

Kassidy Bortner Act would reform state agency

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CONCORD, N.H. (AP) — The death of Kassidy Bortner, a toddler murdered by her mother's boyfriend two years ago, has prodded lawmakers to try to reform the state division that investigates child abuse.

The changes would help the state move quickly to investigate reports of abuse like that which killed the 21-month-old, her grandmother Jacqueline Bortner said.

"No case worker ever came to see her swollen face, her broken bones, or the bruises that covered her body," Bortner said through tears at a news conference Monday.

A bill would require the Division for Children, Youth and Families to reveal, after the fact, what it knew of child abuse cases that led to death or serious injuries.

The division would have to hire about 70 more case workers — a cost some lawmakers may not support — to become accredited. The bill requires the division to make plans to become accredited by 2007.

Chad Evans is serving 28 years to life in prison after being convicted of second-degree murder in Kassidy's death.

At his trial, Evans' ex-wife said she placed an anonymous call to the state to report bruises she had seen. No case worker visited, though a baby-sitter in Kittery, Maine, noticed injuries, according to Kassidy's grandmother.

Lawmakers and a coalition of child advocacy groups have worked on the Kassidy Bortner Child Protection Act for about one year.

Accreditation by the Council on Accreditation for Children and Family Services would require the division to adopt standardized policies and practices. Annual accreditation reports would be public.

Accreditation might be costly.

Each case worker at the division now handles 28 cases on average. To be accredited, the workload would have to be lowered to 15 to 18 cases per worker, said Nancy Rollins, the division's director. She said about 72 people would have to be hired. She wouldn't estimate the cost.

Rollins said her division has been working toward accreditation for about three years and has asked for the 72 workers in its budget request for the next biennium.

Last August, a legislative committee refused to hire 62 extra child protection workers in the division. A panel set up to settle a 1991 federal class-action

lawsuit had recommended the extra workers.

The new hires would have cost \$1.7 million in state money and \$3.3 million in federal money. At the time, Committee Chairman Rep. Neal Kurk, R-Weare, said management problems at the division needed to be examined before the money was spent.

The bill's sponsor, Sen. Andre Martel, R-Manchester, said the accreditation process and disclosure laws would give lawmakers confidence their money was being well spent.

Lawmakers want to support the division but are wary of throwing money at it, he said.

"When you bring up the topic of children, people do want to do the right thing," he said.

Kurk, who hadn't seen Martel's legislation, is wary of allowing a national group setting policy for a state division.

"It's possible to have a certified agency that is still managed poorly," he said Monday. "We have to do what is best for our people and national standards may not be the best for New Hampshire."

The division investigated 7,000 cases of child abuse and neglect in 2002. It found abuse in 13 percent of the cases, a division spokeswoman said.

Martel's bill is the second to be inspired by Cassidy's death. Rep. Robert Ouellette, R-Franklin, sponsored a bill to make child endangerment a felony instead of a misdemeanor when serious injuries or death result.

The change would allow more serious penalties for charges like those against Cassidy's mother, Amanda Bortner. She was convicted in November of two counts of child endangerment and was given the maximum sentence, two years in prison.