

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No.
Court File No.

17A00162
27-CR-17-742

State of Minnesota,

Plaintiff,

vs.

SEUNG JOO CHOI KIM DOB: 12/21/1967

Unk

Defendant.

COMPLAINT

Warrant

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Assault-2nd Degree-Dangerous Weapon

Minnesota Statute: 609.222.1, with reference to: 609.222.1, 609.11.4, 609.05.1, 609.05.2, 609.101.2

Maximum Sentence: 7 YEARS AND/OR \$4,200-\$14,000

Offense Level: Felony

Offense Date (on or about): 12/13/2016

Control #(ICR#): 16451541

Charge Description: That between the dates of December 13 and December 17, 2016, in Hennepin County, Minnesota, Seung Joo Choi Kim , acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another or otherwise procuring the other to commit the crime, assaulted Victim, while using a dangerous weapon.

Minimum Sentence: 1 YEAR AND 1 DAY

COUNT II

Charge: Assault-3rd Degree-Substantial Bodily Harm

Minnesota Statute: 609.223.1, with reference to: 609.223.1, 609.05.1, 609.05.2, 609.101.2

Maximum Sentence: 5 YEARS AND/OR \$3,000-\$10,000

Offense Level: Felony

Offense Date (on or about): 12/13/2016

Control #(ICR#): 16451541

Charge Description: That between the dates of December 13, 2016 and December 17, 2016, in Hennepin County, Minnesota, Seung Joo Choi Kim, acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another or otherwise procuring the other to commit the crime, assaulted Victim 1 and inflicted substantial bodily harm.

COUNT III

Charge: Malicious Punishment of a Child-Substantial Bodily Harm

Minnesota Statute: 609.377.5, with reference to: 609.05.1, 609.05.2

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 12/13/2016

Control #(ICR#): 16451541

Charge Description: That between the dates of December 13 and December 17, 2016, in Hennepin County, Minnesota, Seung Joo Choi Kim , the parent, legal guardian or caretaker of Victim 1, a person under the age of 18, did, acting alone or intentionally aiding, advising, hiring, counseling or conspiring with another or otherwise procuring the other to commit the crime, by an intentional act or a series of intentional acts with respect to Victim 1, evidence unreasonable force and/or cruel discipline that was excessive under the circumstances and the punishment caused substantial bodily harm to the victim.

COUNT IV

Charge: Malicious Punishment of a Child

Minnesota Statute: 609.377.1, with reference to: 609.377.4

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 11/23/2014

Control #(ICR#): 16451541

Charge Description: That between November 23, 2014 and December 17, 2016, in Hennepin County, Minnesota, Seung Joo Choi Kim , the parent, legal guardian or caretaker of Victim 2, a person under the age of 4, did by an intentional act or a series of intentional acts with respect to Victim 2, evidence unreasonable force and/or cruel discipline that was excessive under the circumstances and the punishment resulted in bodily harm to the head, eyes, neck, or otherwise caused multiple bruises to the body.

COUNT V

Charge: Assault-3rd Degree-Past Pattern of Child Abuse

Minnesota Statute: 609.223.2, with reference to: 609.101.2

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 12/13/2016

Control #(ICR#): 16451541

Charge Description: That between December 13 and December 17, 2016, in Hennepin County, Minnesota, Seung Joo Choi Kim assaulted Victim 1 and has engaged in a past pattern of child abuse against Victim 1.

STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On December 17, 2016, at approximately 6:00 pm, officers from the Minneapolis Police Department were notified that a child, later identified as S.M. (DOB: 8/15/2004), Victim 1 herein, had been found outside dressed only in shorts and a t-shirt when the outside temperature was 3 degrees and wind chill was -14.8 degrees. Victim 1 was reported to have extensive bruising and no one had called to report him missing. Officers also learned that Victim 1 had run from Good News Church as the pastor there, and his son, had assaulted Victim 1.

