

Interview 2 of the Chad Evans case on Dick Patten's "Around Town" on Concord, New Hampshire Community Television
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Dick Patten (DP)
Morrison Bonpasse (MB)
Jessica Robinson (JR)

DP Welcome back to "Around Town" and your host, Dick Patten. We talked with you in the first show. This is a two part series that we are doing, involving a young man who is serving some time for a crime that he... Many people feel that he didn't commit. So we're just listening to them tonight. With us again, for the second part, is Morrison Bonpasse, who has written a book about this case. Joining Morrison and myself is Jessica Robinson, who didn't know Chad, but saw this item, this news report, on Channel 9 and just felt that she herself felt that he was innocent and wanted to get involved somehow to assist Chad in his quest to be, either for a new trial or to be free or whatever. So with that, welcome back Morrison and Jessica. Welcome to "Around Town."
Again, just to let the viewers know, you didn't know Chad at all.

JR No, I did not. Not at all.

DP You live in Rochester, correct?

JR Yes. I do.

DP So, you, like many others, saw this on TV. You felt the same as many people, that maybe there's been a wrong done here and you wanted to see what you could do to make it right. Correct?

JR I watched the specials. Just watching Chad in the interview. Had this feeling that something's not right. Went on to the website, because, you

know what, I'm going to give ten minutes of my time, and I'm going to look at it and if I feel something, I'm going to sign that petition, and help him out.

Once you get on to this website and you see the work that Morrison has put into this website. It has everything there. It didn't take long to realize there was wrong here, and that there is a man sitting in jail that should not be there.

DP It's funny, but it's not really funny. You do read about this, throughout the country where every so often somebody who has been serving time for something that shouldn't have been. After a while, they either find something that frees him, or her or whatever. There's something sad that society at this day and age can just assume that a person's guilty and just put him away. Then all of a sudden after they come across something years later, that, it's like, "Let bygones be bygones." Look at what was taken out of his life. I mean with his son. He can't get back those years that he's lost. Seeing him... Now, how old was Chad, how old was Chad's son when he got put away?

MB Four years old, at the trial.

DP Four years old. So he lost Christmas's, Easter's. Whatever else that he can't see his son, you know, on Christmas morning, Christmas Eve, obviously, or even on Easter, whatever. The Easter bunny. You know, birthdays. I don't know if he can have visitations up there with his son now, at that age. But still, it's a rough time. You sit there and think, he'll never get those times back now.

No matter if it's pictures. He's not there.

I think it's great that you've have come forward to try to help this case out.

I'm sure that Morrison [Chad] definitely appreciates it.

MB I [He] definitely do[es.] [To Jessica] The ten minutes that you mentioned, they have morphed into a thousand hours.

JR It's been 1,500 hours since February, that I have put into this case, researching things. It's one of those things. And you see something that's not right, and before you know it, eight hours have gone by in a day and you're still researching things.

MB Jessica has been working on this case with a woman named Christine Gagne. They have worked very hard on alternative medical explanations for Kassidy's death. Maybe Jessica can tell you a little bit about those.

JR Kassidy had a lot of symptoms prior to her dying, that started, it seems like they started, a lot of them, the mid part of October. It was kind of bizarre, because that was the time of falling out of a truck at the babysitter's about that time as well.

DP Oh, wow.

