

ROCHESTER

Convicted killer seeks probe, pardon

By **DEBORAH McDERMOTT**
Portsmouth Herald

A man convicted of second-degree murder in the beating death of a 21-month-old girl in 2000 has petitioned the governors and attorneys general of New Hampshire and Maine for a pardon or reinvestiga-

tion, saying he has spent the last eight years in jail wrongfully convicted in the death.

Chad Evans, now 39, formerly of Rochester, was convicted in April 2002 with assaulting young Cassidy Bortner on a number of occasions leading up to her death

in November 2000. She died at the Kittery, Maine, home of her babysitter.

Evans is serving a 43-years-to-life sentence at the state prison in Concord. But he said new material, including DNA evidence, has come to light in his case.

Leading the effort to exonerate Evans is Morrison Bonpasse of Newcastle, Maine, a private investigator hired by Evans's parents. Bonpasse has been involved in exoneration efforts of several other

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UNCOVERED documents and letters from Chad Evans are on a web site, chadevanswronglyconvicted.org, created by his lawyer.

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high-profile cases, including that of Alfred Trenkler, convicted of killing a Boston police officer with a bomb in 1991.

It was that case that led Evans's parents to call Bonpasse, after Evans saw a news story about the investigator's efforts.

"How do I know he's innocent?" Bonpasse asked. "I looked at the evidence, I looked at the documents, I looked at what the courts said, and increasingly there was a pattern where things went wrong (at trial), and things the jury didn't know."

Bonpasse said he's not at all convinced that the babysitter, Jeffrey Marshall, was at fault, either, as Evans's attorneys suggested at trial.

"One theory that was not discussed at trial - we know that Cassidy suffered some clearly accidental injuries, like the one to her head the night before she died, when Chad's son hit her with a T-ball," he said. "I can see why Chad was considered one suspect. The problem is the police zeroed in on him after her death and didn't consider anything else."

In his letter last month to Govs. John Lynch and John Baldacci and Attorneys General Michael Delaney of New Hampshire and Janet Mills of Maine, Evans said new evidence has come to light that should be considered.

Evans said Bonpasse found through a Freedom of Information Act request that a 2001 DNA test conducted

by the Maine State Police indicated blood found underneath all of Cassidy's fingernails belonged to the child. That DNA report was "not known at the trial to me or to my attorneys . . . (and) contradicts several key statements by trial witnesses," he said.

"Had my attorneys known of the testing, they would have insisted on further testing prior to trial to determine the sources of the DNA already located, and for the testing of other items related to Cassidy's death," he wrote.

He ends by saying, "None of you was in office in 2001, and I am confident that none of you has any interest in the continued imprisonment of any wrongfully convicted person in your states," he said.

Bonpasse has started a web site, chadevanswrongly-convicted.org, where he is placing all documentation he has uncovered, as well as letters Evans has written to him since he agreed to take on the case in December 2009.

Two weeks ago, Bonpasse mounted a petition aimed at Lynch, Delaney, members of the New Hampshire Supreme Court and the members of the state Legislature, which can be accessed by the website. So far, 127 people have signed the electronic petition.

To date, Bonpasse said, Evans has not heard from either governor or either attorney general regarding his request for a reinvestigation.