Officers responded to a home located on Upton Avenue North, where they met with J.M.O. (DOB: 5/29/1964), Witness herein, who stated that she had been shoveling snow when Victim 1 had been seen running through the snow approaching her front yard wearing only basketball shorts and a t-shirt, despite the extremely cold temperatures outside. Victim 1 had yelled "help me" as he got closer, and Witness helped Victim 1, who was limping, into her home and called 911. Witness reported that Victim 1 had shown her his injuries.

Officers then spoke with Victim 1 who reported that he had been assaulted by his pastor, subsequently identified as DONG WOOK KIM (DOB: 12/7/1965), hereinafter "D. KIM", and his pastor's son, subsequently identified as JOO SEONG KIM (DOB: 11/15/1997), hereinafter "J.KIM". Victim 1 reported that he had run away when D.KIM and J.KIM were distracted. Victim 1 was tearful as he showed the officers extremely large lash marks on his back, which reportedly came from being struck with an electrical cord. Victim 1 identified D. KIM, J. KIM, KHU KHU MOO (DOB: 12/8/1997), hereinafter "K. MOO", SEUNG JOO CHOI KIM (DOB: 12/21/1967), hereinafter "S. KIM" and C.Y.K. (DOB: 8/19/1999)(D. KIM and S. KIM's other son) as individuals who had assaulted him.

Victim 1 reported that he had sustained multiple beatings over the last several days, and advised that his parents, L.P. (DOB: 11/25/1973)(mother) and K.K.S.M. (DOB: 5/14/1975)(father), knew about the abuse. Victim 1 reported that the abuse was taking place at the Good News Church, which was located at 3000 Broadway Ave West, in Minneapolis, Hennepin County, State of Minnesota.

Victim 1 stated that on December 14, 2016, D. KIM had made him get into a push up position and plank for a long period of time. Victim 1 stated that when he tired and could not hold the position, D.KIM kicked him in the head and face.

Victim 1 reported that, on December 15, 2016, J. KIM made him get into a push up plank position and had struck him in the back and on the foot with a stick that was approximately 3 to 4 feet long and 2 inches thick. This assault caused Victim 1 to sustain a bruise to the top of his foot and made his big toe bleed.

Victim 1 stated that, on December 16, 2016, J. KIM had punched him in the head and stomach multiple times, which caused buzzing in his ears. Victim 1 also reported that his head had been slammed into the doorframe multiple times which caused him to see stars and caused injury to his head, face and ear.

Victim 1 reported that, on December 17, 2016, his parents had called D.KIM and J.KIM to pick Victim 1 up from their home. Once Victim 1 was brought back to the church, J. KIM pulled Victim 1 by the hair, brought him to the basement, made Victim 1 do the push up position and whipped Victim 1 with a stick. J. KIM then told Victim 1 to remove his sweatshirt and jacket and J.KIM went to retrieve the extension cord, at which time Victim 1 ran from the church. Victim 1 was running toward CVS to call the police and get warm, but he

then saw Witness outside and ran to her for help.

Victim 1 stated that D. KIM and J. KIM would typically bring him into the basement of the church that had no windows and that although this started 2 to 3 weeks earlier, things did not get so physical until December 14, 2016.

Officers observed that Victim 1 had what appeared to be a black eye and a healing busted lip, bruising on both arms, whip marks and healing scab marks on his back, bruising to his buttocks and thighs, one of which was the approximate size of a football. Officer observed that Victim limped when he walked, and was wearing only a t-shirt, shorts and shoes.

Due to Victim 1's extensive bruising and unknown duration and exposure in the cold, Victim 1 was transported to North Memorial Medical Center for treatment of his injuries. Once at the hospital, officers learned from Victim 1 that his four year old sister, L.M. (DOB: 11/23/2012), Victim 2 herein, had also been abused by D. KIM in the past and was still at the church under D. KIM's care.

