

60 years for Evans

The state is moving forward with an attempt to get Chad Evans the kind of sentence he deserves — the kind of sentence more in keeping with the punishment that should be decreed for the murder of a 21-month-old child.

The 30-year-old Evans was sentenced to a prison term of 28 years to life for the brutal killing of Cassidy Bortner, a far cry from what the state had asked for and an even farther cry from what he deserved. The state had asked Superior Court Judge Tina Nadeau to impose a sentence of 60 years to life. Nadeau, at least in part, used a statistical analysis of other second-degree murder cases to arrive at her decision.

Assistant Attorney General William Delker said this week that his office has asked for a review of the sentence by a three-judge panel of Superior Court judges. Hopefully, the judges will look beyond Nadeau's statistics and into the horrible nature of the crime that was committed by Evans and for which a panel of Strafford County residents found him guilty.

Delker is calling upon three judges to correct a wrong committed by another judge. They can increase the term of Evans' incarceration or they can let it stand. A third option, that we hope will not even be entertained, is their ability to reduce the sentence.

Prior to the relatively light punishment imposed by Nadeau, an investigation by the Department of Corrections recommended a sentence of 48 years to life.

The sentence imposed by Nadeau would make Evans eligible for freedom at the age of 58.

The Department of Corrections' recommendation would allow Evans to be free at the age of 78.

The sentence requested by the state is clearly most in keeping with the nature of Evans' crime. It would keep him in prison until he is 90 years old.

The state law that gives prosecutors an opportunity to appeal sentences went into effect Jan. 1. Until that time, an appeal was an opportunity reserved to defendants. The new law puts the people of New Hampshire on more of a level playing field. It gives them, through their officials in the Office of the Attorney General, a better chance to get sentencing justice on behalf of the people.

Chad Evans committed a horrible crime. He killed a baby — and he did so brutally. He murdered Cassidy Bortner and a jury also found him guilty of charges of multiple assault on the defenseless child.

The trial judge, in addition to the statistical drivel she used to justify the light sentence, cited the New Hampshire Constitution's reference to rehabilitation as a primary function of the sentence to be imposed.

The rehabilitation of a baby killer? We wonder how the framers of the constitution would have looked upon Chad Evans' brutal acts. It is doubtful they would have been thinking of rehabilitating him for murdering a 21-month-old child.

Predictably, Evans' lawyers, Mark Sisti and Alan Cronheim, have indicated they will appeal his conviction. It's their job. Even the worst criminals in our society are entitled to competent counsel, and Sisti and Cronheim are certainly competent.

Yes, Evans' lawyers will do what they can to make sure his rights are protected. And, we hope, so too will the attorney general make sure the interests of the people are as equally protected as possible.

If the people of New Hampshire expect their laws to be observed, they must rest with the knowledge that those laws will be strictly enforced and that the people who violate them will be dealt with justly.

New Hampshire, like other states, has a range of penalties for a variety of crimes. The purpose is to see to it that justice is done in a fair and reasonable manner.

It is nonsense to suggest that vengeance is not a factor in the way the people expect the perpetrators of some crimes to be punished. Don't think for one moment that the people of New York and the United States want to see anything other than the most severe penalties imposed on the planners of the three-part massacre of Sept. 11.

At the same time, the American people, the people of New Hampshire and the people of Strafford County are a compassionate lot. When there are circumstances that mitigate a crime, they want that mitigation to be reflected in the sentence.

There is no mitigating the brutality of Chad Evans. Seeing him in prison until he is at least 90 years old is a small price to exact for the murder of 21-month-old Cassidy Bortner.