

Background: My name is Cassandra I am a Mother to a 13 year old. My Fiancee (D) has two daughters from previous relationships.

We have 3 girls all together. My 13 year old who lives with us, My fiancée's oldest is 8 and his youngest is 4. Today I will mainly be talking about our current family Court battle regarding his 8 year old. For my Testimony her name will be A.G.

My fiancée has filed so many motions allegedly the Mother is in contempt . With holding A.G from scheduled week long visits in New York. Contempt orders on the mother for failure to notify anyone regarding her moving and enrolling their child into a new state and school district. All motions D filed were dismissed or never gotten to. Many of those motions were filed in the previous 8 months before October 2023 when my fiancée was arrested for custody interference across state lines (A felony)!! The family courts failed their duty to act with a compelling state interest to intervene. Judge Casa

has continued to try and “sweep this all under the rug” by continuing to not acknowledge that the mother in this case was living in the wrong state and transferred school districts without the father’s permission or the courts knowledge. Even though at every hearing the father continues to bring this up the order that was standing in October 2023. Judge Casa continues to ignore the fact that the mother in this case is bouncing back-and-forth between two different homes and two different states and two different schools with no consequence and no thought about the best interest of the child. Judge casa has made temporary orders that are currently in effect that directly go against the court’s procedures for ordering supervised visitation. (**Chapter 16 Supervised visitation**). Currently the temporary order limits my fiancée ability to **free speech**. Judge casa has with no justification restricted D’s family any ability to see or speak to A.G. The father in this

case has never been charged with domestic violence and CPS did their investigation for (**custody interference**) and **everything was unfounded**. my fiancée has not seen his daughter in well over a year now. This judge continues to make orders on behalf of the mothers *feelings* but not once does it seem like the child's best interest is being taken into consideration when making these "temporary judgments". Temporary orders stemming from a ex parte filed in October 2023 and are still intact today.

In October 2023 My Fiancee my daughter and myself traveled to NH to visit with some family and spend some extra time with A.G..

My fiancée and I live in New York State with my daughter, roughly 8 hours away from Dover NH.

A.G had been residing in a different state then what was court ordered.

At this time both parents had 50/50 Decision Making.

A.G had started a new school in a different state. A.G's mother never notified the father or the courts of her move. Through spending the Holiday weekend (Columbus day weekend) with A.G she confided in not just one adult but 4 **Adults** and my 13 year old that A.G was being struck from a grandparent. it knocked her front two teeth loose. A.G begged each adult individually to not take her back to the grandparents house where they were living despite the court order stating they were to be living in Maine away from the already established abuser whom is a grandparent. After serious consideration, questions and planning. Keeping in mind a previous agreement between both parties that A.G would no longer be allowed alone with this grandparent. but against that written agreement the mother moved back into a dangerous situation for A.G. Once A.G confirmed the abuse that was happening prior to moving to Maine was yet again happening after only residing

at the grandparents for less than a month, we knew we had to act.

We were going to do everything we could to protect A.G..

After speaking with NH town Police and New York State police, we were told we would be well with in the fathers rights to bring A.G back home to New York with us where the following Tuesday after the holiday Monday we could file for Temporary emergency jurisdiction in New York.

“Three day Holiday weekend, when the holiday lands on a Monday, the parent having parenting time shall also have that Monday”.That is specified in the court order. Courts were not open.it was Columbus Day! We could not file in New Hampshire due to the holiday. After being reassured by town police that we were not breaking any laws and were ok to travel.. We set out on our 7 hour drive home directly from the police station.

As we hit the Vermont Border we received a call from New Hampshire state police.

Stating the mother claimed the Father abducted the child. We explained in detail to this state trooper exactly what town police told us. We even pulled over and emailed this state trooper all of the court documents we had on our person.

Communication back and fourth with this trooper showed we picked up the phone each time he called us on our travels back home. Each time he called he was asking more details concerning the family court orders that were in place and the reasoning for not returning A.G to the mother.

He each time stated I need to talk with my superior and I'll call you back. He never once asked us to turn around and come back.

@9:20pm we had made it only two hours away from our house in New York after traveling almost 6 hours.

I was pulled over for an unrelated traffic infraction, (headlight was out). While being pulled over by New York State police on the side of the interstate, the New Hampshire state police called us back. When A.G's Father said we were currently pulled over, the trooper asked D to hand his phone to the New York State trooper who pulled me over.

Once A.G's Father did that , The NY trooper took D's phone back to his cruiser with him. 10 minutes elapsed and the trooper returned with a fix it ticket for me. Handed A.G's Father his phone, asked " are you D *****?" He replied "well you have my ID".

At that point the officer opened my passenger door and demanded D get out of the vehicle and told him he was being detained for Kidnapping.

They placed him in handcuffs and walked him back to the police car. I was then instructed to follow the trooper in front of me while I had both children in my vehicle, I was sandwiched between two state

troopers driving down the interstate to the police sub station in Schuyler NY. Once there the state troopers made me take A.G out of her car seat and hand her over to the police. Both Father and A.G were taken inside the police sub station. Myself and my 13 year old had no idea what to do or what was going on. No one was charged with any crime at this time.