JR A lot of her symptoms, the bruising. She was lethargic. She was irritable. She had a lot of hair loss. Loss of balance. Strange behavior. Hair loss. Confusion. Diarrhea. Coughing. She did have pigeon toe, going on with one of her feet, early on, which Chad did pay for Amanda to bring her to a specialist to get that checked out. The case is saying that he didn't support her or bring her to the doctor. When in fact he did pay for three appointments that we do know about. [Chad recalls giving money to Amanda for an appointment to have a wart removed from one of Kassidy's fingers, but he doesn't recall giving Amanda money for the appointments on August 10 or September 11. The third appointment was on May 9, which was before Chad met Amanda.] Some of these things. It could match a lot of things for diagnoses. Looking back at things that popped out to us. We're not medical experts. And the average concerned citizen sees it. So, imagine putting a team of experts on this, what you could get. We came up with possible lead poisoning. Arsenic poisoning is one that came in. Seizures. Epilepsy runs in the family. That's a good question to pull up. Some blood disorders for the bruising that she had going on. A lot of things that we came up with. Then going back and doing research. Matching her symptoms to what we came up to. To what the symptoms would be for, let's say, lead poisoning. And then the findings which they found in autopsy that matched lead poisoning.... We came across nine possibilities, that could medically explain why Kassidy died, on top of what the state saying child abuse.

DP Interesting.

MB The medical appointments were fascinating, because you were asking how was it that he was convicted. At the trial Amanda, Cassidy's mother, was asked, "When did you last take her to a doctor's appointment?" She said that "In July, I took her for her toed-in problem."

The defense attorneys did not have the correct information.

The state's attorneys may not have had it either, but the Maine Medical Examiner did have the right information, which was that... I mean it was wrong. She took Cassidy to see a pediatrician on August 10th, which was 10 days into the period which Chad was allegedly abusing her. The physician found nothing wrong. It was a regular 18 month, 21 month appointment. [It was her 18 month appt.] He scheduled an appointment with a specialist, an orthopedic surgeon, Dr. James Timoney, on September 11, 2000.

That was also within the period of the charges against Chad. He looked into the toed-in problem and said that she would likely grow out of it. The jury had no idea that during the period where the prosecutors had said that Cassidy was living in a "living hell," she was going to see doctors who found nothing wrong with her.

This is a photograph. The jury saw one photograph of Cassidy.

This was taken on October 1.

The jury had only photograph. There were 15 photographs. That was one of them.

This was taken on October 1, at the grandparents' house.

Chad was charged with six counts of second degree assault for six different periods. September. They didn't know when. Nobody one saw Cassidy hit her. September, first week of October, second week, and November. The jury found him not guilty on the one charge for this week, when the photograph was taken. The only evidence that there wasn't an assault was this photograph. There was no defense to the other assault charges, but they did have a photograph.

The jury found him not Guilty of assault for this week for which a photograph was taken.

They did have the photograph, and they found him not guilty.

Also, he was charged with breaking her bones. This was an allegation that fractures five fractured bones. But she never had any pain. No one knew she had fractured bones.

Dr. Baden said that he didn't think there were broken bones. But the jury heard there were fractured bones. [The jury found him not guilty of one of the fracture assault charges, and the judge dismissed another one of the those charges.] It was like the day care cases of the 1980's, Dick, where people started getting very hysterical about allegations of abuse and started believing the worst about somebody.

This was not a monster. This was a loving, kind man, who loved this child. He was trying to teach her with eye contact.

DP They have him painted like he was the Gila monster or something. I can't get over this. This amazes me. I'm telling you. The more I'm hearing tonight. Really. It's sad. To think that somebody...

JR A lot of this stuff. On this website that you have access to look at, and to read. It's not new evidence. It was there. It was like there were blinders on for a lot of things. DNA. Something that Morrison found that was never presented in court. Nobody knew about it.

DP That's unusual. I'm surprised with that.

MB Yes. This is grounds for a new trial. If we have to back to court, and ask a court to order a new trial. This would be a key piece of evidence. I went to the Maine State Police to see their documents. There was a report there, a March 2001 report of DNA tests that were done on the blood under all ten of Cassidy's fingernails. Now, the defense did know through a report that there was blood under her fingernails and they failed to read that, apparently, and failed to acknowledge it, apparently, or acknowledge it, and that was their mistake.

If they had known there were DNA test done. In this day and age, if you know that there had been a DNA test done, you look at them, because they may hold the key to your innocence.

