STATE OF MINNESOTA
COUNTY OF DAKOTA

DISTRICT COURT
FIRST JUDICIAL DISTRICT

COURT FILE NO. _____
COUNTY ATTORNEY FILE NO. CA-2012-01778
CONTROLLING AGENCY: MN0190000
CONTROL NUMBER: 12-000742

State of Minnesota,

Plaintiff,

v.

JIN PIL PARK
2525 WILLIAMS DRIVE #148
BURNSVILLE, MN 55337
(DOB: 9/9/55)

[X] SUMMONS
[ ] WARRANT
[ ] ORDER OF DETENTION
[ ] AMENDED

Defendant.

COMPLAINT

The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense(s):

COUNT 1: THEFT-WRONGFULLY OBTAINING ASSISTANCE-AGGREGATING-($1,000-$5,000)
Minnesota Statutes §256.98, Subd. 1(1); 609.52, Subd. 3(3)(a), Subd. 3(5); 609.101, Subd. 4
PENALTY: 0-5 Years and/or $3,000.00 - $10,000.00
MOC: U113H GOC: N
[X] Felony [ ] Gross Misdemeanor [ ] Misdemeanor [ ] Petty Misdemeanor

From August 1, 2010 - December 31, 2010, in the County of Dakota, Minnesota, JIN PILL PARK, did obtain or attempt to obtain, for themselves or another, by means of a willful false statement or representation, by intentional concealment of any material fact, or by impersonation or other fraudulent device, public assistance benefits, or the continued receipt of assistance, to which they were not entitled or assistance greater than that to which they were entitled, and the aggregate value is more than $1,000 but less than $5,000, to wit: MFIP benefits in the amount of $2,292.00.

COUNT 2: THEFT-WRONGFULLY OBTAINING ASSISTANCE-AGGREGATING-($1,000-$5,000)
Minnesota Statutes §256.98, Subd. 1(1); 609.52, Subd. 3(3)(a), Subd. 3(5); 609.101, Subd. 4
PENALTY: 0-5 Years and/or $3,000.00 - $10,000.00
MOC: U113H GOC: N
[X] Felony [ ] Gross Misdemeanor [ ] Misdemeanor [ ] Petty Misdemeanor

From July 1, 2011 - September 30, 2011, in the County of Dakota, Minnesota, JIN PILL PARK, did obtain or attempt to obtain, for themselves or another, by means of a willful false statement or representation, by intentional concealment of any material fact, or by impersonation or other fraudulent device, public assistance benefits, or the continued receipt of assistance, to which they were not entitled or assistance greater than that to which they were entitled, and the aggregate value is more than $1,000 but less than $5,000, to wit: MFIP benefits in the amount of $2,292.00.

COUNT 3: THEFT-WRONGFULLY OBTAINING ASSISTANCE-AGGREGATING-($1,000-$5,000)
Minnesota Statutes §256.98, Subd. 1(1); 609.52, Subd. 3(3)(a), Subd. 3(5); 609.101, Subd. 4
PENALTY: 0-5 Years and/or $3,000.00 - $10,000.00
MOC: U113H GOC: N
[X] Felony [ ] Gross Misdemeanor [ ] Misdemeanor [ ] Petty Misdemeanor

From February 1, 2012 - June 30, 2012, in the County of Dakota, Minnesota, JIN PILL PARK, did obtain or attempt to obtain, for themselves or another, by means of a willful false statement or representation, by intentional concealment of any material fact, or by impersonation or other fraudulent device, public assistance benefits, or the continued receipt of assistance, to which they were not entitled or assistance greater than that to which they were entitled, and the aggregate value is more than $1,000 but less than $5,000, to wit: MFIP benefits in the amount of $2,292.00.

STATEMENT OF PROBABLE CAUSE

Your Complainant is a licensed peace officer in the State of Minnesota. Acting in that capacity, I have reviewed the police reports and state that the following facts are true and establish probable cause.

I, the undersigned, am an Investigator with the Dakota County Sheriff's Office. I have investigated this matter, read the reports of others and state the following to be true.

Jin Pil Park, date of birth: 9/9/1955 received MFIP benefits from Dakota County Employment and Economic Assistance since 2007. Dakota County determined that Park was eligible to receive those benefits based upon his reported economic, household and employment status. Park resided in Dakota County during this time period.

Every recipient of public assistance benefits from Dakota County must fill out application forms. The County uses the information provided in those forms to determine the type and amount of assistance the applicant is eligible to receive. During each application process, the applicant is advised of his/her reporting requirements and provided a copy of those requirements.

