

Exhibit for HB 2603– An Organized Kidnapping
February 12, 2015

“Please tell Sean that I also wish him the best. I have also followed his career and believe his personal experience has given him the wisdom and the moral authority necessary to make a real difference in making Oregon safer for our children.” –Hon. Judge James L. Fun, Washington County Circuit Court, January 24, 2007

The statute makes no exceptions. “A person” means *every person committing the crime.*

163.245 Custodial interference in the second degree. (1) A person commits the crime of custodial interference in the second degree if, knowing or having reason to know that the person has no legal right to do so, the person takes, entices or keeps another person from the other person’s lawful custodian or in violation of a valid joint custody order with intent to hold the other person permanently or for a protracted period.

(2) Expenses incurred by a lawful custodial parent or a parent enforcing a valid joint custody order in locating and regaining physical custody of the person taken, enticed or kept in violation of this section are “economic damages” for purposes of restitution under ORS 137.103 to 137.109.

163.257 Custodial interference in the first degree. (1) A person commits the crime of custodial interference in the first degree if the person violates ORS 163.245 and:

- (a) Causes the person taken, enticed or kept from the lawful custodian or in violation of a valid joint custody order to be removed from the state; or
- (b) Exposes that person to a substantial risk of illness or physical injury.

I often wonder how differently law enforcement and the family courts would have treated the case if my children’s abductors had stolen my car along with my children. In other words, if they had taken something of value....

Since nobody brings back stolen cars voluntarily, law enforcement would have automatically assumed that the intent was permanent. The concept of “a protracted period of time” would have no relevance.

Taking... Enticing... Keeping...a Child....

The following five persons, living in the states of Washington and Utah, signed sworn affidavits (see below, pp 3-13) implicating themselves in the crime on **March 2, 1996**, six weeks after the Cruz children were abducted, and some six weeks *before* I was able to obtain a physical address. None are relatives of either my family or my former wife's family. Their only connection to my children is through their church membership and status in positions of trust within that organization.

Clark County, Washington

Donald Taylor
Barry Dunford
Connie Dunford

Utah

Kory Wright
Chris Wright

The same five people had been deeply offended five years before when I refused their high-pressure invitations to join their church congregation. I never attended a meeting, service or social event connected to their church. My wife had become involved with them to the point of obsession, and after I had made it clear that I was not going to get with their program, they persuaded her to file for divorce, providing her with a divorce lawyer who was also a member of their church, **Edwin Poyfair**.

Poyfair was serving on the Clark County Superior Court bench when my children were abducted, and every page in the joint custody order has his name printed on it.

The last person to provide legal advice to my former wife before she disappeared with my children was **James Rulli**, at the time a part-time Clark County Court Commissioner.

According to sworn testimony entered in the custodial interference trial in Washington County in 1997, Mr. Rulli advised the group that it was OK to take the kids to Utah, even if they were not going to return them to Oregon.

Rulli is also now serving on the Clark County Superior Court bench.

The Shunning

I did not learn my children's physical address until **April 17** but these five knew where they were all along, perhaps as long as six months before the kidnapping. My former wife had remarried in 1995, and when that marriage ended in chaos after just a few months, they saw an opportunity to impose a shunning against me, and they took it.

This is the "no contact" rule my children's abductors sought to enforce on my family.

Do you support, affiliate with, or agree with any group or individual whose teachings or practices are contrary to or oppose those accepted by the Church of Jesus Christ of Latter-day Saints?

In order to maintain good standing in the church organization, a person must swear that the answer to the above question is "No."

In the last months leading up to the kidnapping, several members of my former wife's church in both the Oregon and Washington congregations took a peculiar interest in my children, giving them extra attention, gifts, rides to school in the morning, a free trip to Disneyland in December. In the last few days, it became clear to me in my children's behavior that there was some kind of Big Secret going on, that nobody was supposed to tell Dad or Grandma about.

Months later, I learned that mail addressed to my children at their mother's last known address in Hillsboro was being forwarded to the home of Evelyn (sp) Taylor, LDS Relief Society President in Washington County, the same person who was providing rides and other special attention to my children in the runup to the kidnapping.

