

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

STATE OF ALASKA,

Plaintiff,

vs.

JEFFREY C FULTZ
DOB: 07/02/1962
APSIN ID: 8222009
DMV NO.: 7511305 AK
ATN: 116677575

Defendant.

Filed in the Trial Courts
STATE OF ALASKA, FIRST DISTRICT
AT JUNEAU

JUN 14 2021

By NJ/BD Deputy

Court No. 1JU-21-00410CR (Jeffrey C Fultz)

STATEMENT OF FACTS IN SUPPORT OF
APPLICATION FOR BAIL REVIEW HEARING

I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court. The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990: NONE.

The State of Alaska, by and through Assistant District Attorney Jessalyn Gillum, submits the following statement of facts as a basis for its request to review Defendant Jeffrey Fultz's bail and conditions of release:

1. Defendant Jeffrey Fultz (hereinafter "Defendant") currently stands accused of eight (8) counts of Sexual Assault in the Second Degree under AS 11.41.420(a)(4) (hereinafter referred to as "Sexual Assault") and one count of Harassment in the First Degree under AS 11.61.118(a)(2) (hereinafter referred to as "Harassment").
2. These charges arose from allegations provided by seven (7) complaining witnesses and involves conduct spanning from 2014 through 2020.

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found to be strange and/or inappropriate while he was engaging with patients and purportedly administering medical care.

19. Defendant was ultimately given the opportunity to resign in lieu of termination at SEARHC in light of the criminal investigation that gave rise to the aforementioned indictments. He chose to resign and subsequently sold his home and moved to Santa Fe, New Mexico.

20. In light of the additional felony counts that Defendant now faces, the State has grave concerns regarding Defendant's future appearance and performance as it relates to this case.

21. Regarding appearance, while Defendant previously signed a waiver of extradition, his incentive to flee and not return to Juneau has increased exponentially now that he faces five additional felonies.

22. As to performance, Defendant used his position as a trusted physician in the community to prey on patients for years and years. While the Court has ordered he not be alone with any patients, there is no way for Alaska to monitor his behavior or enforce the Court's conditions of release while he is permitted to reside in New Mexico.

23. The State fears Defendant's pattern of assaulting female patients, specifically those who are part of the local native community, will continue if he is not properly monitored.

24. At Defendant's initial arraignment on April 30, 2021, there was speculation that having the Defendant reside out of state would benefit the complaining witnesses in this matter so that there would be no risk of incidental contact in town. The two complaining witnesses present on the phone both stated that they were not worried about seeing the Defendant in Juneau and that they both wanted him to be required to stay in the area for the duration of the case.

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- 1 small towel, roughly the size of a tea towel/washcloth, to use to cover their naked
2 bodies, which barely covered their breasts.
- 3 12. Multiple complaining witnesses allege that at some point during the session the
4 towel would fall off of their bodies and Defendant would interfere when they went
5 to pick it up or requested it be handed to them, stating that "sheets get in the way."
6 The session would then continue with the women laying fully naked.
- 7 13. Defendant is alleged to have touched either the breast tissue, buttock area, and
8 inner thigh/vaginal area, or some combination thereof, of each of the complaining
9 witnesses, often on more than one occasion.
- 10 14. At least two complaining witnesses describe placing their hand in the way of
11 Defendant's hands during a session so as to prevent him from touching either
12 breast tissue or genitalia, and that Defendant would attempt to force his way past
13 their hands. On at least one occasion he succeeded in pushing past a patient's hand
14 to continue touching her breasts.
- 15 15. Multiple complaining witnesses state that they were aware that Defendant was
16 sexually aroused, either by feeling or observing his erection, during these sessions.
- 17 16. Six out of the seven complaining witnesses are members of the native community
18 in Alaska. The seventh complaining witness was a colleague of the Defendant's at
19 SEARHC, and had begun treating with him after an informal discussion where
20 Defendant offered to help her with her back and hip pain.
- 21 17. When questioned by Detective Daniel Darbonne, Defendant referenced an
22 allegation he faced in Arizona in 2011 where he was accused of improper
23 touching, also while serving at a facility that focused on the native population.
- 24 18. In the course of the investigation two eye witnesses were identified; one who was
25 a former employee and another who was the husband of one of the complaining
26 witnesses. Both are alleged to have observed Defendant behaving in a manner they

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- 1 3. On April 8, 2021, Defendant was indicted on three (3) counts of Sexual Assault
- 2 and one (1) count of Harassment based on the outcries of three complaining
- 3 witnesses: C.A.L., C.E.L., and M.W.
- 4 4. At arraignment on April 30, 2021, the Court set Defendant's bail at \$25,000.00
- 5 cash only appearance bond, permitted Defendant to reside in Santa Fe, NM (his
- 6 location at the time of his arrest), and instructed him to have no contact with the
- 7 alleged victims or unsupervised contact with any patients. He was also required to
- 8 surrender his passport and sign a waiver of extradition before being released.
- 9 5. Following the indictment becoming public on or around April 8, 2021, additional
- 10 individuals came forward with new allegations against Defendant.
- 11 6. On June 3, 2021 a Juneau Grand Jury indicted Defendant on five (5) additional
- 12 counts of Sexual Assault involving four complaining witnesses: C.W., R.F.,
- 13 Y.R.F., R.P., and M. S.
- 14 7. Defendant stands accused of using his position as a trusted doctor within the
- 15 SEARHC facility to sexually assault his patients under the guise of providing
- 16 legitimate chiropractic treatment and massage therapy.
- 17 8. He is alleged to have ordered the complaining witnesses to fully undress for their
- 18 appointments, regardless of their symptoms or complaints, which ranged from
- 19 back and hip pain to bilateral thumb pain.
- 20 9. In several instances he is alleged to have remained in the room after directing the
- 21 complaining witnesses to disrobe, or to leave the room and return abruptly to
- 22 interrupt a patient as she undressed.
- 23 10. When asked why disrobing was necessary, Defendant is alleged to have responded
- 24 that "clothes get in the way."
- 25 11. Several of the complaining witnesses state that after complying with Defendant's
- 26 instruction they realized there was no sheet or gown to use to cover their bodies.
- 27 Upon requesting a sheet or gown, these women state that Defendant offered only a

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