Victim 1 described being assaulted by S.KIM (D. KIM's wife), K. MOO and C.Y.K. as well. Victim 1 stated that a couple weeks earlier on a Sunday, he had laughed at oil being spilled on his donation partner's shirt and that the 19 year old then told S. KIM. S. KIM got angry at Victim 1, and made him write and then rewrite an apology letter over and over. The Friday after the oil incident, S. KIM hit Victim 1 in the head. The next day, S. KIM hit Victim 1 with an extension cord and that day Victim 1 then ran away from the church. Victim 1 did not return to the church for one week, but when he returned S. Kim again struck him in the head with her hand. Victim 1 did not return to the church until December 14, 2016. Victim 1 explained that he ran from the church that date after he was brought there again as he was afraid that S. KIM was going to hit him again. As Victim 1 ran away, J. KIM found him and twisted Victim 1's ear and pulled his hair to get him into a car to bring him back to the church. Once he was at the church, J. KIM grabbed his arm, twisted his ear and pulled him by his hair into D. KIM's office. D. KIM then assaulted him as earlier described, after striking him with an electrical cord and a stick in the presence of K. MOO and C.Y. K. Victim 1 stated that D. KIM told J. KIM, K. MOO and C. Y.K. to beat him more. Victim 1 stated that K. MOO struck him 5 times with the cord, C.Y.K. struck him twice "really hard" with the cord and J. KIM struck him more times than Victim 1 could count. Victim 1 stated that they wore black gloves so they would not hurt their own hands as they struck him with the cord and punched and kicked him.

Victim 1 reported that, on December 16, 2016, he had taken the wrong rice which made S. KIM angry. S. KIM then swore at him and told J. KIM to beat Victim 1. J. KIM assaulted Victim 1 on that date in the manner previously described.

Victim 1 reported that Victim 2 had also been assaulted (struck in the face with a wooden paddle) by S.KIM when Victim 2 was approximately 2 years old. Victim 1 described seeing Victim 2's bruised lip after S. KIM struck Victim 2 in the face when she cried after S. KIM had made Victim 2 stand with her hands in the air for hours. Victim 1 reported that he had seen Victim 2's feet and hips turn purple to the point she had trouble walking from beatings she had received in the past from S. KIM and D. KIM. Victim 1 reported that his parents allowed Victim 2 to stay at the church when she misbehaved.

Victim 1 also reported that S. KIM made children, including himself and Victim 2 in the past, "fast" when they misbehaved, which consisted of depriving them of food for days at a time.

Officers responded to the church to attempt to locate Victim 2. Upon arrival, D. KIM told officers that Victim 2 was in the basement of the church and was okay. D. KIM told officers that Victim 2's brother (Victim 1) had left the church earlier in the day. Victim 2 was located, found to be uninjured at that time, and was taken into protective custody.

As officer spoke with D. KIM, L.P. approached and asked the officer if he knew where her son was. When officers asked her if she knew that her son was missing, L.P. turned and asked D.KIM if he had called the police. D.KIM stated that he had not and asked L.P. if she had called the police. L.P. denied doing so and then became angry and demanded that officers tell her who reported her son missing. L.P. was advised that Victim 1 was safe. D. KIM was then arrested.

As officers began to escort D. KIM out of church, K.K.S.M. approached and stated that what was going on was not D. KIM's fault but was his own.

Officers also located J. KIM inside the church and placed him under arrest as well.