This would explain why mail sent to their last known address in Hillsboro was never returned, and the checks my mother and I mailed to my children were never cashed.

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See page 14 for the letter disclosing my children's physical address in Eden, Utah, dated April 17, 1996.

The attorney providing cover for the abduction is suggesting a new parenting plan be drawn up, now that the children have disappeared into Utah.

APR 16 '96 11:18AM HORN LIN & DUGGAN

P.3/8

On 4/16/96 via Fax inserted by courier/deposited in the mails of the U.S. a properly stamped and addressed envelope directed to the attorney of record of petitioner/respondent containing a copy of the document to which this declaration is affixed.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Jeanne L. Glass  
4/16/96

DATE: 4/16/96  
PLACE: Vancouver, Washington

IN THE SUPERIOR COURT OF WASHINGTON FOR CLARK COUNTY

In re the Marriage of: )  
GINA C. FRISCHKNECHT, aka )  
GINA C. CRUZ, )  
Petitioner, )  
and )  
SEAN A. CRUZ, fka )  
SHAWN A. CRUZ, )  
Respondent. )

NO. 91 3 00832 6

DECLARATION OF  
DONALD D. TAYLOR

See attached.

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March 2, 1995

I Donald D. Taylor declare under penalty of perjury under the laws of the State of Washington the following statements are true and correct.

I have known Gina Cruz since October of 1992. She is a caring and concerned Mother who puts the well being and welfare of her four children as a top priority. She has year round custody of her children for six days of each week. They visit with their Father one day a week. Gina works very hard to provide a stable environment for her children. She has taught and continues to teach them moral values and the importance of being good citizens and doing the best they can.

NOT  
TRUR

Gina has worked within the young women youth program of her Church. She has served very faithfully in this capacity as an advisor to the young women. Many have come to her with problems and concerns. She has been instrumental in helping them work through their difficulties or directing them to those who can provide assistance.

I believe Gina is a hard working, loving, and caring Mother, wife, daughter and sister, who is deeply concerned for the well being of her children and those she loves.

*Donald D. Taylor*

Donald D. Taylor  
Bishop, La Center Ward  
The Church of Jesus Christ of Latter Day Saints

4/15/96  
~~4/15/96~~  
On ~~4/15/96~~ I sent by courier/depot  
to the mails of the U.S. a properly stamped and ad-  
dressed envelope directed to the attorney of record  
of petitioner/respondent containing a copy of the  
document to which this declaration is affixed.

I declare under penalty of perjury under the laws  
of the State of Washington that the foregoing is true  
and correct.

Jeanne L. G. [Signature]  
DATE: ~~4/15/96~~ 4/15/96  
PLACE: Vancouver, Washington

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In re the Marriage of: )  
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GINA C. CRUZ, )  
Petitioner, )  
and )  
SEAN A. CRUZ, fka )  
SHAWN A CRUZ, )  
Respondent. )

NO. 91 3 00832 6

DECLARATION OF  
KORY WRIGHT

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ORIGINAL

I, Kory Wright declare under penalty of perjury of the laws of the State of Utah that the following statements are true and correct.

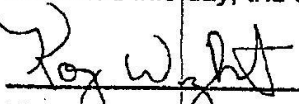
I have know Gina Frischknecht and Shaun Cruz for over six years. Prior to Shaun and Gina's divorce I spent considerable time with both of them trying to mediate the differences which eventually led to the divorce. In fact, Shaun and I spent almost six hours one evening in my office discussing his marriage. Shaun's overwhelming focus was on controlling Gina. Shaun felt that Gina had no right's aside from the one's he allowed her to have. If she made choices he did not concur with this would infuriate him. Shaun's overbearing dominion is what finally led Gina to request a divorce. Even after the divorce, Shaun continued to intimidate and threaten Gina. He attempted to use the payment of child support as a lever to manipulate Gina. On occasion, Shaun has voluntarily left employment rather than pay his support. This has resulting in Gina assuming financial obligations and burdens which rightly belonged to Shaun. The years since the divorce have been extremely difficult for Gina. Shaun has placed undo physical, emotional and financial strain on Gina and the children.

