

# Sex abuse suspected

## Officials say observations won't result in charges at this time

*Editor's note: We caution readers that some details in this story are graphic and disturbing.*

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ROCHESTER — Recently unsealed affidavits in the murder case of Kassidy Bortner contain suspicions that the 21-month-old girl may have been sexually assaulted, but so far, authorities do not expect to file charges relating to alleged injuries.

The affidavit states that a physician, Dr. Anthony Bock, "made observations of the genital area that he considered to be suspicious, notably it appeared to be an enlarged vaginal vault for the age of the child."

Bock noted the abnormality during a pre-

liminary examination of Kassidy's body at York Hospital in York, Maine. The child had been brought there Nov. 9, the day she died.



KASSIDY  
BORTNER

New Hampshire State Police Trooper Jill Rocky also observed injuries on Kassidy's body, the affidavit states, noting the child's "vagina was irritated and visibly swollen" and there appeared to be irritation to the child's anus.

However, law enforcement authorities in Maine and New Hampshire say they do not intend to charge anyone with sexually abusing the tot. "The

indictments in this case, which were returned more than a month after the death of Kassidy Bortner, do not include any allegations against Chad Evans of sexual abuse," New Hampshire Assistant Attorney General Christopher Carter said Tuesday.

Evans, 29, of 191 Milton Road, was the boyfriend of Kassidy's mother, 18-year-old Amanda Bortner. He was indicted by a Strafford County Superior Court grand jury in December on a charge of second-degree murder for "recklessly" causing Kassidy's death.

The indictment also includes a long list of assault charges that allege he repeatedly bruised the little girl by grabbing her face, arms and legs and by throwing her into walls. Kassidy was pronounced dead after she was transported from her aunt's resi-

dence in Kittery, Maine, to York Hospital.

In an interview with Foster's Daily Democrat on Tuesday, Carter said no sexual abuse charges are expected at this time. "The New Hampshire attorney general's office is not bringing any charge of sexual abuse against Chad Evans or anyone else based on the evidence to date," Carter said. "The state does not allege at this time, based on the status of the investigation, that there was sexual abuse. Sexual abuse is not a component of the charges that are pending in this case. The evidence that has developed over the two-month investigation so far has not created a basis for that to be part of the charges at this time," Carter said.

☆ **Baby case**

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# Baby case

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Because the injuries that are believed to have caused Cassidy's death were allegedly inflicted at the Milton Road home where the child lived with her mother and Evans, all charges thus far in the case have been filed in New Hampshire.

However, authorities in both Maine and New Hampshire have been involved in the investigation since the outset because Cassidy died after being brought from Evans' home to the Kittery residence of Jennifer Conley and F. Jefferey Marshall.

Maine authorities also have indicated they do not have enough evidence to support allegations of sexual abuse against Evans or anyone else who had contact with the child.

"Based on the evidence gleaned thus far in the investigation, we do not expect to bring charges in the state of Maine regarding the death of Cassidy Bortner or any other offenses against her," said Maine State Police Sgt. Matthew Stewart.

The Maine chief medical examiner's office has not yet released the results of the child's autopsy, which was completed Nov. 10. Authorities have estimated the autopsy results will be released anywhere from a few weeks from

now to a few months.

The affidavit is filled with details about how the little girl's death may have occurred. Bortner, who had lived with Evans for approximately two months, told police after Cassidy's death that she knew of several instances when her boyfriend beat the child.

She brought Cassidy to Conley's apartment at approximately 8:30 a.m. on Nov. 9 before going to work at a nearby Kittery outlet store. Conley and Marshall had often baby-sat Cassidy.

Bortner pointed out bruises on the child's face to Conley and Marshall, according to court documents. Conley is Bortner's sister and was Cassidy's aunt and godmother.

Both Conley and her boyfriend, Marshall, told police they observed bruising on Cassidy's face during the two months Bortner resided with Evans and described a "marked decline" in the child's behavior from a little girl who had once been happy to one who was fearful and withdrawn.

In several interviews with Foster's Daily Democrat after the child's death, Marshall stated that neither he nor Conley contacted authorities about their suspicions until Cassidy became unresponsive at their home on Nov. 9.

"Marshall said when Conley left for work at 9 a.m., Cassidy was still on the bed. Marshall checked on Cassidy twice during the morning. The first time, she appeared to be sleeping. When Marshall checked on Cassidy the second time, he noticed Cassidy had not moved at all.

"Marshall tried to wake Cassidy, but she was nonresponsive. Marshall noticed that Cassidy's eyes rolled back in her head and she was having difficulty breathing. He stated that she had a slight pulse. After calling his girlfriend and attempting to call Cassidy's mother, Marshall called 911," the affidavit states.

Medical and police personnel

who observed the child upon her arrival at York Hospital reported multiple pin prick marks on Cassidy's feet and bruising on her arms, stomach, chest, forehead, right ear, face and head, according to the document.

The affidavit also indicates there were scabs on the bottom of Cassidy's feet from an unknown source as well as hemorrhaging behind her eyes consistent with a head injury. "There were multiple bruises the size of a dime or quarter all over Cassidy's head. Cassidy's hair appeared to be unusually thin in the back," the affidavit states.

A search warrant filed by New Hampshire State Police the morning after Cassidy's death lists "assorted bats, balls, bed linens, diapers, blankets, comforters, clothing, miscellaneous drugs and drug paraphernalia" taken from Evans' home.

"The property for which I seek the issuance of a search warrant is the following: bodily fluids, including but not limited to sperm, seminal fluid, saliva, blood," Detective Sgt. James White wrote in the warrant. Other items listed include hair, fibers, fingerprints, footprint impressions, clothing and bedding containing bodily fluid stains, alcohol and narcotics, and objects that could have caused the injuries on Cassidy's body, "including but not limited to balls, baseball bats, and other similar instruments; sharp objects capable of causing the puncture-type wounds on her feet; and any other evidence of the crime of manslaughter."

Evans was arraigned in Rochester District Court on the manslaughter charge in November and was released on \$100,000 bail. A Strafford County grand jury upgraded the charge to second-degree murder in December.

At his arraignment in Strafford County Superior Court on Monday morning on the murder and assault charges, Evans pleaded innocent and was released on \$100,000 corpo-

