

Child advocacy group applauds Bortner conviction

Reminds residents to report cases of child abuse

By JENNIFER L. SAUNDERS

Democrat Staff Writer

DOVER — A child advocacy group has come out in support of Amandle Bortner's child endangerment conviction, but is urging residents not to forget that every citizen in New Hampshire has an obligation to report suspicions of child abuse.

Ellen Shemitz, president of the Children's Alliance of New Hampshire, issued a statement Tuesday in response to Bortner's conviction Monday in Strafford County Superior Court.

"While we're pleased that Cassidy Bortner's murderer and the mother who refused to protect her will be held accountable for her death, this trial also pointed to the need for New Hampshire's citizens and its state government to be more accountable for the protection of children," Shemitz said.

In the charges against Bortner, 20, the state contended that the Rochester woman failed to protect her 21-month-old daughter, Cassidy, and to seek medical care for the child in the months leading up to her death and in the hours immediately after she suffered her fatal injuries.

Bortner's boyfriend, 31-year-old Chad E. Evans was convicted in December on second-degree murder, multiple counts of assault and endangering the life of a child in connection with Cassidy's death.

During the course of both trials, more than a dozen individuals from Milton, N.H. testified to seeing bruises on Cassidy's face and body. Bortner brought the toddler to live with her at Evans' Milton Road residence in Rochester. Of all those witnesses, only one filed a report with the Division of Children, Youth and Families.

Tristan Evans, who was in the process of divorcing Chad Evans at the time of Cassidy's death, testified in court that she made an anonymous report to the agency about 10 days before Cassidy's death, after twice witnessing bruises on the child's face.

"It is the responsibility of every person in the state to report even the smallest signs of child abuse or neglect to the Division for Children, Youth and Families. It is DCYF's responsibility to investigate those reports promptly, and it is the responsibility of the Legislature and governor to give DCYF the staffing and resources it needs to do its work," Shemitz said.

During Evans' trial, a Division of Children, Youth and Families case worker from Rochester testified she had been assigned to the Bortner case. She testified that she tried to reach the Evans household by phone — as was the protocol for cases that were not labeled "high risk" — and left a message.

Bortner had already brought Cassidy from the Rochester residence to Maine, home of her aunt.

Kassidy died a few hours later, from what Maine Chief Medical Examiner Margaret Greenwald testified were blunt force injuries to the head and inflicted in the range of approximately 12 hours before her death.

"Kassidy Bortner's death showed that we are failing to meet our responsibility on all three of those levels," Shemitz said, referencing the need for reports from the Department of Health and Human Services, the Department of Education, and the Department of Children, Youth and Families to investigate and then provide the resources to allow the agency to make those investigations in a timely manner. "When we don't meet those responsibilities, children die," Shemitz said.

Bortner, who will be sentenced in January on the two misdemeanor charges of child endangering the welfare of a child, faces a maximum jail term of two years.

When asked whether that sentence is adequate punishment for parents who fail to protect their children from abuse, Steve Varnum of the Children's Advocacy Alliance, the advocacy group has not taken a position on punishment for those who violate child endangerment laws.

"Our role is one of education and prevention," Varnum explained, adding that the alliance's goal is to prevent cases like Cassidy's from ending in the death of a child.

Democrat Staff Writer Jennifer L. Saunders can be reached at 1-207-333-1111 or jlsaunders@fosters.com

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