

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

COURT OF APPEALS
DIVISION TWO
07 APR 13 PM 1:53
STATE OF WASHINGTON
BY [Signature]
DEPUTY

STATE OF WASHINGTON)
)
Respondent,)
)
v.)
Richard A Chico)
(your name))
)
Appellant.)

No. 35422-5-11

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Richard Chico, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

Additional Ground 2

If there are additional grounds, a brief summary is attached to this statement.

Date: April 6, 2007

Signature: Richard A Chico

STATEMENT OF ADDITIONAL GROUNDS.

Case No. 35422-5-II

Well I have had to do some serious changes and adjustments in my lifestyle .
Watch were I go, and what I do .

COURT OF APPEALS
DIVISION I

07 APR 13 PM 1:54

STATE OF
BY _____

After being falsely accused of Rape in the 3rd degree , I have never been so humiliated , degraded , slandered and down right mortified !

I have two very lovely children ages 8 and 5 and there is no way in this God forsaken world that I would do such a filthy thing .

I have dealt with Ella Burfield before accusing me of calling her up on the phone and driving through her neighborhood after she claims that I assaulted my child Ricky .

The courts would not permit me to comment on this during trial .

Ella said , “ that Leslie the mother of my children had no idea that she was writing any statements” .

While Ella claims I was calling her and driving by her house I was in Oregon with my son , girl friend and her son for a few days .

David Rovang was present at the hearing , even though I had witnesses and proof . Ella insisted that I was doing these things and was arguing with the judge .

The restraining order was dismissed nothing happened to Ella for Perjury or false reporting . Is that not a crime?

At a later time Ella begged me to forgive her because Leslie put her up to file that false report , so Leslie could have something against me in court “custody battle”
I fell for it . Believing Ella , because Leslie is a liar .

David Rovang and the courts even seen that Ella is untrustworthy and that her credibility is rather poor . On March 22 while the two of us were in her bed room , Ella claims that she performed oral sex before I penetrated her vagina . That is wrong .

I had penetrated Ella first after a few pumps , there was a knock at the door .
We stopped and got off the bed , and seen a female walking away , and we went back into Ellas bedroom. Ella then asked if I would like her to suck it ? I said YES and she did .

After Ella started to perform oral sex on me there was a second knock .

Ella jumped off the bed answered the door the person said “ maintenance “ Ella yelled at her saying “next time you call before you come over I was still sleeping” .

STATEMENT OF ADDITIONAL GROUNDS.

Case No. 35422-5-II

The maintenance lady came in, and went in the kitchen . Ella then walked back into the bedroom were I was buttoning up my pants.

Ella asked what was I doing , I told her that I was getting ready to go to work she sighed “ ok “ will you call me later ? I said yes ,you promise , I said yes then I told her that I might not because I'll be getting back late from Tacoma .
Ella said it don't matter I stay up late anyway.

Ella then walked me to the door holding my hand gave me a kiss and a hug and said ,
“I love you and talk to you latter”. This happened while the maintenance lady was present . Not at any time was there force , bodily harm or any other wrongful doing .
There was no Rape ! Ella claims that there was .

(1) Why didn't she runaway or scream when she had all the chances in the world to do so , or tell the maintenance lady ?

(2) Why didn't she bite or fight ? Ella had no marks on her anywhere and neither did I.

(3) Why didn't she tell the maintenance since she was there at this time ?

Ella never once that day told me no or to stop ! There was no crime committed and definitely no Rape .

I tried to call her and was unsuccessful until the day after Easter.
I asked if she was upset with me for not calling her that night ?
Because she always answered her phone .

She said she wasn't mad just that she had a lot on her mind and she was behind on her Bible studies .

Ella also said she was a bit sore that perhaps I could give her another rub down some time soon .

There was also a restraining order done on this case .

It was dated April 13 , 2005 now when I received it , it was after the 13 of April .

The sheriff that served to me late one night told me that I didn't have to appear on the date he was pointing at which was April 25 but he advised me it would be a good idea to go , so that I could tell my side of the story and fight it .

