

COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF: Montgomery



POLICE CRIMINAL COMPLAINT
 COMMONWEALTH OF PENNSYLVANIA
 VS.

Magisterial District Number: 38-2-02
 MDJ Name: Hon. MAUREEN C. COGGINS
 Address: 80-H GRAVEL PIKE, STE. 100
 RED HILL, PA. 18076
 Telephone: (215) 679-4568

DEFENDANT: (NAME and ADDRESS):
KELLY ANN SCHUTTE
 First Name Middle Name Last Name Gen.

620 PENN ST, PENNSBURG 18073

NCIC EXTRADITION CODE TYPE

<input checked="" type="checkbox"/> 1-Felony Full	<input type="checkbox"/> 5-Felony Pend.	<input type="checkbox"/> C-Misdemeanor Surrounding States	<input type="checkbox"/> Distance:
<input type="checkbox"/> 2-Felony Ltd.	<input type="checkbox"/> 6-Felony Pend. Extradition Determ.	<input type="checkbox"/> D-Misdemeanor No Extradition	
<input type="checkbox"/> 3-Felony Surrounding States	<input type="checkbox"/> A-Misdemeanor Full	<input type="checkbox"/> E-Misdemeanor Pending	
<input type="checkbox"/> 4-Felony No Ext.	<input type="checkbox"/> B-Misdemeanor Limited	<input type="checkbox"/> F-Misdemeanor Pending Extradition Determ.	

DEFENDANT IDENTIFICATION INFORMATION

Docket Number	Date Filed	OTN/LiveScan Number	Complaint Number	Incident Number 2023-04795	Request Lab Services? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
GENDER <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	DOB : 10/23/1988 First Name	POB : Middle Name	Add'l DOB : Last Name	Co-Defendant(s) <input type="checkbox"/> Gen.	
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	ETHNICITY <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown				
HAIR COLOR <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> RED (Red / Auburn) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> BLK (Black) <input type="checkbox"/> ONG (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX(Unk./Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> BLN (Blonde / Strawberry)	EYE COLOR <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)				
DNA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location :			WEIGHT (lbs.) 130	
FBI Number	MNU Number			Ft. HEIGHT In. 5 06	
Defendant Fingerprinted <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Fingerprint Classification:				

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Comm'Veh. Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the Attorney for the Commonwealth Approved Disapproved because:

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. Pa.R.Crim.P.507.)

Caroline Goldstein
 (Name of Attorney for Commonwealth)

Caroline Goldstein
 (Signature of Attorney for Commonwealth)

11/9/23
 (Date)

I, <u>Lt R MATTHEW BOAMAN</u> (Name of Affiant)	<u>33615/83-L9</u> (PSP/MPOETC - Assigned Affiant ID Number & Badge #)
of <u>UPPER PERKIOMEN PD</u> (Identify Department or Agency Represented and Political Subdivision)	<u>PA0466000</u> (Police Agency ORI Number)

do hereby state: (check appropriate box)

1. I accuse the above named defendant who lives at the address set forth above
 I accuse the defendant whose name is unknown to me but who is described as _____

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe with violating the penal laws of the Commonwealth of Pennsylvania at: 415 Pennsburg Borough
 (Subdivision Code) (Place-Political Subdivision)

620 PENN ST, PENNSBURG, PA 18073
 in Montgomery County 46 on or about 07/17/2023 20:45 -
 (County Code) (Offense Date)



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number	Complaint Number	Incident Number 2023-04795
Defendant Name	First: KELLY	Middle: ANN	Last: SCHUTTE	

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.

<input checked="" type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older
---	---	--	--	--

<input checked="" type="checkbox"/>	1	3124.2	A.2	of the	18 PA P.S.A	3	F3	1198	11A
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
-------------------------------------	-----------------	-------------------------------------	--------------------------------------	------------------------------------

Statute Description (include the name of statute or ordinance): INSTITUTIONAL SEXUAL ASSAULT

Acts of the accused associated with this Offense: INSTITUTIONAL SEXUAL ASSAULT [F3]:Except as provided in sections 3121, 3122.1, 3123, 3124.1, and 3125, a person who is a volunteer or an employee of a school or an other person who has direct contact with a student at a school commits a felony of the third degree when he engages in sexual intercourse, deviate sexual intercourse, or indecent contact with a student of the school.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older
--	---	--	--	--

<input type="checkbox"/>	2	6301	A1II	of the	18 PA P.S.A.	1	F3		
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
-------------------------------------	-----------------	-------------------------------------	--------------------------------------	------------------------------------

