

Bortner convicted of endangerment

By **STEPHEN FROTHINGHAM**
Associated Press

DOVER — A Rochester woman accused of failing to protect her 21-month-old daughter from a fatal beating was convicted on two counts of child endangerment Monday.

Amanda Bortner, 20, faces up to two years in prison on the misdemeanor charges. Sentencing will take place in January.

Child protection advocates praised the decision, saying Bortner's conviction shows all adults have the responsibility to protect children.

"It is the responsibility of every person in the state to report even the suspicion of child abuse or

neglect to the Division for Children, Youth and Families," said Ellen Shemitz, president of the Children's Alliance of New Hampshire. "It is DCYF's responsibility to investigate those reports promptly, and it is the responsibility of the Legislature and governor to give DCYF the staffing and resources it needs to do its work."

"Kassidy Bortner's death showed that we are failing to meet our responsibilities on all three of those levels. When we don't meet those responsibilities, children die," she said.

Prosecutors argued that Bortner failed to protect her daughter, Kassidy, from months of abuse

See **JURY CONVICTS** on Page 8



Amanda Bortner cries while listening to prosecutor David Rouff deliver his closing statement during her trial Monday in Dover. Bortner was convicted of failing to protect her 21-month-old daughter from abuse that led to the toddler's death.

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Jury convicts Bortner of child endangerment

(Continued from Page One)

by her live-in boyfriend, Chad Evans. They also said she failed to take Kassidy to a doctor after Evans beat the toddler badly on Nov. 9, 2000.

Instead, Bortner drove Kassidy from their Rochester home to her sister's apartment in Kittery, Maine, and asked her sister's boyfriend to babysit while she went to work. Kassidy died in a hospital later that day, after the boyfriend, Jeffrey Marshall, noticed she was having trouble breathing and called 911.

Evans, 31, a former Keene resident who served briefly on the Keene Board of Education, is serving 28 years to life after being convicted last year of second-degree murder. Evans and Bortner lived together in Keene for a short time after the toddler's death.

"The things that the defendant watched were the price she was willing to pay for living in comfort, the price she was willing to pay to be with a man she thought was Mr. Perfect," Assistant Attorney General David Ruoff said in closing arguments Monday morning.

But Bortner's lawyer said Bortner was unaware that Evans was abusing her daughter.

"Yes, she should have seen what was happening. Yes, she should have realized. But she didn't. She had no idea," argued Patricia Wiberg.

Bortner did not testify in her own defense, and her lawyer called just one witness: Travis Hunt, who lived with Evans, Bortner and the toddler at the time of Kassidy's death.

According to prosecutors, Hunt told police that Bortner asked Marshall to babysit that day because day-care workers would have noticed the multiple bruises left by the beating.

But on the stand Monday, Hunt denied ever saying that. Instead, he implicated Marshall.

Hunt said a few months before Kassidy's death, he asked Marshall about bruises on the girl's bottom. He said Marshall said he had spanked the toddler for misbehaving.

During the weeklong trial, police investigators recounted interviews with Bortner in the days and weeks after Kassidy's death. They said Bortner initially claimed to have no idea how or why Kassidy died.

Bortner told investigators the bruising on Kassidy's face the day she died came from an accident with a plastic baseball and she claimed to be unaware of the other bruises on Kassidy's body.