When I went , the hearing didn't go so well .

Not only did the judge not let me explain everything but he cut me off while I was talking to him about it . The judge asked why didn't you show up on the 13 of April .

I told him that I didn't know about that date otherwise I would have showed up .

STATEMENT OF ADDITIONAL GROUNDS .

Case No. 35422-5-II

He then said Ella hadn't shown either . Ella said she was sick that day and had no ride .

The judge at this time said , I had the restraining order before the 13 , I was nervous and with out counsel , with out looking at it to confirm to say any more he granted the restraining order. That night I looked it over .

(4) It was signed , filed and dated April 13 .

How is it possible that I had it before the 13 when it was signed , dated and filed on the 13 ?

(5) If Ella was sick and wasn't there , how did she sign and date it before the courts ?

(6) Asking me about my children , saying don't you think you owe it to Ella for taking care of your children when they were at there mom's ? I said no.

(7) Don't you feel that you took advantage of her ? No , I think you did , this went on 4 or 5 times .

When I was interviewed by Detective Susan Shultz it was far from simple dealing with her .

She twisted my answers around making it out like I took advantage of Ella because she was on medication .

I was being badgered through most part , most of the questioning from Detective Shultz was regarding my children .

while asking me questions she would not let me finish answering them before she'd ask others .

She asked about if I knew if she was taking medication , I said yes .

The Detective used her questioning to come up with her sick and twisted report.

Things like .

(8) You knew she was on medication and took advantage of her.

She said don't you think you took advantage of Ella for not letting her see your children . I told her no ! And if I knew she was taking Medication I told her I did know she was taking Medication .

(9) I wouldn't think I didn't take advantage of her . I personally don't know were she came up with that .

(10) Saying that she told me she was doing a report and it was under Rape !

STATEMENT OF ADDITIONAL GROUNDS .

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She never once said Rape she told me Indecent liberties . My mom was in the living room and my dad was in the room next to us and herd everything. The Prosecutor would not allow any new evidence to be added on Detective Shultz .

(11) It consisted of , while she was working for the Kitsap County Sheriffs , she had engaged in having an affair with another deputy while on the job .

(12) Shultz also was having a relationship with an inmate , by contact with letters . There letters were intercepted by other law enforcement , she was married at this time .

She was under investigation by , Capt . Bertoff & Lt . Payne . Before they could finish the investigation and fire Shultz she was brought on by the Bremerton Police Department.

(13) While working in Bremerton , Susan Shultz has had more problems , having to deal with her Husband . Clayton Shultz was also having a secret affair both while on and off duties , with a woman named Toman .

It has been reported that Susan Shultz has made false reports , used her gender and badge for the use in a not so Owenist or professional manner . As she has done in my case .

(14) With all these problems and events that Susan Shultz has and is going through she didn't perform her job properly .

All around she is an incompetent cop with poor judgment and her decision making is suspect .

(15) While on the stand at trial , Susan said it's common practice to destroy any and all hand written notes . I contacted Port Orchard Police , Kitsap County Sheriffs , State Patrol and the Prosecutors office and nether have heard such a thing .” How can you properly review the case with out them”.

(16) When Shultz came to talk with me , never once did she read me my Miranda wrights . She said it wasn't necessary to do so . Why not ?

(17) Susan said under oath , said that I'll be facing Rape charges , but yet I was not arrested .

she said it was not necessary for me to be arrested . It was not said that way when she questioned me .

She said “ Indecent liberties and left my house .

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(18) Then there was the professionals at Harrison , “They said .” Ella was there for the exam witch one said 4 hours , the other said 6 hours , that Ella didn’t complete the full exam because she was under pain . According to Ella’s statement she completed the full 8 hour exam . Which one is it ? I’m rather confused .

(19) The examiner also said that they combed Ella’s hair , that she “Ella” had light brown hair down there . How’s it possible ? Ella shaves her self bald ”, her vagina .”