Statute Description (include the name of statute or ordinance): CORRUPTION OF MINORS - DEFENDANT AGE 18 OR ABOVE

Acts of the accused associated with this Offense: CORRUPTION OF MINORS

(a) Offense defined.--

(1)(ii) Whoever, being of the age of 18 years and upwards, by any course of conduct in violation of Chapter 31 (relating to sexual offenses) corrupts or tends to corrupt the morals of any minor less than 18 years of age, or who aids, abets, entices or encourages any such minor in the commission of an offense under Chapter 31 commits felony of the third degree degree.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older
--	---	--	--	--

<input type="checkbox"/>	3	3126	A8	of the	18 PA P.S.A	3	M2	1117	11A
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
-------------------------------------	-----------------	-------------------------------------	--------------------------------------	------------------------------------

Statute Description (include the name of statute or ordinance): IND ASSLT PERSON LESS 16 YRS AGE

Acts of the accused associated with this Offense: IND ASSLT PERSON LESS 16 YRS AGE The Actor, Kelly Schutte , on or about, June and July of 2023 , in the Counties of Montgomery and Bucks, who has indecent contact with the complainant or causes the complainant to have indecent contact with the person is guilty of indecent assault if: the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other. Section 3126 (A) (8) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 3126 (A) (8)



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number	Complaint Number	Incident Number 2023-04795
Defendant Name	First: KELLY	Middle: ANN	Last: SCHUTTE	

2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
4. This complaint consists of the preceding page(s) numbered 1 through 7.
5. I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

LT R MATTHEW BOAMAN _____

11/07/2023 _____

(Date)

(Signature of Affiant)

AND NOW, on this date _____

I certify that the complaint has been properly completed and verified.

An affidavit of probable cause must be completed before a warrant can be issued.

38-2-02 _____

(Magisterial District Court Number)

(Issuing Authority)





POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number	Complaint Number	Incident Number 2023-04795
Defendant Name	First: KELLY	Middle: ANN	Last: SCHUTTE	

AFFIDAVIT of PROBABLE CAUSE

I, your Affiant, am a duly sworn police officer employed by the Upper Perk Police Department which serves Pennsburg Borough in Montgomery County, PA. I became a police officer in 2004 and have been continuously employed as a policeman since my initial hiring. I hold the rank of Lieutenant and am the department's primary criminal investigator. From 2007 until 2017, I served as the department's Detective and primary criminal investigator.

Your co-Affiant Detective Richard Dean is a duly sworn police officer employed by the Penridge Regional Police Department which serves East Rockhill and West Rockhill Townships in Bucks County, PA.

On the morning of July 18, 2023 Upper Perk Police Officer Patrick Francis was dispatched to contact a concerned mother regarding her son having been kissed and touched inappropriately by his middle school guidance counselor. Officer Francis learned that a 14-year-old male middle school student, who will be referred to as Juvenile Victim 1 ("JV1"), disclosed to his parents that he was involved in a romantic and sexual relationship with Kelly Schutte of Pennsburg, PA. Schutte is employed as a guidance counselor at Penridge South Middle School located in Bucks County, PA.

JV1's mother reported that the relationship between Schutte and JV1 was discovered because he called them on the evening of July 17, 2023 in a panic and said he needed to be picked up from the area of Schutte's home in Pennsburg. JV1's mother and father drove to the area and found JV1 hiding behind a parked vehicle. JV1's mother and father realized something was wrong and began inquiring about what took place. JV1 reported that one of Schutte's family members observed him kiss her in her home at 620 Penn Street, Pennsburg Borough. The family member, who was outside the residence at first, entered the house and angrily told JV1 to get out. The family member's name, address, and contact information are known to me but will be omitted from this affidavit to protect his/her privacy. The family member provided a signed written statement detailing his/her observations. This frightened JV1 who ran from the house and hid on a nearby street while calling his parents to pick him up. JV1 then disclosed to his parents the nature of his relationship with Kelly Schutte.

Upon learning of this, I arranged to have JV1 interviewed by forensic staff at Montgomery County's child advocacy center. During the interview, which took place on July 19, 2023 and was video and audio recorded, JV1 confirmed that he began talking with Schutte regularly during the fall of 2022 following a class trip during which he sat with her on the school bus. JV1 said he would regularly get called to Schutte's office throughout the remainder of the school year which resulted in him missing class. He disclosed that he and Kelly Schutte had sexual contact at locations in both Montgomery and Bucks Counties in June and July of 2023. The sexual contact reportedly consisted of kissing, Schutte touching JV1's genitals, and JV1 touching Schutte's buttocks. JV1 went on to say that he and Schutte predominantly communicated through the school district's messaging application called "Canvas" during the school year. He said that, as the school year was coming to an end, they exchanged Snapchat usernames so they could continue communicating once they no longer had access to Canvas. Kelly Schutte's Snapchat username was identified as "kschutte88". It should be noted that Kelly Schutte was born in 1988.