In this case, the tests showed that the blood was hers, but no one at the trial was asked about this blood. The Medical Examiner, in fact, told the jury there were no open wounds. If she had been told that there was blood under fingernails, she would have been asked to explain that.

The babysitter was not asked about the blood under her fingernails.

Chad gave Cassidy a bath the night before, and there was no blood underneath her fingernails that night, or he would have noticed it and so would have Travis Hunt.

So. the jury had no idea that there was blood underneath her fingernails, and didn't know it was hers, and didn't know where the blood could have come from.

DP This is amazing. The more and more that you tell me there, Morrison, I just can't get over it.

MB This is a photograph, Dick, of Chad. He had first met Amanda in June. He was introduced by the babysitter, actually, and his girlfriend, who was Amanda's sister. That was how the babysitter sat for Cassidy. He was the boyfriend of Amanda's sister. This was Chad coming home from work in his McDonald's uniform. Amanda took this photograph. He was a happy man. He said that he had never been happier of his times, with his times with Amanda and Cassidy.

The police theory of the case was that, on the night of November 8, 2000, Chad was angry. Chad was frustrated. And Chad beat Cassidy to death. In fact, this was the happiest moment of his life. He loved Cassidy. He gave her a bath. He changed her diaper. He put Johnson & Johnson body lotion on her. Put her to bed.

He read "Snappy Numbers" to her. That night. We have a copy of the book at home.

Amanda came home that night, and said "Good night" to her baby.

The next morning, got her up. Changed her diaper.

Gave her,... Chad put some Reese's PUFFs in a bag, and juice in a Sippy cup. Off she went to the babysitter.

Four hours later, he got a call to come to the Kittery Police Station.

They didn't tell him what it was about. Later that afternoon, they told him that Cassidy was dead. He was in shock. He went into the bathroom and threw up. It was a terrible day.

DP Have they brought Cassidy back in for another autopsy, again to re-examine her body at all? Has that been done to have her dug back up, again.

MP That is an option. It wouldn't be taken unless we really thought there is a substantial chance that there was something more. But it is an option. It was done in another state recently for a child that died fifty years ago. It would help us see if there was any disease she may have been suffering.

We will be talking to medical experts around the country who will have a better understanding of other diseases she may have been suffering from.

That is an option.

Some of them may be... And the information may not have decayed with her body. But that is an option.

She was given one autopsy by the Maine Medical Examiner. However, the medical examiner was trying to explain a homicide. She wasn't trying to find out whether she was sick, you see. So they didn't do a lot of tests, which might have been done, if they were not trying explain a homicide.

DP The trial was in Maine or New Hampshire.

MB Definitely in New Hampshire.

DP in New Hampshire? The investigation was done by Maine authorities?

MB The death was in Maine. The Maine Medical Examiner did the autopsy. The Maine State Police did all the interviewing on the first day. They picked on Chad as the perpetrator, and they gave it to the Maine [New Hampshire] State Police, and continued a liaison role, but the Maine State Police [New Hampshire State Police] investigated after that.

DP So, New Hampshire didn't do anything, as far as the authorities. Rochester police. The New Hampshire State Police. The New Hampshire Attorney General's office. None of our police have anything to do with it. This is all from the Maine State Police.

MB After November 9th. On November 10th, it was a New Hampshire case. Very early, the Maine State Police and the New Hampshire State Police thought that Chad was the perpetrator. They investigated the case and they talked with people who they thought would help support their case. They didn't talk to a former girlfriend. They didn't talk to his former employees. They didn't ask his employer for employee records. They didn't ask for photographs.

DP There are too many holes in this thing, as far as I'm concerned, there are. It just seems that New Hampshire should have been more involved in this, than just Maine.

MB Well, New Hampshire....I've written, I've tried to talk to police here in New Hampshire. Some of them are reluctant to talk about it. Let me tell you about one event that is important to this case. Two people were interviewed that night: Chad's sister and his brother-in-law were interviewed that night. On November 9, the night of her death. Both of them told the police that Chad had brought Kassidy to a family event on Sunday, November 5th, four days before she died. One of them told the police that Kassidy had one bruise on her right cheek. One bruise on her right cheek. They never interviewed anybody else who was at that gathering.