We had to drive two hours home with out my fiancée and step daughter. We were devastated to say the least. A.G was taken into a separate room where they fed her candy, Drilled her with questions then demanded she go to sleep and continued to yell at her when she couldn't fall asleep at the police sub station. Unfortunately the sub station was so small A.G's Father could hear every word being said to A.G and vice verse. At one point while A.G's Father was handcuffed to the wall he yelled loud enough for the woman to hear who was yelling at A.G in another room.

He had to demand she not talk to his child like that over and over. So of course that means A.G could hear everything happening in the room her father was in also.

@ 1am Tuesday, the following day. A.G's Father was charged with Interference with custody across state lines.

He sat in that police sub station and so did his daughter for over 4 hours before charges were filed. Had they not interfered in our family realm and let the father whom has fundamental rights to protect his daughter as the constitution provides We would of already been Home by 1am sleeping. That morning we had planned to file an ex parte for emergency jurisdiction in New York. A.G spent all summer in NY and had only been back with her mother for a period of one month prior to this incident. A.G came home to moms from summer vacation to find out mom was moving again (September 20th 2023)

I did want to note.

Not one police officer would listen to me or A.G's Father and read through our court documents proving D was well with in his rights. Had they taken 5 minutes to verify our paper work as they promised us they would. Maybe my Fiancée wouldn't have a **felony**. A.Gs Father was sent to Herkimer County Jail in NY where he sat until seeing a judge.

Upon seeing the judge, the judge was completely appalled that we had a Father in Jail for trying to protect his child. Once A.G's father explained everything to the judge.

The judges made a remark about something not "smelling right" about this entire situation. We couldn't have agreed more. His order was if NH didn't come take Custody of D with in 24 hours then New York would promptly be releasing him.

With only a half hour to spare NH Strafford County sheriff's arrived in New York. Essentially he was extradited to NH. October 2023 Friday the 13th my Fiancee had Court where he was released with an ankle monitor pending trial.

This was an oversight on our part just being excited for him to come home. Had I done more research I would have known if the ankle monitor was to malfunction we would have no other option but to come to NH to get it fixed. At this point our vehicle had been **repossessed due to our financial struggles when he was incarcerated**. Wayne County NY corrections does not use the outdated devices Strafford County uses. My Fiancée s a Hardscape Forman in the summer and a logger in the winter. He is required to wear logging boots Per NYS.

Have you ever tried to wear an ANKLE monitor on your calf? That is what He had to do in order to wear his proper protective gear to stay employed.

Although it cut off his circulation all day long, his probation officer made it loose enough for this exact reason. So he could still wear his boots.

7 Months of wearing this Device with no issues.

One day it started to not charge. I did my due diligence in documenting it, video and pictures with time and location stamps. I took videos and pictures of what it was doing. We cleaned it and got the connection to work. All of this was sent to D's Attorney.

About two weeks later it wasn't charging again. His probation officer told him he had less than 24 hours to get to NH and check in to get it fixed. This was impossible, He doesn't have a license so all driving falls on me. His probation officers knew this.

Unfortunately we couldn't get to NH in 24 hours while we have a child in public school and I also have full time employment and our vehicle was repossessed when D was arrested.

His release conditions completely contradicted themselves. Stating he was not allowed in the state of NH! Yes he was exiled from the state of NH. But then his P.O demanding he come with no notice or time, to find a way to get somewhere he hasn't stepped foot in over 7 months. It's also an 8 hour drive. And over 2 days for a buss. There was literally no way to meet his P.O's demands. Being Exiled from entering the state of NH was extremely scary for my family.

Due to Dylan being Arrested in October 2023 our brand new vehicle we put\$ 7,000.00 down on was repossessed after falling one month behind on our payment due to his arrested he missed a lot of work and we spend a lot of money back and fourth to nh.

The loss of having a brand new vehicle that could get us back and fourth with no mechanical issues proved to be completely detrimental.

We just had no physical way to get him to NH with such short notice. We booked a buss ticket as fast

as we could. Where he went on his way to turn himself in to NH. Dylan was subsequently held without bail until trial in the state he was exiled from. At this point trial was still at least 6 months away. 6 Months that judge and prosecutor were going to make him sit in jail with no bail. You can not be a flight risk if you have been exiled from the state and this was a **non violent crime** . D never had privouy fails to appear for any court hearing. There was zero reason for the prosecution and judge to hold this non violent father with out bail.