(20) The professionals also claimed that there were marks of obvious finger nail pokes . During there thoughts they never examined my fingers , if they or Shultz would have looked , they would have seen that I have no finger nails .

(21) When in question Ella said she hadn’t talked to” Leslie” the mother of my children then Ella said she had spoke to her . Ella also claimed that Leslie and her were best of friends “they had a lot in common “. But yet Ella said that they shouldn’t stay in touch until the court proceedings are over . Why ? When asked Ella had no answer , in steded the prosecuting attorney objected and she didn’t have to answer . “This type of thing happened a lot during trial .” It was rather ironic how they stopped talking to one another , then out of the blue , Leslie calls Ella and say’s to her “ I had this feeling something was wrong “ .” It’s Rick isn’t it ?” This hole case false and is a CONSPIRACY ! It’s not hard to figure it out .

(22) When Ella was confronted about the use of her Cain she made it obvious that it was needed for her to get around . The first time to the stand she didn’t have it , the second time she made like it was supporting her wait and the third time to the stand it was around her arm till she realized she wasn’t using and made like shr was going to fall over .

Now during this my attorney saw this and commented to the courts , they ignored it .

Ella was also seen walking just fine on her own laughing and having a good time out side the court house , till seen then made the attempt to use her Cain and the ladies she was with .

(23) My attorney seen one juror asleep and falling asleep , he made it known to the to me and then the judge . That person stayed and the person next to her was dismissed .

(24) It was said by Ella the reason she moved was because of me .

During trial the Prosecutor said she left because Ella couldn’t bare being there so she was forced to leave . Ella’s trying to get restitution for these false reports .

Oddly the restitution for her moving has been declined by the courts , perhaps the someone had done more looking into the matter and found that she was already planing

STATEMENT OF ADDITIONAL GROUNDS .

Case No. 35422-5-II

to move before I had even came around her place on March 22 2005 . On March 23 2007, the rest of the restitution had been closed .

Ella claim , was found cleared by insurance , not by out of pocket expense like she was trying to say .

She wrote a statement and perjured herself as well as attempt of fraud , and yet nothing has happened to her . YET ! I suppose I will have to press these issues being the courts won't .

(25) It was said that Ella went straight to Harrison Hospital , and yet I've got a signed statement from her mother saying " Ella" went straight to the chiropractor . I'm confused on what happened first ?

(26) Ella also said that Leslie her and had a lot in common , they were lovers , "QUEER"

they would often try to get me to come over for a three some , They had Tattoos done together , both shaved bald , Leslie even bathed Ella , because Ella was afraid of being alone , and of the water . I never went over !

(27) While in trial , all witnesses or evidence weren't accounted for , the maintenance lady was not added on the list . The prosecutor said " The maintenance lady could not be found and had no idea who she was . Oddly enough when I was incarcerated , my mom went to West Park where Ella Burfield lived .

They had no idea that it ever happened .

They did there own investigation and nothing had ever been said to them about this matter .

They also found the maintenance lady that was there on March 22 2005 , there was no known problem or incidence .

I find it rather odd how someone couldn't be found by the state , but yet can be found by someone off the street my mom . When any type of incidences acer the residence is to report it to the housing authorities so they can put a restraint on the aggressor to pervert them from going into the residents .

(28) The Bremerton Police failed to do this . It isn't hard to figure out , that the reason none of this was placed is because , "no crime had taken place " , except for false reporting , slander , defamation of character , unlawful harassment and publicly humiliated .

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(29) While we were waiting for the jurors in which took them a day and a half .
My Attorney had said to me that the reason its taking so long is because there having
disputes about the verdict . It's a 7 / 5 verdict .

Then when they came out , it was guilty , with out explanation to myself or my
Attorney . WHY ?

(30) When Ella was on the stand she said . That we had sex only 3 times , when we
really did 8 times .

(31) Ella all so said , she didn't have my phone number and that she never called me .
I had proof that she did but was unable to use that proof according to the Prosecutor ,
its to late to add anymore evidence . I said Ella has called me on many different
occasions , from her mom's , her cell phone and her home phone .