Because of the close relationship between our families we have tried to support Gina and the children throughout this ordeal. We were delighted to welcome them to Ogden Valley. Our children were thrilled to have their friends back with them. Gina and her children have readily been welcomed by the people of this area. In the short period they have lived here the children have increased their circle of friends, been involved in numerous activities and made a home for themselves. The schools the children attend are among the best in the state of Utah. Gina has already secured employment and is looking at enhancing her earning opportunities. Clearly, the move here has been a tremendous benefit to both Gina and her children.

If Shaun is truly seeking that which is best for his children, then let them live where they are the happiest. The economic boom in Utah would afford Shaun ample opportunity to provide for him as well as his support obligations. Since he currently has no employment restrictions keeping him in the Northwest, a relocation would not be difficult for him.

My experience with Gina is that she is a loving mother who consistently places the needs of the children in front of her own. She is striving, in the midst of difficult circumstances, to teach and nurture her children. She teaches by example as well as in deed values such as honesty, integrity, morals, work, service, selflessness, and happiness. Her credentials as a parent are above reproach and I would not hesitate to entrust any or all of my five children to her care and keeping.

Executed this day, the second of March, 1996.

  
Kory Wright





I, Chris Wright, declare under penalty of perjury of the laws of the state of Utah that the following statements are true and correct:

I have known Gina Frischknecht for over six years. She is a devoted mother who nurtures her children in every aspect: spiritually, emotionally, and physically. Their welfare is her primary concern. Gina has been forced into the marketplace to provide necessities for her children when her greatest desire was to be in the home. She continues to remarkably fulfill her role as a loving mother in addition to providing for their basic needs of food, clothing, and shelter.

Her move to Utah was motivated by her concern for the best interest of her children. She puts their needs before her own. They each seem very much at peace and at ease with their new home.

My confidence in Gina's attributes as a mother is such that she would be my first choice to care for my own children in my husband's and my absence.

*Chris Wright*

Chris Wright

Executed on the 2nd day of March, 1996.

On 4/16/96 *via fax* I sent by ~~common carrier~~  
 in the mail of the U.S. a properly stamped and ad-  
 dressed envelope directed to the attorney of record  
 of petitioner/respondent containing a copy of the  
 document to which this declaration is affixed.

I declare under penalty of perjury under the laws  
 of the State of Washington that the foregoing is true  
 and correct.

*Jeanne L. Blaw*  
 DATE: 4/16/96  
 PLACE: Vancouver, Washington

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IN THE SUPERIOR COURT OF WASHINGTON FOR CLARK COUNTY

In re the Marriage of: )  
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 GINA C. CRUZ, )  
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 Petitioner, )  
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 and )  
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 SEAN A. CRUZ, fka )  
 SHAWN A. CRUZ, )  
 )  
 Respondent. )

NO. 91 3 00832 6  
 DECLARATION OF  
 BARRY R. DUNFORD

See attached.

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MARCH 2, 1995

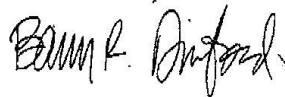
I, BARRY R. DUNFORD, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON, THAT THE FOLLOWING STATEMENTS ARE TRUE AND CORRECT.

I VERIFY TOTALLY, THAT GINA IS AN EXCELLANT CUSTODIAL PARENT AND THAT HER CHILDREN ARE IN A POSITIVE HOME ENVIORNMENT WITH PROPER CARE AND GUIDANCE.

