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# Ayla Reynolds' family plans to bring civil suit

The missing Waterville toddler's aunt told a television show in a rare interview that Ayla's blood was found in the family's house because she had 'lactose issues' that caused her to vomit.

BY [RACHEL OHM](#) STAFF WRITER



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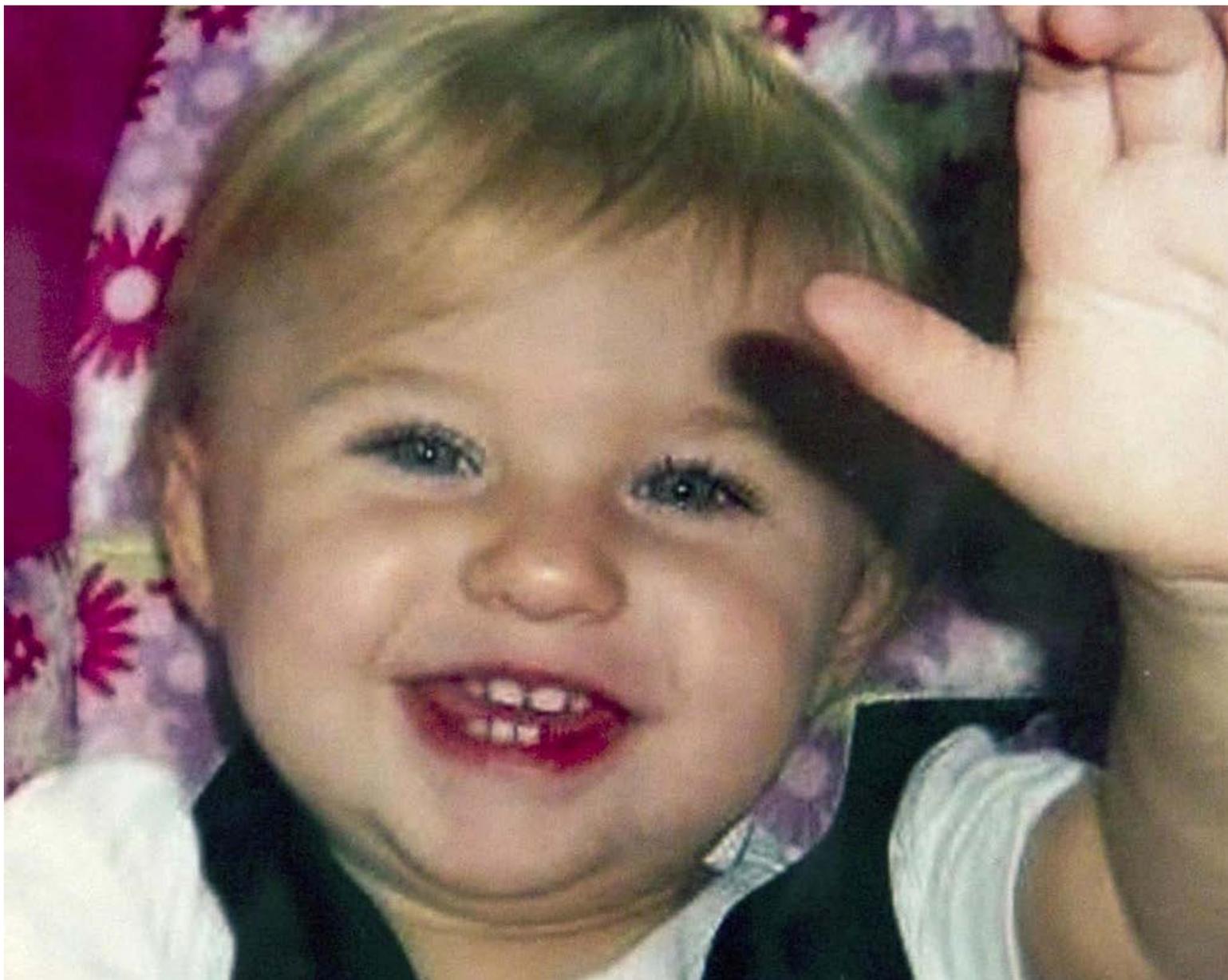
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Maine State Police Detective Christopher Tupper, left, and Waterville Police Detective Lincoln Ryder, at right, speak with Justin DiPietro at his home on Violette Avenue in Waterville on Dec. 18, 2011, the day after he reported his daughter, Ayla Reynolds, missing. Beside DiPietro is his then-girlfriend, Courtney Roberts, holding a baby; his mother, Phoebe DiPietro; and sister, Elisha DiPietro, at right. Elisha DiPietro told the TV show "Crime Watch Daily" that they believe Ayla is still alive "out there somewhere." Ayla's mother's family wants Justin and Elisha DiPietro and Roberts charged in the toddler's death and is bringing a civil suit against them. *Staff file photo by David Leaming*

**WATERVILLE** — The family of missing toddler Ayla Reynolds plans to bring a civil lawsuit against the adults who were with her on the night she disappeared in December 2011, but one of those adults said in a TV interview Monday they believe the child is still alive “out there somewhere.”

