

(<https://www.ktoo.org/>).

[Crime & Courts](https://www.ktoo.org/category/news/topics/public-safety/crime-courts/) | [Juneau](https://www.ktoo.org/category/news/alaska/juneau/) | [Sexual Abuse & Domestic Violence](https://www.ktoo.org/category/news/topics/health/sexual-abuse-domestic-violence/)

Dismissed charges in Fultz case show limitations of Alaska's sexual assault laws

October 3, 2025 by Yvonne Krumrey, KTOO (<https://www.ktoo.org/author/yvonne/>)



Judge Larry Woolford in the Dimond Courthouse in Juneau on August 14, 2025. (Photo by Yvonne Krumrey/KTOO)

It's been a month since the sexual assault trial against a former Juneau chiropractor [ended](https://www.ktoo.org/2025/09/04/jurors-say-former-juneau-chiropractor-is-not-guilty-on-two-counts-of-sexual-assault-other-counts-a-mistrial/) (<https://www.ktoo.org/2025/09/04/jurors-say-former-juneau-chiropractor-is-not-guilty-on-two-counts-of-sexual-assault-other-counts-a-mistrial/>) with two acquittals and 14 charges declared mistrials. Although Jeffery Fultz wasn't found guilty, those charges are still active and he could stand trial again.

But earlier this month, the judge in the case dismissed one of those remaining charges. And this dismissal reveals a gap in state laws that makes it harder for alleged victims of sexual assault to achieve justice.

More than a dozen former patients have accused Jeffrey Fultz of sexual assault under the guise of medical care while he worked as a chiropractor at Southeast Alaska Regional Health Consortium in Juneau.

Judge Larry Woolford recently ruled that one alleged victim's testimony doesn't match the legal definition of the sexual assault by a medical provider charge. The acquittal order says the charge is being dismissed because the woman accusing Fultz was aware that the contact she received was "sexual and that it was not part of legitimate medical treatment."

In other words, Judge Woolford dismissed the charge because the victim knew she was being assaulted. That's because a key part of the legal definition of sexual assault by a medical provider requires that the alleged victim isn't aware of sexual contact happening at the moment.

State Prosecutor Jessalyn Gillum says the statute was originally written in response to a crime where a medical provider was sexually assaulting women behind a sheet, so they could not see the act.

"Somebody who is receiving treatment and believing the behavior of the health care professional is consistent with that treatment, and then later finding out that that might not be the case," she said. "That is a sort of a different kind of scenario than what was perhaps initially intended."

So while that statute does apply to many of the women testifying against Fultz, some, like the one whose charge was dismissed after the trial, might fall through the gaps in the laws.

Jennifer Long is a former prosecutor and founded AEquitas, a nonprofit that advises prosecutors in sexual violence cases. She said that stipulation in the law doesn't make sense.

"To put that element in, that a victim is unaware that something is inappropriate, doesn't really align with the dynamics of this kind of crime," she said.

She said that just because patients may realize that they are being assaulted doesn't mean they are able to speak up or to leave an appointment immediately, especially when they are desperate for medical care.

"You know what's happened to you is wrong, and you have felt that it's wrong, you may have still blamed yourself, or again, try to give the benefit of the doubt," Long said.

And Long said the power dynamic between a doctor and patient can be used to get patients to accept abuse or dismiss it.

"This is just one other area where someone in a position of power is using a weapon, and it's their power," she said. "It's no different than a gun. It's no different than another threat. It's just another way to get someone to comply."

Let's take a step back.

When the state first arrested Fultz in 2021 and charged him with assault, prosecutors were limited in what they could charge him with.

At the time the alleged crimes were committed, the [statute \(https://alaskabeacon.com/2022/05/20/legislature-modernizes-40-year-old-definition-of-consent-in-sexual-assault-cases/\)](https://alaskabeacon.com/2022/05/20/legislature-modernizes-40-year-old-definition-of-consent-in-sexual-assault-cases/) for sexual assault in Alaska required prosecutors to prove that the crime was committed under force, or threat of force. Almost all the alleged victims in Fultz's trial said force was not involved.

The general sexual assault law [changed \(https://www.staralaska.com/hb325\)](https://www.staralaska.com/hb325) in 2023, and the threat or use of force is no longer needed to prove assault. The new definition requires that a person did not freely give consent. But because that definition wasn't law at the time of the alleged incidents, Fultz can't be charged under it.

The law change came amid a broader reckoning with sexual violence laws in Alaska. In 2018, an Anchorage judge faced public backlash, and was [voted out \(https://www.adn.com/alaska-news/2018/11/06/anchorage-judge-targeted-for-role-in-controversial-plea-agreement-trailing/\)](https://www.adn.com/alaska-news/2018/11/06/anchorage-judge-targeted-for-role-in-controversial-plea-agreement-trailing/), for accepting a plea agreement in a sexual violence case that he said reflected the state

laws at the time.

So prosecutors in the case against Fultz had to choose between two limiting definitions of assault: one where there was a threat of force or one that specifies the defendant is a medical provider, and that the victim was unaware they were being sexually assaulted. They chose the second option.

Fultz's former defense did not respond to a request for comment on this acquittal, and a spokesperson from the Dept. of Law said over email that judges do not comment as a rule, "in order to maintain the integrity of their decisions."

Three charges of the original 16 have now been dismissed.

The state plans to retry the 13 remaining charges. A status hearing to decide what will happen next in the case is scheduled for Oct. 15.

[<https://www.ktoo.org/donate>]