When Chad was convicted, two or three people who were at that gathering wrote to the judge. [as part of the sentencing process.] It was too late by then.

The other person was an elementary school nurse. She has seen child abuse. She knows what it is like. She saw Kassidy that day, four days before she died, and she said that Chad was a loving caregiver, brought her to this event, a family event. She didn't examine her clinically, but saw her in a social setting. The jury didn't know that at all.

The jury was told that Chad was hiding Kassidy from the public, but he wasn't. He brought her to a family event. The jury had a completely wrong perception of the case.

The lawyers thought they could play the game, the way they had successfully in other cases. Very well known lawyers.

But they took a gamble and they lost. Unfortunately, when a defense lawyer takes a chance and loses, it's the client who pays the price. A terrible price.

DP There's no way you can poll that jury either.

MB Well, you asked about contacting the jurors. I meant to answer that earlier. I've contacted two alternate jurors. One alternate juror thought he was innocent. In fact, he was going to write a book about the case himself. He didn't...sent him my book. He was sailing in the Caribbean the last time I had contact with him. He is from Rochester.

Another alternate juror said that she was sympathetic. She didn't want to be politically active just yet, but I could send her a copy of the book when it was ready. I'll be contacting her this week.

We will be contacting other jurors. I hope that some jurors will see this program. We hope to... We just want to talk with them...

I'm quite confident that when the jurors see what they were not told, they will see, and they will recommend that there should be a new trial. In my other case, for another client, five jurors wrote to the judge and asked for a retrial.

So, you asked a good question.

I hope to reach out to the jurors. I plan to treat them respectfully. Not tell them that they made a mistake, but tell them that they didn't get the right information. Because of the rules of evidence in courtrooms, they only knew a small part of the story.

DP No way to declare a mistrial or something like that...

MB No it was a pretty carefully run trial. The judge was Judge Tina Nadeau who is now the Chief Justice of the Superior Court. It was quite a well-run trial.

I don't think the inmate informant should have been allowed to testify.

Generally I think generally that Judge Nadeau did a good job.

Too many wrongful convictions have occurred, but I think generally she did a good job. Unfortunately, sometimes the rules of evidence prohibit good evidence from being admitted.

For example, the jury didn't know that he had won a Hero Award in 1997. The jury didn't know.

DP That's what I can't get over. If it was me, I would have brought that up right away. Here's a guy that saved two or three people.

MB Three lives.

DP Three lives. He's honored by the Union Leader. New Hampshire Union Leader. He's received this award. It doesn't make sense. That, in itself shows what kind of a character he is. He didn't just walk by and say "oops, okay...." He actually put his own life on the line, by going in and trying save these people, and did save them. And that's the "thank you" he gets for it later on.

MB One of the mothers of the three men, used to write him Christmas cards every year.

One the tragic parts about this case, Dick, is that some of his closest friends believed in him, and still do believe in him. But, testifying in his trial, supporting him. They have gone away. It's been ten years.

We hope to welcome them back to support Chad. The justice system. He has paid a terrible price.

Some family members have become alienated. Some of them came to believe that the justice system couldn't have made such a mistake.

Gradually, we hope to bring them back.

Because, indeed, the justice system did make a mistake here.

DP Somebody did. Somebody really let the ball down here. Because, I mean...to have all this stuff. Even just to point out what kind of a person he was. That in itself should have been brought up. It may not have done much, but still, I'd like to know more about him. Not that he was some wicked person, or whatever, who did this to a young child. I want to know....what kind of a guy. I would want to know him, inside and out. I just don't want to know just what he supposedly did, bad. Somebody really dropped the ball. My perception is that somebody dropped..

It's sad. I just hope the wrong can be righted.

MB Thank you for your support.