I fully believe this was the prosecutors way to break down my Fiancée and strong arm him into taking a plea. From day one he loudly declared his innocence and held the facts he would take this all the way to trial as he believed a jury of his peers would find him innocent!! He held out as long as he could. He stayed positive. We spent our entire tax return and savings on communication to and from the jail as well as food. As our savings was dwindling down to

nothing paying bills with out our Maine source of income because he was incarcerated. D started to wear down, the positivity slowly left his voice each day. Until it was tears every time we spoke. D's mental health was deteriorating faster.

a month in jail and D was offered a deal. A deal previously the prosecutor took off the table due to his "negligence with the monitor". When being sentenced to incarceration until trial. The prosecution put that deal back on the table only after D had been incarcerated for over a month. D didn't take that deal in the beginning, one because we truly believe he is not guilty and two because it put a **felony** on his record and we knew how hard it would be to ever see his daughter again if he took the deal. We had already lost so much in that months time. Gotten behind on bills we were previously ahead on.

Unfortunately jail wore him down.

His mental health was deteriorating quickly. At this point I unfortunately was not able to get through to him about not taking the plea.

He was in a pod for federal cases or something.

Because he was extradited and we lived in a different state he was in a pod with some serious criminals. What He endured being in jail I will never be able to fully understand. I can tell you it has changed him. Subsequently We now are extremely fearful to go into the state of NH.

I myself have not been back to NH since he was extradited and released on the ankle monitor.

I was Born and Raised in NH. Strafford County to be exact!

I can not even come to my home town anymore. My Fiancée is now a felon for attempting to safe guard his daughter from abuse. It's been 479 days since any of us have seen A.G. DCYF came did there assessment. It was **UNFOUNDED**. Unfortunately we

were right to be fearful of taking the plea deal as now it has been well over a year since any of us have seen her.

Fast forward to today. It's a battle, the mother again decided to move back to the original home and state that was our court order.

Had the mother not moved from the original residence my fiancée wouldn't have a **felony**. **because NH denied his motions for contempt and denied his motions for a hearing on her relocation subsequently He was arrested for trying to keep A.G safe** . when clearly the courts refused to acknowledge motion after motion of the father showing the mother was **interfering with the non custodial parents parenting time, And moved against the court order on residence and school district.**

This is our second Christmas with out A.G. It's been extremely hard going from all summers with A.G

and every holiday with A.G to now 479 days since we have seen her, hugged her, or talked to her.

Temporary orders have been put in place. For fully supervised visits in NH.

The judge left everything up to the mother to decide on, place dates times ect. **Against Chapter 16 Supervised visitation .**

The Mother chose a facility that only deals with (Domestic Violence).

Upon attempting to set up an intake the center told Dad that they only handle domestic violence in the family. And as no one is charged with domestic violence. We would not qualify for their services.

D explained this to Mom where she flipped out saying it in fact is domestic violence and so on....

Regardless, D has still yet to see his daughter.

Mom stated to D NO this was the one and only center in NH.

Now we are currently at a stand still yet again. 90 day Review hearing should have been being scheduled for January 14th 2025 according to their orders from October 2024 review hearing.

Unfortunately when the relocation hearing orders came out from November it stated a review hearing will be scheduled 90 days from that order. Pushing their hearing date back sometime in late February early March 2025. At that point it will have been since October 9th 2023 that any of us have seen A.G. That's 509 days.

currently we have a mediator whom previously told my fiancée he was an Inconvenience to her during paid mediation. Yet this mediator from California two years later is the mediator assigned yet again to their case this will be the third time the judges have made mediation mandatory knowing mediation has not worked once previously. . The mediator has already begun her biased approach in the newest mediation process. My fiancée has two separate family court cases. His youngest daughter he has 50/50 everything with and has approximately equal shared parenting. That case is closed. How can he have

two family court cases that are such polar opposites of each other. How is it ok to take away one child's rights but not the other?

Father has never had a parental fitness hearing.

Nor has father been afforded with an opportunity to fully explain.

30 minute hearing is the standard in NH not sure if it's like that everywhere. That only gives the respondent with less than 12 minutes to explain everything. Best interest of the child would be allowing both sides to voice their opinion and concerns fully.

12 minute to determine whether he's a good father or not. There is so much more I could have added but. This is our tragic reality.

Holding a nonviolent father without bail whom followed his court order to a T. And didn't leave the state of NY for 7 months was subsequently thrown in jail indefinitely while not being a danger to

anyone or a flight risk considering he wasn't allowed in the state! Absolutely the only reason this was done was the prosecutor ensuring her win in this case. She knew how adamant we were about his innocence. So for anyone to believe that he wanted to plead guilty obviously hadn't been listening. Moreover, when it came time to plea, the judge who handled this case and sent him to jail until trial refused to do the plea arrangement and substituted another judge who knew nothing of the case or been an active participant in any proceedings.

Had he not been coerced and strong armed into taking a plea deal to come home to his family and his career. a man that was so eager to prove his innocence had to plead guilty in order to come home and maintain his employment in fear on losing our home.

Luckily, even after being gone for over a month, his employer stood by his side.

Case information:

In the matter of Brittany Shumaker & Dylan
Goodwin. 619–2018-DM-00431.

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Thank you for reading.

Respectfully,

Cassandra D Knapp