Jeff Hanson, Reynolds’ step-grandfather, said Monday the family wants to pursue civil charges that would possibly include child endangerment and wrongful death against Reynold’s father, Justin DiPietro; his girlfriend, Courtney Roberts; and his sister, Elisha DiPietro, whose care Ayla was in the night before she was reported missing, as well as Justin’s mother, Phoebe DiPietro, in whose house they all lived.



Ayla Reynolds was reported missing from the Waterville home of her father, Justin DiPietro, on Dec. 17, 2011. She has never been found and no one has been charged in the case. *Contributed photo*

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Ayla was [20 months old when she disappeared](#) from the DiPietro home at 29 Violette Ave., and there have never been any charges in the case.

Justin DiPietro told police he believes Ayla was abducted. Police have said they believe foul play was involved in her disappearance and that they [no longer believe she is alive](#). Police declared it a criminal case weeks after she was reported missing.

Elisha DiPietro, who has made few statements to the media since the disappearance of her niece, said in an interview [with the television show "Crime Watch Daily,"](#) which aired Monday, that the family "believes she is out there somewhere."

Reynolds' [blood has been found](#) at the Violette Avenue home, according to police, a fact that her maternal family has often pointed to as a reason why charges should be brought.

"We have seen pictures of what (police) found," DiPietro told an interviewer on the television show when asked to explain the blood in the house. "She had been vomiting quite a lot. She had lactose issues, so she had been sick.

"Nothing happened. There was no foul play in the house that night," DiPietro said. "My brother is a good father and he loved his daughter. He still loves her."

When approached in the driveway of the Violette Avenue home Monday, Elisha DiPietro said she wasn't aware her comments were going to be broadcast and declined to comment further.

## **HELPING THE INVESTIGATION**

Hanson said the family wants to bring civil charges "because we've been waiting for the attorney general to prosecute this case."

"We're hoping that maybe by filing a suit now it will open up a line of questioning that the attorney general's office can use to further their case," Hanson said.

Tim Feeley, a spokesman for the attorney general's office, said Monday that state police continue to investigate Reynolds' disappearance, and that if a civil suit is filed, any information generated could be used in furthering the criminal investigation.

Hanson also said he hopes that the attention of the national television show, "Crime Watch Daily," would bring renewed interest in the case in Maine. A vigil for Ayla is tentatively being planned for June.

"Many have offered support to hire a lawyer to file our own civil suit, and in the past we were reluctant to seek public donations," Hanson wrote in a weekend post on the website [aylareynolds.com](#), a site dedicated to raising awareness about Reynolds' case. "But after five years we think using the judicial system to file suit may be our only hope to bring justice to Ayla."

The site also links to a [GoFundMe account](#) set up to raise the money for the civil suit and a [petition asking Attorney General Janet Mills to prosecute](#) Justin DiPietro, Courtney Roberts and Elisha DiPietro.

## **'PROFESSIONAL RESPONSIBILITY'**

In March 2014 Ayla's mother, Trista Reynolds, wrote to Kennebec County District Attorney Maeghan Maloney [asking her to bring a criminal charge of child endangerment](#) against Justin DiPietro. Reynolds did not return a call seeking comment Monday.

William Stokes, a deputy attorney general at the time who is now a state Superior Court judge, declined to comment in 2014 on why his office had not charged anyone in connection with Reynolds' disappearance, but did say the fact that her body had not been found had a lot to do with it.

Speaking generally about why prosecutors might not charge someone with a lesser crime in certain circumstances, Stokes also cited Maine's criminal code, which says that a defendant can't be subject to separate trials for multiple offenses based on the same conduct or arising from the same crime except in certain instances.

He said there is always a risk of violating the statute when bringing lesser charges against someone and afterward lodging other charges based on the same incident.

"Our hearts go out to Trista and her family," Stokes said in 2014. "But as I've emphasized before, we have a professional responsibility to do this investigation in a correct way, and we really can't base our decision on petition drives or letters to the editor, as well-meaning as they may be."

Hanson said Monday that the family understands the explanation offered by the attorney general's office, but he has kept the petition going because he has received so many emails from people asking him to keep it open. It currently has more than 7,000 signatures.

"I've been getting a lot of emails from people asking how they can help," Hanson said. "(The public) is getting tired of waiting too."

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