Following the interview, I met with JV1's mother and father who provided consent to search JV1's cellular telephone. A forensic extraction was completed on July 19, 2023 and I observed a number of Snapchat messages which were exchanged between JV1 and Kelly Schutte in June and July of this year. I also found photos of JV1 and Kelly Schutte together at her residence in Pennsburg Borough, Montgomery County.

I applied for, received, and executed two search warrants upon Snapchat/Snap Inc. located in Santa Monica, CA. The information received from Snapchat confirmed that "kschutte88" is Kelly Schutte and also confirmed that she and JV1 began using the Snapchat application to communicate on or about the time that the Penridge School District dismissed for summer vacation.



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number	Complaint Number	Incident Number 2023-04795
Defendant Name	First: KELLY	Middle: ANN	Last: SCHUTTE	

Detective Richard Dean of the Pennridge Regional Police Department in Bucks County, PA also received this report from JV1's mother because there was reported sexual contact which occurred in his jurisdiction (West Rockhill Township, Bucks County). Det. Dean applied for, received, and executed two search warrants served upon the Pennridge School District to gather additional information about the nature of Kelly Schutte's relationship with JV1. Det. Dean discovered a large volume of electronic messages sent between Schutte and JV1 on the school district's Canvas application. He also recovered a number of handwritten notes from JV1 which were located in Schutte's office. The electronic messages corroborated JV1's statements that he was spending a substantial amount of time in Schutte's office during the school day. I am in receipt of a significant quantity of Canvas messages between Schutte and JV1 as well as several handwritten notes.

As the investigation progressed, I learned that JV1 disclosed Kelly Schutte performed a sex act on him while in her car traveling between the Weis Supermarket in Pennsburg Borough and Schutte's home on Penn Street. JV1 said Kelly Schutte touched his genitals with her hand while they were driving in her car. I applied for, received, and executed a search warrant on the Weis Market located at 498 Pottstown Avenue (State Route 663) in Pennsburg Borough. Through video surveillance and transaction records, I learned that Schutte and JV1 visited the supermarket on July 17, 2023 at approximately 1615 hours. There was no one else with the pair. The surveillance footage shows Schutte and JV1 selecting and purchasing a bottle of wine. After purchasing some other items, Schutte and JV1 were observed entering her SUV. Schutte drove the SUV from the main parking lot to a secluded tree line where she parked her vehicle facing the trees. Schutte and JV1 remained there for approximately seven minutes before departing. I also recovered video surveillance footage from Pennsburg Borough Hall located at 76 West 6th Street and Upper Perk Police headquarters located at 88 West 6th Street in Pennsburg. Both sets of video surveillance footage corroborated JV1's statements about his route of travel with Schutte on that day.

During JV1's forensic interview, he disclosed that he and Kelly Schutte spent time together in his bedroom in mid-June of 2023. JV1 said this occurred at his family home on the 1000 block of Valley Road in West Rockhill Township, Bucks County. He went on to report that Schutte laid on top of him and touched his genitalia while doing so. JV1 further disclosed that Schutte kissed him and touched his abs and legs and buttocks. JV1 noted that he and Schutte were able to be alone at his family's residence because his mother, father, and adult sister were in New York for an event. I subsequently interviewed JV1's father, mother, and adult sister who confirmed that they were at a concert in New York on the evening in question. JV1's father, mother, and adult sister provided signed written statements.

Through the investigation, I learned that Kelly Schutte's earring fell out during her sexual encounter with JV1 in his bedroom. JV1 disclosed this event to family members who observed Schutte's earring inside their home. I am in receipt of the earring which I received from JV1's mother.

Based on the above facts and circumstances, I ask that Kelly Schutte be made to answer for the above charges.

I, Lt R MATTHEW BOAMAN, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

(Signature of Affiant)



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number	Complaint Number	Incident Number 2023-04795
Defendant Name	First: KELLY	Middle: ANN	Last: SCHUTTE	

Sworn to me and subscribed before me this _____ day of _____

_____ Date _____, Magisterial District Judge

My commission expires first Monday of January,