I WAS CALLED BY OUR CHURCH TO BE A HOME TEACHER FOR THE GINA CRUZ FAMILY AT THE BEGINNING OF 1994. ONE OF MY RESPONSIBILITIES WAS TO VISIT THE ABOVE MENTIONED FAMILY ON A REGULAR BASIS AND HELP MEET ANY NEEDS IF ANY WERE APPARENT. EACH TIME I VISITED THE GINA CRUZ FAMILY, I FOUND THEIR HOME TO BE A WARM AND LOVED FILLED PLACE. THE CHILDREN WERE ALWAYS HAPPY AND HAD PLENTY TO WEAR AND EAT. THE HOME WAS WARM IN THE COLD MONTHS AND THE NEEDS FOR THE CHILDREN WERE MET BY GINA.

IF THERE ARE ANY MORE QUESTIONS, OR YOU WOULD LIKE TO DISCUSS THIS FURTHER, PLEASE FEEL FREE TO CALL ME AT ANY TIME. MY WORK NUMBER IS 1-360-573-8507 AND MY HOME NUMBER IS 1-360-687-1627. THANK YOU.

SINCERELY,



BARRY R. DUNFORD



MARCH 2, 1995

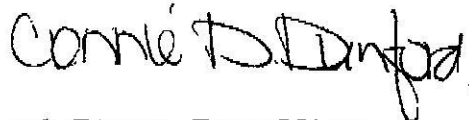
I, CONNIE D. DUNFORD, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON, THAT THE FOLLOWING STATEMENTS ARE TRUE AND CORRECT.

I VERIFY TOTALLY, THAT GINA IS AN EXCELLANT CUSTODIAL PARENT AND THAT HER CHILDREN ARE IN A POSITIVE HOME ENVIORNMENT WITH PROPER CARE AND GUIDANCE.

LAST YEAR BEGINNING SEPETMBER 6, 1994 WHEN SCHOOL STARTED, I PICKED UP NATALIA AT HER HOME EVERY MORNING AT 5:05 A.M. AND TOOK HER TO SEMINARY WITH ME. I AM A TEACHING THERE ALSO, SO I CAN VERIFY THAT NATALIA WAS IN ATTENDANCE ON A DAILY BASIS. I CONTINUED THIS UNTIL THEY MOVED IN THE MIDDLE OF DECEMBER 1994.

IF THERE ARE ANY MORE QUESTIONS, OR YOU WOULD LIKE TO DISCUSS THIS FURTHER, PLEASE FEEL FREE TO CALL ME AT ANY TIME. MY WORK NUNBER IS 1-360-573-8507 AND MY HOME NUMBER IS 1-360-687-1627. THANK YOU.

SINCERELY,



CONNIE D. DUNFORD

**HORENSTEIN  
& DUGGAN P.S.**

ATTORNEYS AT LAW

First Interstate Tower 360-699-4771  
900 Washington Street 503-289-2643  
Suite 900•PO Box 694 Fax 360-694-6413  
Vancouver, Washington  
98666-0694

COPY APR 22 1996

\*Also Admitted to  
the Oregon Bar

LeAnne M. Bremer\*  
Julie Levie Caron\*  
Timothy J. Dock  
Dennis R. Duggan  
Kathryn E. Holland\*  
Cynthia A. Horenstein\*  
Dru S. Horenstein  
Scott J. Horenstein  
Stephen W. Horenstein  
Jeffrey T. Justin  
William F. Nelson  
Pat L. Pabst\*  
Albert F. Schlofeldt\*  
D. Jean Show\*

April 17, 1996

John David Morse  
Attorney at Law  
1111 Main Street 6th Floor  
Vancouver WA 98660

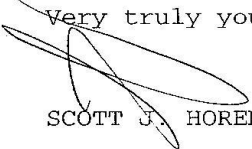
RE: Frischknecht/Cruz  
Our File No. : 16220-001

Dear John:

Mrs. Frischknecht's address is 3515 N. Wolfcreek Drive, Eden, Utah,  
84310.

She wanted to take a couple of days to digest the ideas I conveyed  
to her about the Parenting Plan. I will draft a Parenting Plan up  
in a couple of days and forward it to you.

Very truly yours,

  
SCOTT J. HORENSTEIN

SJH:jg  
cc: Ms. Gina C. Frischknecht  
16220001.L10