidy factor in the judge's statistics?

How many times have we seen the laughing face of Kassidy Bortner on the front page of this newspaper? How many times have we wept at the thought that a monstrous crime took the

bright light from Cassidy eyes?

How many times since hearing of Cassidy's death have we thought that anyone who might commit such a foul act must be spawned in the bowels of hell?

Since the fall of 2000, Evans said in the courtroom, "there's not been a minute when I've felt anything but shame and regret."

"Shame and regret?" But not enough to admit to the killing of a beautiful child?

At 21 months, what did Cassidy Bortner expect of life? She expected to be protected. She expected to be cared for. She expected to give love — and be loved in return.

She received none of what she expected — none of what is every child's birthright. All Cassidy Bortner got for the love she gave was a horrible and most likely painful death.

Kassidy Bortner will never laugh again. She will never play with other children. She will never go to school. She will never marry and know the joy of a family of her own. She will never realize the opportunities the future might have held because her future was taken from her — taken from her at the age of 21 months in several brutal moments.

What goes through the mind of a 30-year-old man when he inflicts such punishment on a child who was just 2 feet, 9 inches tall and weighed only 22 pounds? What offense did she commit against Chad Evans to so infuriate him as to beat the life out of her? Did she cry for attention or to be fed? Did she want to be changed? What is it that a 21-month-old child can do to bring about suffering and death?

The sentence imposed on Chad Evans on Tuesday does not fit the crime. We're not sure there is any sentence that sufficiently punishes the brutal murder of a child.

The words of Cassidy's aunt, Jennifer Bortner-Conley, in a taped interview with police, spoke volumes more than Judge Nadeau's statistical drivel.

"She (Cassidy) will look down on you and she will ask you, 'Why, Chad, did you do this to me?' We just hope that you will look up at her, look into her beautiful eyes and tell her you are sorry and ask her to forgive you.

"I know she will forgive you because she is a better and bigger person than you ever will be."

Kassidy's family cries for her. Can any of us do anything less? Can any of us do less than agree with the state's call for justice?