(32) The State would not except the fact that Ella's Cell phone , Home phone , or her
E MAIL should be brought in for review . It would have proven that Ella and Leslie
were still in contact , and that I was framed , do to **CONSPIRACY ! Why would the
courts allow this not to happen ?**

(33) The courts agreed with the STATE that no boy friend or girl friend would be
allowed for cross examining . Why ?

(34) The bottom line of this hole trial and court proceedings is , that it was that a real
railroad job and that there was nothing justifiable about it .
It was all still hear say , on Ella's part. Ella , Susan Shultz , Harrison Hospital Nurses
and the Prosecutor lied and blew this sick thing out of per portion .

(35) The judge , after the verdict came in . The judge didn't have me put in jail .
The Judge stated, "You obviously don't post a threat to the community or Ella ,you
haven't gotten in any trouble in over a year and a half . You may go free till your
sentence date September 29 2006 .

I was found guilty in the first part of August .

(36) The Judge even showed signs of sadness for me saying she was sorry and that I to
was a victim , a victim of Manipulation . She then stated that there was nothing she could
do because it was the verdict of the Jury . I was meant to believe that the Judge had the
power to over turn things such as this , especially when it was obvious that I didn't do
what I was being accessed of .

STATEMENT OF ADDITIONAL GROUNDS .

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(37) It was also said that Ella is having difficulties with the presents and having any relations with men . She is only using it to sound good in her part . Ella is BI sexual , she has had sexual relationships with women in her past . Such as her older sister , that used to make her do things to her and eventually Ella would do thing to her sister without being told to . Ella was sexually molested by her older sister . Her mother is aware of these affairs . Same thing with Leslie , Ella and her had a sexual relationship they were real close .

(38) Ella was Raped in her past , the courts would not allow it to be brought up , Ella was Raped by a friend and it wasn't reported because, she didn't think it was Rape BECAUSE IT WAS A FRIEND .

STATEMENT OF ADDITIONAL GROUNDS .
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In the end result , I had to spend six months in jail for something I didn't do . The devastation that this has done to my children of not being able to see there Daddy . For this length of time the hurt sadness and sorrow they went through . It really took hard effects on my little boy Ricky .

When I was gone his schooling dropped his personality and his disposition went down hill . He asked me , don't you love us any more , I asked him why do you ask ?

He said because you haven't come home , and that you think were shit and not worth coming home to . It hurt me just about as much as it did them of not being able to see them kiss them hold them and just being around them .

The pain and sufferings my children went through on the Holidays as well as my boys Birthday and I wasn't there .

Also the fact of me of missing out on our vacation at Disney Land with my children ,time loss from work , being unlawfully harassed ,my constitutional writes being crushed, and being publicly humiliated .

There was so much lying going on in Ella hole case and here so called witness were no better , especially "Susan Shultz" .

MY REQUEST IS SIMPLE .

To have this over turned and completely taken off my record , MISS TRIAL , being pardoned for this filthy accusation which im so strongly against .

And have my honor restored .

If any additional information is required , please feel free to let me know .

I certify under penalty of perjury under the laws if the State of Washington that the foregoing is true and is correct to the best of my knowledge, information and belief.

Date: April 6, 2007

Signed: Richard A Chico

Place: Port Orchard WA.

Printed: Richard A Chico

STATEMENT OF ADDITIONAL GROUNDS .
Case No. 35422-5-II

References with case and knowledge of Ella Burfield .

David Rovang - Attorney (360) 876-8205

Terisa Caswell - G-A-L (360) 377-7643

Jonathin Morrison - Attorney (360)895-3353 & (360)340-3757

Dr. Welch -Doctor M.D.

Linda Hesse -Girl friend (360)895-2302

Raymond & Michele Chico(360)8714112

Susan Irwin - Maintenance Lady West Park Bremerton

DOMESTIC VIOLENCE

The Golden Rule:

No one deserves to be punched, kicked, hit or shoved - no matter what! There are many ways to deal with anger and frustration in the home: hitting each other is not an option. The Courts have taken a serious and strong position against domestic violence which runs rampant in our country, and in the world for that matter.

