

34 Franklin St.
Lyons, NY 14489
July 28, 2006

Judge Bryan Hedges
Onondaga County Family Court RE: Phillipson v. Murtari
401 Montgomery Street
Syracuse, NY 13202

Dear Judge Hedges:

I was recently sentenced to six months on the basis of a child support violation. Jail is to begin on July 31st and I hope the term can be reduced or eliminated. I write hoping unnecessary expenses and workload can be avoided and to ease meaningless suffering on my part and for my child.

If you have time our group's website has a complete chronology of this matter, including copies of transcripts and most documents. http://www.AKidsRight.Org/support_jm.htm

A review should show the proper venue for this matter should be Wayne County. I believe an intentional effort was made to mislead the Court regarding my living address. I pleaded with everyone and had no relief. I did phone testimony in a last minute arrangement while taking care of my ill mother in our home. She died two weeks later.

Most importantly, it will show how strongly I hold the duties of family. I gave up an Air Force Pilot career to help with my folks (I'm an only child). In the last five months of my mom's life I sacrificed work to stay at home full time and care for her with the help of Hospice staff. Above all I love my son Domenic, very, very much – and he loves me. My work decisions allow me to maximize my time with my son. Even with only a brief visit that closeness was visible to the Probation officer who submitted his report.

We each make our own family choices. These were my decisions. I like to think I'm respected in my local community and my church. A well-formed conscience is a valuable guide to morality and I have always tried to do the right thing. I have made numerous good faith efforts to try to get support resolved both through modifications and directly with my former spouse. All my efforts have been either ignored or rebuffed.

I am not a criminal. I am not selfish. I'm simply a parent who loves his child and wants to do what is best for him. I have done nothing that deserves jail. I can most heartily assure you that if I had the money, I would pay it – it is not worth all this time & struggle.

I'm sure you care about children and families, as do most people that currently practice in the courts. This is not a people problem. We have many good people in the courts. The family law system has too few checks & balances to govern itself. Because I run a business, the system plays the law of averages and assumes I'm hiding money without

any real proof. That is not justice. But the primary goal of my reform effort is not about money and child support.

How can 'due process' rights be preserved without clear legal protection or recognition of my human right to be considered a fit & equal parent to my child? Before we take a person's freedom, we have a strong presumption of innocence, a right to counsel, and the protection of a jury. The same should apply to interference with the parent/child bond. Real proof and unbiased jurors to decide. We need a Federal Family Rights Act.

Many think a letter such as this is a waste of time. I do not. I have to try in hope that a lot of pain to my son and I can be avoided. Pending jail has already adversely affected my business and six months or sixty months will not (and should not) change my behavior – I love and support my child. I had wonderful parents and I want to pass that on to Domenic. I am not just an ATM machine and money alone is not support.

As a moral individual, a former member of our armed forces, and a parent who cares about his family – I am at a loss at how to further respond to such an unjust sentence of jail. In 2000, this happened to me and I lost a summer vacation with my son. I was a model prisoner and just "went along."

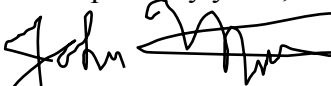
This year I was fortunate to have my vacation with my son. We were both very afraid it might not happen. I'm approaching my 50th birthday and it is silly and an indignity to live under the threat of being thrown in jail for six months any time a petition is filed by my former spouse. I also must act with the confidence of my convictions.

Once I report to the jail I will not cooperate with any processing or orders. I will not be rude or resist, but just remain passive. I will not eat or drink voluntarily. I expect them to use medical means like an IV to keep me hydrated and fed. This is NOT a hunger strike. My only fair response to such an unjust sentence is to maximize the amount of effort that must be used to hold me captive as a prisoner. I am not unfamiliar with jail and I know how they may react – it will be an uncomfortable experience for all involved.

Judge, I hope it is not necessary, but I have no other recourse and the reform effort may gain some valuable national publicity from this effort. I hope to have many good parents on the outside acting in support of my actions.

I hope and pray this can all be avoided. You said you were ready to retire and were not influenced by politics. You said your only options were 'jail' or 'probation' – I hope you can find the third way.

Respectfully yours,


John Murtari
AKidsRight.Org