The reporting requirements specifically state that each recipient of public assistance must report any changes in his or her economic status, including changes in earned and unearned income, as well as changes to their household composition to Dakota County within ten days of the change. The reporting requirements also specifically instruct each recipient to contact his/her financial worker with any questions about the reporting rules.

As a requirement of receiving MFIP benefits, Park completed and signed multiple application forms from April, 2010 through April, 2012. Within those application forms, Park never reported any additional earned or unearned income other than income from social security (SSI) even though each form reflected detailed questions asking if anyone in the household had any unearned income, and the box was always checked "No". In addition, Park never reported that the household had any cash or bank accounts that totaled more than $100.00. The household income was always shown as $674.00

per month.

An investigation determined that Park had unreported earned income from lottery winnings. More specifically, the accounting from Mystic Lake Casino initially revealed that Park had winnings from October, 2010 through July, 2011 for a total of $12,361.68. An additional report revealed that Park had additional winnings from June, 2010 through April, 2012 which totaled $7,941.70. Authorities also learned that any winnings that were less than $1,200.00 were not part of this report and that the casino did not track winnings under $1,200.00. Through this investigation, authorities also learned from the casino that Park's cash "buy in" totals for 2010 through and including part of 2012 were as follows:

- 2010 $45,852.00
- 2011 $187,423.00
- 2012 $27,361.00 (as of May 3, 2012)

Law enforcement made contact with Park about these unreported earnings. Park admitted that he did frequent Mystic Lake Casino and confirmed that he had the total amount of winnings reported. Park, however, claimed that since he also lost money, he felt he did not need to report. Public assistance rules reveal that applicants are to report winnings even though he/she may have lost money also. Park never reported any activity either on his application/reapplication forms or to his financial worker during interviews.

When asked where the "buy in" cash from 2010 through 2012 came from, Park claimed he would gamble and/or buy chips for other people and Park gave names and phone numbers for authorities to contact to verify this. After making contact with the identified individuals, however, the persons either did not return phone calls or law enforcement was unable to contact them. Only one contact told authorities that he had gambled with Park and he only recalled giving him $1,000 to gamble.

Based on Park's failure to report this additional unearned income, a Dakota County financial assistance specialist calculated that Park received approximately $2,292.00 in MFIP benefits during the

months of August, 2010 through December, 2010; that he received approximately $2,292.00 during the months of July, 2011 through September, 2011, and he received approximately $2,292.00 in benefits during the months of February, 2012 through June, 2012, for a total of $6,876.00 in MFIP benefits that he was not entitled to.

NOTICE: You must appear for every court hearing on this charge. A failure to appear for court on this charge is a criminal offense and may be punished as provided in Minn. Stat. §609.49.

Complaint requests that Defendant, Jin Pil Park, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

COMPLAINANT'S NAME: **COMPLAINANT'S SIGNATURE:**

Subscribed and sworn to before the undersigned this _____ day of _____, 2013.

NOTARY STAMP: **SIGNATURE:**

Notary Public

Being authorized to prosecute the offenses charged, I approve this complaint.

PROSECUTING ATTORNEY'S SIGNATURE:

Date:

(jlo)

Name: Shirley A. Leko
Assistant Dakota County Attorney
Dakota County Judicial Center
1560 Highway 55
Hastings, MN 55033
(651) 438-4438
Attorney Registration No.: 0269098

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense.

[X] SUMMONS

THEREFORE YOU, THE ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on _____, at _____ before the above-named court at the Dakota County Judicial Center 1560 Highway 55, Hastings, MN 55033 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

[ ] WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I hereby order, in the name of the State of Minnesota, that the above-named Defendant be apprehended and arrested without delay and brought promptly before the above-named court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

[ ] ***Execute in MN Only*** **[ ]** ***Execute Nationwide*** **[ ]** ***Execute in Border States***

[ ] ORDER OF DETENTION

Since the above-named Defendant is already in custody, I hereby order, subject to bail or conditions of release, that the above-named Defendant continue to be detained pending further proceedings.

Bail:
Conditions of Release:

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this _1st____ day of ___August_____, 2013.

JUDICIAL OFFICER:
NAME:
TITLE: Judge of District Court

SIGNATURE:

_/s/_____
Judge

Sworn testimony has been given before the Judicial Officer by the following witnesses:

COUNTY OF DAKOTA STATE OF MINNESOTA **STATE OF MINNESOTA** Plaintiff, vs. **JIN PIL PARK** Defendant.	*Clerk's Signature or File Stamp:* *RETURN OF SERVICE* *I hereby Certify and Return that I have served a copy of this COMPLAINT upon the Defendant herein named.* Signature of Authorized Service Agent: _____