When the police are called to a domestic violence incident, the perceived aggressor will be taken to jail. It is policy. If there is blood, serious injury or evidence of choking, the case will most likely be filed as a felony. Pushing, shoving, slapping are generally filed as misdemeanors. Disconnecting phone lines and threats to harm make the case messy.

Punishment for domestic violence is statutory. Immediate custody will be imposed on serious cases or repeat offenders. Jail can be partially stayed, pending successful probation. With repeated probation violations, you will spend time in jail.

Stay Away Orders are standard procedure. Once cooler heads return to the family, and classes have been started, you and the victim can petition the court for a No Negative Contact order. However, the victim must meet with the family justice center representative to start the process. Remember, **NO CONTACT MEANS NO CONTACT.** Do not call, write, drive by, e-mail, or have any contact, even through a third party.

A Domestic Violence Recovery Program will be ordered. These group classes meet once a week for 52 weeks. If there were children present during the argument, or you have been charged with child endangerment, then a 26 week parenting class will be ordered. The classes are small and directed by family counselors. You learn about family violence and how to avoid

Case NO. 35422-5-II

heated situations. You must report progress to court every 90 days.

Fines and restitution are imposed. These are payable in monthly installments following completion of all classes and other conditions. You can be ordered to pay for all counseling and medical expenses of family members affected by the incident.

Once you have a DV conviction, you may never possess a firearm or ammunition, according to Federal Law. California has only a 10 year prohibition, but Federal Law rules in other states. So, no hunting, nor target practice - - take up darts.

The court can also order public works service or contributions to a battered women's shelter. If alcohol or drugs were involved, there will be additional assessments needed.

Without a doubt, once you are in the domestic Violence Court, it will seem like the court is deeply entangled in your personal life and choices. Guess what - - they are! However, if you comply, you will quickly succeed and your case will be finished. Most DV defendants have learned a great from the experience and are thankful for the courts efforts to correct a bad situation. Accept the classes because you can not get around them. Make the best of it and use the new tools and ideas to change and improve your personal situation.

Most importantly, work with your attorney to confirm all court dates, progress reports and other requirements. This is the one conviction above all others that should be expunged. You must successfully complete probation. If you simply 'give up' and 'do your time', this DV conviction will always be on your record.

Case NO. 35422-5-II

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IN THE KITSAP COUNTY SUPERIOR COURT

STATE OF WASHINGTON,)	
)	No. 05-1-00520-1
Plaintiff,)	
)	VICTIM IMPACT STATEMENT AND
v.)	RESTITUTION ESTIMATE
)	
RICHARD ANDREW CHICO,)	
Age: 32; DOB: 08/04/1972,)	
)	
Defendant.)	

This document will be placed in the Court file after you return it to the Prosecutor's Office.
Once this document is filed with the Court, it may be viewed by the public.
A copy of this document will be provided to the defense.

Name of Victim E. B. [REDACTED]
 Person Completing Form (if not a victim) _____
 Relationship to Victim _____
 Victim's Relationship to the Defendant Godmother to his children.

This statement is your opportunity to describe the impact that this incident has had on your life. Please attach any additional information to this statement that you feel may be helpful. This statement may be completed by the victim or a victim representative.

Statement
See attached documents.



Victim Restitution Estimate

Briefly describe property damage, injuries, or treatment that resulted from this incident My neck & back were injured as well as mental anguish and stress which aggravated other health issues.

List below any specific costs you have incurred as a result of this incident (please include copies of bills and receipts, and attach additional pages if necessary)

Description	\$ Amount
Chiropractor expenses	1368.60
Moving expenses	1106.16
Total	\$2474.76

If you are missing or have no copies of bills and/or receipts, please explain why _____

Do you anticipate any future bills related to this incident? Yes No
Anticipated amount: \$ _____ Please explain not sure at this time.

