

[Consolidated Indictments, in chronological order, by alleged offense, and Sentences]

STATE OF NEW HAMPSHIRE

INDICTMENT[S]

STRAFFORD, SS

DECEMBER TERM, 2000

At the Superior Court, holden at Dover, within and for the County of Strafford aforesaid, on the 14th day of December in the year of our Lord two thousand

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that
CHAD EVANS
(DOB October 15, 1971)

of Rochester, in the State of New Hampshire, between approximately September 1, 2000 and September 30, 2000, at Rochester in the County of Strafford aforesaid, with force and arms, did commit the crime of **Second Degree Assault** (RSA 631:2)

in that, Evans knowingly caused bodily injury to Kassidy Bortner, age 20 months. Evans caused bruising to Kassidy by grabbing and squeezing her face. Evans committed Second Degree Assault against Kassidy with the intention of taking advantage of Kassidy's age or physical disability. Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-891-F Sentence: 5-10 years. Consecutive to murder sentence in 00-S-888-F. Suspended.

of Rochester, in the State of New Hampshire, between approximately October 1, 2000 and October 7, 2000, at Rochester in the County of Strafford aforesaid, with force and arms, did commit the crime of **Second Degree Assault** (RSA 631:2)

in that, Evans knowingly caused bodily injury to Kassidy Bortner, age 20 months. Evans caused bruising to Kassidy by grabbing and squeezing her face. Evans committed Second Degree Assault against Kassidy with the intention of taking advantage of Kassidy's age or physical disability. Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-892-F Not Guilty

of Rochester, in the State of New Hampshire, between approximately October 8, 2000 and October 14, 2000, at Rochester in the County of Strafford aforesaid, with force and arms, did commit the crime of **Second Degree Assault** (RSA 631:2)

in that, Evans knowingly caused bodily injury to Kassidy Bortner, age 20 months. Evans caused bruising to Kassidy by grabbing and squeezing her face. Evans committed Second Degree Assault against Kassidy with the intention of taking advantage of Kassidy's age or physical disability. Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-893-F Sentence: 10-30 years. Consecutive to murder sentence in 00-S-888-F, and consecutive to Second Degree Assault sentence in 00-S-891-F. Suspended.

of Rochester, in the State of New Hampshire, between approximately October 9, 2000 and November 9, 2000, at Rochester in the County of Strafford aforesaid, with force and arms, did commit the crime of **First Degree Assault** (RSA 631:1)

in that, Evans recklessly caused serious bodily injury to Kassidy Bortner, age 20 months. Evans caused a fracture to Kassidy's leg by grabbing and pulling on her legs. Evans committed First Degree Assault against Kassidy with the intention of taking advantage of Kassidy's age or physical disability. Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-890-F Not Guilty

of Rochester, in the State of New Hampshire, between approximately October 9, 2000 and November 9, 2000, at Rochester in the County of Strafford aforesaid, with force and arms did commit the crime of **First Degree Assault** (RSA 631 :1)

in that, Evans recklessly caused serious bodily injury to Kassidy Bortner, age 20 months. Evans caused a fracture to Kassidy's arm by grabbing and pulling on her arms. Evans committed First Degree Assault against Kassidy with the intention of taking advantage of Kassidy's age or physical disability. Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-889-F Not Guilty (At the conclusion of the State's case, and before Dr. Baden's testimony for the defense, this Charge was ordered withdrawn by Judge Tina Nadeau due to insufficient evidence.)

of Rochester, in the State of New Hampshire, between approximately October 15, 2000 and October 21, 2000, at Rochester in the County of Strafford aforesaid, with force and arms, did commit the crime of **Second Degree Assault** (RSA 631:2)

in that, Evans knowingly caused bodily injury to Kassidy Bortner, age 20 months. Evans caused bruising to Kassidy by grabbing and squeezing her face. Evans committed Second Degree Assault against Kassidy with the intention of taking advantage of Kassidy's age or physical disability. Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-894-F Sentence: 10-30 years. Consecutive to murder sentence in 00-S-888-F, and consecutive to Second Degree Assault sentence in 00-S-891-F, and concurrent with Second Degree Assault sentence in 00-S-893-F, and concurrent with Second Degree Assault sentence in 00-S-895-F and 00-S-896-F. Suspended.

