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Kassidy's killer gets a longer sentence

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ROCHESTER — State prosecutors say they were stunned four years ago when Chad Evans, convicted in 2000 of murdering 21-month-old Cassidy Bortner, was sentenced to 28 years to life, instead of the requested 60 years to life.

That changed Monday afternoon when Senior Assistant Attorney General William Delker received word from the state's Sentence Review Board that Evans' sentence had been extended by at least 15 years.

"The Evans sentence was half of what we asked for initially," Delker said this morning. "Given that the nature of the abuse was so egregious, the sentence the judge handed down seemed disproportionately low."

Evans will now remain in prison until he is at least 73 after losing his 4-year fight against the state's appeal to the Sentence Review Division for more prison time.

The division consists of a panel of Superior Court judges, who imposed two additional sentences Monday for assaults that occurred before Cassidy's death. The additional minimum prison terms are five years and 10 years. Both additional maximum terms are for life



CHAD EVANS
Beat toddler to death

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and attempt to contact Williams and Stilwell for comments."

"Alerting Williams and Stilwell prior to their arrest will increase the likelihood that they will flee, destroy evidence, encumber or secrete assets, and harass or intimidate persons they suspect might be witnesses," prosecutors wrote, adding they were concerned about the safety of people the defendants and their associates believe might be witnesses.

"Some of the witnesses interviewed by law enforcement agents have expressed grave concern about their own safety, as well as the safety of their friends and families, should Williams and his family learn that they have cooperated," prosecutors wrote. "Sealing the Superseding Indictment until Williams and Stilwell are arrested and the Court can either order them detained or impose appropriate bail conditions will help ensure the witnesses' safety."

According to court documents, prosecutors initially requested the documents be sealed until after the case was resolved, but Judge William S. Brownell granted the seal only until the arrests were made.

Dilworth would not comment on the request. He said he did not know whether there would be additional charges in the case.

"It's hard to say," he said.

ment, "This is a great way for our employees and our customers to reach out to people in

and speech therapy, summer camp, assisted technology, job training and employment, advocacy and disability information.

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sentences.

A jury convicted Evans of second degree murder in December 2000 after hearing evidence on Evans' repeated attacks against the youngster.

Amanda Bortner, Cassidy's mother, knew Evans was beating her daughter, but told people Cassidy fell down often and bruised easily, according to testimony.

The beatings were bad enough to prevent Amanda from sending Cassidy to day-care for fear of someone noticing evidence of continued attacks. Nov. 9, 2000, was one such day.

That morning, Amanda dropped off her half-conscious, badly bruised daughter at her sister's apartment in Kittery, Maine.

The baby-sitter contacted 911 within hours of Cassidy's arrival because the child had passed out after a period of struggling for breath.

Kassidy died at York Hospital later that day.

Evans was convicted of second degree murder and sentenced by Strafford County Superior Court Judge Tina Nadeau in 2001.

A ruling on Delker's appeal to that sentence was not given until more than four years later, but prosecutors say they are happy to see the additional sentences handed down.

"This took a long time because of the ongoing appeals process, but that was cleared when the superior court ruled in our favor on April 19. We received the ruling last week, and got the decision from the Sentencing Review Board yesterday," Delker said.

Evans can still appeal the additional sentences through a state habeas corpus petition, which allows convicts to appeal sentences if they are illegally applied, Delker said.

"In this case, the new sentences were entirely appropriate considering the extent of the abuse, but I'm sure we haven't seen the end of this case," Delker said.

Amanda Bortner also served a sentence of two years in prison for failing to protect the child from Evans.

Testimony indicated that several people knew Cassidy was being severely abused, and the case led lawmakers to strengthen the state's child abuse laws.