DP Well, like I said, I'm anxious to read more about it. Obviously learn more about it. Just hearing what you've said tonight, makes me wonder. My goodness. Here's a guy, that... Evidently, he's a family man. A person who loves kids. Loves the community. Runs for public office. Wins, and all this. Is good to his fellow employees. Yes, we all make mistakes in life. But yet this guy. I don't know. It just really. I could get on a soapbox, forever.

MB In fact, the prosecutors didn't believe the story that Cassidy fell out of the babysitter's truck, two weeks before.

There were witnesses that Cassidy came back with two large goose eggs on her head. She was dehydrated when she came back that day, because

she she had drunk Windex. She may have ingested poison, ammonia.
The babysitter said that he called Poison Control.
Poison Control said to give her some milk. He gave her water.

JR He didn't have milk.

MB She was dehydrated. Chad and Amanda were up with her all night, gave her Pedialyte. Large bumps on her head. This may have been the beginning of her bizarre behavior, of her lethargy, of her clumsiness. The police didn't believe this happened. The jury was told that probably it didn't happen. So they really were told, essentially, that this was a homicide and it was either the babysitter or this man. They picked Chad.

DP Well. What can people do now, Morrison? Obviously write letters of support to him....

MB Attorney General Michael Delaney.

DP Write to the Attorney General and basically, say what? They've reviewed the case? They are writing to support a retrial for him. At least to open the case back up again. And review what was not presented before, right?

MB Yes. Re-investigate the case. I would first recommend that they go to the website if they can, if they have Internet access, which also has Chad's address.

DP That's the one. www.....

MB Can write to him. www.chadevanswronglyconvicted.org. Or just [Google] Chad Evans, New Hampshire. Then write to your State Representatives. Write to them or call them. State Senators. You may have heard of the Ward Bird case. He also was a Union Leader "Hero." The Executive Council commuted his sentence once they learned what kind of a man he was. He didn't testify at his trial either. He was wrongly convicted, I believe. That was a different case. Justice can be done not just by the courts. The Attorney General is delegated to do justice. The Executive Council can do justice.

The legislature can assist with justice.

We have a government by the people and for the people. We should all, New Hampshire residents should demand that this be re-examined.

Write to Attorney General Delaney. Your state representatives. State Senators. Your Executive Councilors. The Governor.

Good Question.

DP We're coming to the close of "Around Town."

Again, we've been talking here with Morrison Bonpasse and Jessica Robinson, and on the first show, Becky Boudreau, about the Chad Evans case.

If you are not familiar with it. This did not happen here in Concord or Merrimack County, but it did happen in neighboring Maine. Of course, he does come from New Hampshire. Keene area first, and then he moved to Rochester. If you have seen this case and would like more about it, then go to the website. Read it.

Go to the website and read this.

If you feel, as many of us do, think that he was a victim of reopen his case up. And he deserves a second trial, a second chance. Then, by all means take the time to sit and write to a number of these individuals asking for him to be retried, and reopen his case up.

I'm sure you'll make one young man very happy to be back with his child.

So, with that, we thank you again. Please let Chad know we are thinking of him and hoping this will work for him.

Again, any time you want to come back on the show and bring us an update of what's going on with that. We'd love to have you come back. We hope this will work for him.

MB Thank you Dick. And thank you for your interest in him, and I know when I first met you, you were visiting him in prison.

DP I saw this myself. I know myself, I would hope some would help me too, if something like that ever happened to me. Anyhow, it's sad to think it could. And, again, thanks for joining us for "Around Town." help anyone else who might be going through the same thing.

Thanks to Mike Cavin in the Control Room. We'll look forward to seeing you soon.

Thanks to Josh Harwood and Jim Cassano, my associates.

We have big shows coming up in the future.
As you know, with the fall season coming up, and a lot of holiday events happening. We have a special Christmas and summer show coming up here the next week or so.
I'm your host, Dick Patten. Enjoy the day. Have a great summer. See you soon in "Around Town."