Was any of your loss covered by insurance? Yes No If yes, complete the following-
Name of Insurance Company Medicare & Medicaid
Insurance Company Address _____
Insurance Company Phone Number _____
Agent Name _____
Policy Number _____
Claim No. _____

Total Amount Paid By Insurance Company \$ _____
Total Deductible Paid By You \$ _____
Total Uninsured Loss \$ _____

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: June 13, 2005
PLACE: Bremerton

Sign Your Name E. M. B.
Print Your Name E. M. B.

Return to the Kitsap County Prosecuting Attorney, Attn: Sheri I. Burdue, at the below address.

Prosecutor's File Number-05-107315-12



To Whom It May Concern:

E was raped on March 22, 2005, since then I have noticed that she has been constantly afraid to be by herself. She cannot go anywhere by herself. She cries a lot and is afraid of running into Rick Chico.

Immediately after the rape she had to go to the chiropractor to have her back adjusted and she has to wear a lower back brace most of the time. She can't enter her apartment without falling apart and crying.

She is having to move and is unable to sleep on the bed where she was raped. She is selling the whole bedroom set.

Her trust in men has been broken and she is reluctant to establish new relationships with men.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: June 14, 2005

Signed: Karma Hart

Place: Bremerton wa

Printed: KARMA Hart

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Community

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Woman Claims Police Officers Violated Rights

By Josh Farley, jfarley@kitsapsun.com
April 23, 2006

BREMERTON

A woman is suing the Bremerton Police Department, alleging her civil rights were violated by an officer she'd had an affair with and his wife, a detective, whom she contends wrote a false police report about her.

Margaret Toman claims Bremerton Officer Clayton Shultz engaged in an affair with her — one that included sexual encounters while he was on-duty — for much of 2004, never disclosing to her that he was married. Shultz's wife is Bremerton Police Detective Susan Shultz.

When the relationship ended, Toman contends that Detective Shultz began "stalking her," and on Dec. 7, 2004, filed a police report claiming Toman drove recklessly and attempted to run her off the road — an event that Toman says never happened.

Toman is seeking damages "in amounts to be proven at trial," plus her court costs, attorney fees and "such further relief as may seem just and equitable to the court."

Toman originally filed a claim with Bremerton police requesting \$400,000 in damages to cover "deprivations of rights" and "emotional disturbance." After the city denied the claim, the lawsuit was filed April 7.

Both Clayton and Susan Shultz were subjects of an internal investigation by Bremerton police. That investigation found that:

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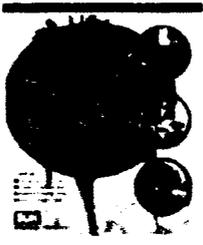
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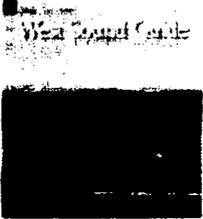
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- Clayton Shultz twice engaged in oral sex with Toman while inside a patrol car and on duty.
- He had contacted Toman on work time and had breakfast and lunch with her.
- He often used e-mail at work to contact Toman.

Clayton Shultz was suspended for 30 days without pay on Dec. 30, 2005, for "conduct unbecoming (of) an employee of the city," and violations of several regulations of city cannons and codes.

"Your contact in relationship with this incident is unacceptable," Chief Craig Rogers wrote in a letter to Shultz. "Considering the facts of this investigation and after reviewing all circumstances surrounding this incident, discipline consisting of a 30 day suspension is reasonable, appropriate and justified."

The investigation of Detective Susan Shultz, however, cleared her of any wrongdoing.

"The city believes its actions regarding Officer Shultz were appropriate," said assistant city attorney Ken Bagwell. "The city also investigated the allegations made by Ms. Toman against other members of the Bremerton Police Department. Based on the facts provided by Ms. Toman and those obtained during the investigations, the city has concluded that all her claims lack merit."

Rogers had no comment on why Toman was never charged with a crime if police believed Detective Shultz's statement that Toman drove recklessly and tried to run her off the road.