of Rochester, in the State of New Hampshire, between approximately October 22, 2000 and October 31, 2000, at Rochester in the County of Strafford aforesaid, with force and arms, did commit the crime of **Second Degree Assault** (RSA 631:2)

in that, Evans knowingly caused bodily injury to Kassidy Bortner, age 20 months. Evans caused bruising to Kassidy by grabbing and squeezing her face. Evans committed Second Degree Assault against Kassidy with the intention of taking advantage of Kassidy's age or physical disability. Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-895-F Sentence: 10-30 years. Consecutive to murder sentence in 00-S-888-F, and consecutive to Second Degree Assault sentence in 00-S-891-F, and concurrent with Second Degree Assault sentence in 00-S-893-F, and concurrent with Second Degree Assault sentence in 00-S-894-F and 00-S-896-F. Suspended.

of Rochester, in the State of New Hampshire, between approximately November 1, 2000 and November 8, 2000, at Rochester in the County of Strafford aforesaid, with force and arms, did commit the crime of **Second Degree Assault** (RSA 631:2)

in that, Evans knowingly caused bodily injury to Kassidy Bortner, age 20 months. Evans caused bruising to Kassidy by grabbing and squeezing her face. Evans committed Second Degree Assault against Kassidy with the intention of taking advantage of Kassidy's age or physical disability. Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-896-F Sentence: 10-30 years. Consecutive to murder sentence in 00-S-888-F, and consecutive to Second Degree Assault sentence in 00-S-891-F, and concurrent with Second Degree Assault sentence in **00-S-893-F**, and concurrent with Second Degree Assault sentence in 00-S-894-F and 00-S-895-F. Suspended.

of Rochester, in the State of New Hampshire, on or about November 8-9,2000, at Rochester in the County of Strafford aforesaid, with force and arms, did commit the crime of

Second Degree Murder (RSA 630:1-b)

in that, Evans recklessly caused the death of Kassidy Bortner, age 20 months, under circumstances manifesting an extreme indifference to the value of human life. Evans inflicted multiple blows to Kassidy's head and abdomen, thereby causing her death. Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-888-F Sentence: 28 years to life.

Christopher H.M. Carter /s/

Christopher H.M. Carter

Special Senior Assistant Attorney General

N. William Delker /s/

N. William Delker

Special Senior Assistant Attorney General

This is a true bill.

Barbara Dee /s/

Foreperson

[consolidated Information(s) and Sentences]

THE STATE OF NEW HAMPSHIRE

STRAFFORD, SS.

DECEMBER TERM, 2000

THE STATE OF NEW HAMPSHIRE

v.

CHAD EVANS

INFORMATION

At the Superior Court, holden at Dover, within and for the County of Strafford aforesaid, on the 14th day of December in the year of our Lord two thousand, be it remembered that Christopher H.M. Carter and N. William Delker, Special Senior Assistant Attorneys General, being here in Court give the Court to understand that

CHAD EVANS

DOB 10/15171

of 191 Milton Road, Rochester, NH, between approximately August 1,2000 and November 9, 2000, at Rochester, NH, did commit the crime of

Endangering the Welfare of a Child RSA 639:3

in that, Evans knowingly endangered the welfare of Kassidy Bortner, age 20 months, the daughter of Amanda Bortner, by purposely violating a duty of care which he owed to Kassidy. While Evans lived with Kassidy and Amanda and provided care and supervision for Kassidy, Evans inflicted bodily injury to Kassidy. Evans bruised Kassidy's body and fractured her bones by repeatedly grabbing Kassidy by the face, throat, arms, and legs and by propelling Kassidy into the walls of the home, causing Kassidy to strike the walls. Evans also withheld Kassidy from proper medical treatment for those injuries. Said acts being contrary to the form of the statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-934-I Sentence: 12 months Concurrent with murder sentence in 00-S-888-F.

of 191 Milton Road, Rochester, NH, between approximately November 8, 2000 and November 9, 2000, at Rochester, NH, did commit the crime of

Simple Assault RSA 631:2-a

in that, Evans knowingly caused unprivileged physical contact to his girlfriend, Amanda Bortner. While Evans and Bortner argued, Evans placed his hands around Bortner's neck. Said acts being contrary to the form of the statute, in such case made and provided, and against the peace and dignity of the State.

Docket No. 00-S-935-I Sentence: 12 months. Concurrent with murder sentence in 00-S-888-F.

WHEREFORE, the said Christopher H-M. Carter and N. William Delker, Special Senior Assistant Attorneys General, pray the advice of the Court.

Respectfully submitted,

Christopher H.M.Carter /s/

Christopher H.M.Carter

Special Senior Assistant Attorney General

Homicide Unit

N. William Delker /s/

N. William Delker

Special Senior Assistant Attorney General