

Evans guilty in toddler's death

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Foster's Daily Democrat

DOVER — Chad E. Evans was found guilty of second-degree murder and assault Friday in connection with the beating death of his girlfriend's daughter, 21-month-old Cassidy Bortner. The verdict was unanimous.

"Justice was done here today," Senior Assistant Attorney General Simon

Brown told reporters outside the courtroom. Brown and Senior Assistant Attorney General N. William Delker represented the state in the case.

In total, there were 22 hours of deliberation in the case; however, one juror had to be dismissed after the second day for personal reasons. With an alternate taking her place, the amended jury of six men and six women began deliberations at 10 a.m. on Thursday

and continued for more than 12 hours.

The tension was palpable at Strafford County Superior Court late Friday afternoon as Evans' family, friends and coworkers and family filled one side of the courtroom to await the verdict.

On the other side of the courtroom, F. Jefferey Marshall sat with his mother and stepfather, law enforcement and court officials as well as members of the press.

Throughout the trial, the defense contended Marshall was responsible for Cassidy's death. Marshall has said he did not abuse Cassidy but did fail to report the signs of abuse to authorities.

Kassidy and her mother, 19-year-old Amanda Bortner, lived with Evans, 30, at his 191 Milton Road residence in Rochester for about three months before the toddler's death on Nov. 9, 2000.

Bortner, who was at the courthouse

daily with Evans' family and friends, left Friday afternoon before court officials announced the jury had reached a verdict.

Just before 4:30 p.m., Evans stood between his attorneys as the jury filed into the courtroom. He showed no emotion as a clerk asked the jury foreman the verdict on the charge of second-de-

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Evans found guilty of second-degree murder

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gree murder.

"What say you?" she asked.

"Guilty," he replied.

Some of Evans' relatives and friends began to cry softly as the verdicts were read on each of the 10 charges against Evans.

The jury found Evans guilty on five counts of second-degree assault for grabbing and bruising Cassidy's face during the last week of September 2000 and during the last three weeks of October and first week of November. He was also convicted of endangering the welfare of a child.

A guilty verdict was also returned for one count of simple assault on placing his hands on

Bortner's neck the night before Cassidy's death. The jury returned verdicts of not guilty on a charge of first-degree assault which alleged Evans caused a fracture to Cassidy's leg and a charge of second-degree assault alleging he grabbed and bruised Cassidy's face during the first week of October.

As soon as the verdicts were read, Judge Tina L. Nadeau remanded Evans to the custody of the Strafford County Sheriff until sentencing. Evans could face up to life in prison on the second-degree murder conviction alone.

Evans was escorted from the courtroom, and remained without expression as his family and friends called out, "We love you,

Chad."

Out in the lobby, several female friends and relatives railed at the media. A small girl stood by and watched as one woman made obscene gestures at photographers.

"He's not guilty," several yelled when asked if they had any comment on the outcome.

Evans' father looked dazed and sad as he departed with Evans' brother, who walked out holding on to his weeping mother.

Kassidy died after Bortner brought her from Evans' residence to Marshall's Kittery, Maine, home on the morning of Nov. 9, 2000.

Marshall and Cassidy's aunt,

Jennifer Bortner Conley, have been living together for several years. The defense maintained it was Marshall and not Evans who inflicted the blunt force injuries that caused Cassidy's death. Ultimately, the jury did not agree.

"There are no winners here ... He has sons on his side who will never know their father. Cassidy's not coming back," Marshall said, his eyes shining with tears as he spoke to reporters after Evans' family and friends left the courthouse.

Marshall said not everyone told the truth on the witness stand, but the jury was able to see through that and make the right decision.

Brown said the jury had a very difficult task to determine innocence or guilt on the 10 charges against Evans.

"The evidence was clear that

Chad Evans was responsible for Cassidy's death," Brown said, adding no one person's testimony or singular piece of evidence could be cited as the key factor in the jury's decision.

Brown could not comment on the pending child endangerment charges against Bortner except to say her case will be going to trial in March.

Although the 12 jurors declined to speak with the press about their deliberations, they offered a written statement.

"We believe we did a thorough and complete job of reviewing the evidence. We believe we have served the state of New Hampshire effectively and well and we are proud of our service," the statement read.

Evans' attorneys Mark Sisti and Alan Cronheim indicated they were disappointed with the outcome as they left the court-

house.

"We'll be pursuing obvious appeals," Sisti said.

Brown said it is common for there to be appeals in a murder case.

Marshall, meanwhile, said he believes Cassidy's death has finally been avenged.

"I think there's some closure. I think she could rest now — she might be able to rest," he said.

If there was one thing he could do differently, Marshall said, he would have called authorities about the bruises he saw on Cassidy's face. He urged anyone who suspects abuse not to deny what they see and to take action before it's too late.

"Just remember Cassidy. If you forget about her, you forget about everything. You've just got to remember it's about a little girl ... Someday, we'll get to see her again and say we're sorry."