"We're in lawsuit mode," Rogers said. "I can't comment on that."

Toman's lawsuit alleges:

- That Officer Clayton Shultz, "while in uniform and while on duty, as a police officer ... initiated and engaged in an extramarital relationship" with Toman "in such a way as to suggest incorrectly that he was single."
- That on Dec. 7, 2004, the officer's wife, Detective Sue Shultz, having found out about her husband's affair with Toman, used her position and the help of another detective to obtain confidential information about Toman from a database available to police officers for no valid police reason.
- That Shultz also "stalked (Toman)" while on duty.
- That Detective Shultz filed an untrue police report accusing Toman of attempting to run her off the road.
- That both Clayton and Susan Shultz told other officers that Toman had dated a child molester and that she desired to be pulled over or arrested by Bremerton police. As a result, Toman claimed she has been harassed by Bremerton police officers on numerous occasions.

2 TEACHER ASSISTANT
Port Orch Childcare

LPN / RN
Belmont

PAINTERS

MAINTENANCE TECH / PAI
HOUSEKEEPER
Port Orch Apartment Complex

Click Here for more Toman

- And that on Oct. 26, 2005, Toman called Bremerton police to report that she'd lost a license plate and was connected with Clayton Shultz to file a report. "Rather than making a report about the lost license plate," the lawsuit says, Shultz "hung up on (Toman) without documenting the incident."

A member of the police department sent information about the alleged affair and later actions of Susan Shultz to the Kitsap County Prosecutor's Office. In an Oct. 19 letter to Rogers, Kitsap County prosecutor Russ Hauge said the relationship and the allegations were, "a matter for BPD management," and that he could find "no criminal statute that covers the alleged conduct closely enough to be used."

Five days later, Captain of Patrol Tom Wolfe requested the internal investigation of Clayton and Susan Shultz.

Timeline

March-October 2004: Bremerton officer Clayton Shultz allegedly engages in an extramarital affair with then-Bremerton resident Margaret Toman, at times while on duty. The relationship reportedly ends in October; Shultz and his wife, Bremerton Detective Susan Shultz, reconcile.

Dec. 7, 2004: Toman and Susan Shultz allegedly encounter each other while driving at Sixth and High streets. The detective says Toman tried to "run her off the road," and a report of reckless driving is filed, but no charges are brought by police. Toman denies the incident and claims Detective Shultz was "stalking her" because of the affair.

Oct. 19, 2005: Kitsap County Prosecutor Russ Hauge sends a letter to Bremerton Police Chief Craig Rogers. In it, he forwards allegations about misconduct by both Clayton and Susan Shultz. In the letter, Hauge says that the misconduct is "a matter for BPD management." Around the same time, a member of the Bremerton Police Department informs BPD management of the allegations.

Oct. 24, 2005: Tom Wolfe, Bremerton Police's captain of patrol, sends a memo to Chief Rogers recommending an internal investigation into the conduct of Officer Clayton Shultz. An investigation begins.

Nov. 4, 2005: Officer Shultz is placed on administrative leave while then-Lt. Jim Burchett performs an internal investigation.

Nov. 28, 2005: Burchett begins an investigation of Detective Susan Shultz into the allegations of "stalking" and "false reporting" brought forth by the undisclosed police official and Hauge.

Dec. 13, 2005: Margaret Toman files a claim seeking compensation from the city for the wrongful actions by Clayton and Susan Shultz.

Dec. 20, 2005: Detective Susan Shultz is cleared of any wrongdoing in the internal investigation.

Dec. 30, 2005: Officer Clayton Shultz is suspended for 30 days.

Dec. 30, 2005: Officer Clayton Shultz is suspended for 30 days without pay after internal investigation finds that his conduct was "unbecoming of an employee of the city."

April 7, 2006: After her claim is rejected by the city of Bremerton in March, Toman files a lawsuit against the city with Kitsap County.



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Toll-free 1-888-377-3711,

For news, stories and content issues: lpritchett@kitsapsun.com, Lloyd Pritchett, Web Editor
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