Officers spoke with J.KIM, who admitted that, on December 17, 2016, he had "rebuked" Victim 1 by striking him twice on the buttocks with a "small stick" after L.P. had come to him and asked him to deal with Victim 1 because Victim 1 was bothering her about a reflection letter that D.KIM had told Victim 1 to write about misbehavior at school. J. KIM admitted that, after the strikes, when he turned his back, Victim 1 had left the building wearing only shorts and a t-shirt. J. KIM admitted that no one called 911 looking for Victim 1, despite several people attempting to locate him. J. KIM also admitted that, on December 14, 2016, he heard D. KIM tell K.K.S.M. that as talking had not worked, the next step would be the use the "stick" on Victim 1, and Victim 1 told D. KIM that he wanted to test God which made D. KIM angry. D. KIM then made Victim 1 assume the "push up" position and D. KIM struck Victim 1 on the buttocks 15-20 times with " a small stick." J. KIM stated that Victim 1 moved so D. KIM struck Victim 1 in other places on Victim 1's body. When J. KIM described the "small stick," he described it as solid wood and estimated 24-30 inches long and a diameter if 1.25 inches wide. J. KIM further admitted that, on December 15, 2016 at approximately 4:00-4:30 am, he was awakened by yelling and when he had gotten out of bed, he learned that Victim 1 had fled the church on foot earlier, had been located and returned to the church.

J. KIM observed D. KIM and K.K.S.M. take Victim 1 into the office, and he observed K.K.S.M. strike Victim 1 once or twice with an open hand, and that D. KIM and K.K.S.M. were striking Victim 1 and he could hear Victim 1 crying. J. KIM admitted that Victim 1 had been struck with a "thin stick" roughly 24-30 inches long. The "thin stick" was later found to be a 2 x 4 plank of wood. J. KIM demonstrated how hard he had hit Victim 1 with the 2 x 4, striking the table in front of him with considerable force. When shown the photos of the extensive injuries to Victim 1, J. KIM claimed that the injuries were caused by K.K.S.M. and D. KIM.

Officers also spoke with D.KIM, who stated that he was unaware of what happened to Victim 1 on December 17, 2016, but admitted that he had used a "stick," to punish Victim 1 on December 14, 2016, striking Victim 1 almost 20 times. D. KIM admitted that Victim would move from the position on the floor so he struck him in various places on his body, and demonstrated using considerable force. D. KIM admitted that he "was really upset at the time" over Victim 1's rejection of God. D. KIM also admitted that, on December 15, 2016 around 4:00 am, he had used an electrical cord to whip Victim 1 with, striking Victim 1 "more than ten times and that K.K.S.M. had slapped Victim 1 several times in the face. D. KIM admitted that "I lost control" and had caused the injuries to Victim 1. D. KIM also stated that he had not called 911 when Victim 1 had left the church underdressed for the weather conditions, but stated that J. KIM should not have struck Victim 1.

D. KIM stated that K.K.S.M. and L.P. always followed his leadership in punishment of children. D. KIM also admitted that he had struck Victim 2 on 3-4 prior occasions, with her parents present, by delivering blows on her feet or palms with a paint stir stick, which caused Victim 2 to scream.

Officers spoke with K. MOO on January 3, 2017. K. MOO admitted that he had hit Victim 1 with an electrical cord 4-6 times while they were at the Good News Church. K. MOO stated that he had gotten the

cord from J. KIM. K. MOO stated that he had struck Victim 1 to make him afraid so he would listen to the older persons at the church. K. MOO confirmed that J. KIM had also struck Victim 1 with the cord "a lot more than me" and that C. Y.K. had also struck Victim 1 with the cord an unknown number of times. K. MOO stated that J. KIM wore gloves when he struck Victim 1 as the cord would snap back and hit him painfully on his hand if he did not. K. MOO stated that he observed D. KIM strike Victim 1 20-30 times on the legs, back and butt with the cord, and that D. KIM slapped Victim 1 on the face repeatedly.

K. MOO stated that he heard Victim 1 screaming on the night of December 14-15, 2016 and believed that Victim 1 was being punished for leaving the church. K. MOO stated that S. KIM called K. MOO "stupid" for letting Victim 1 get out of the building.

K. MOO confirmed that S. KIM has a temper, and that he knew Victim 2 got it quite badly from S. KIM as Victim 1 and 2's family had been in the church the longest. K. MOO stated that S. KIM would hit Victim 2 on the palms of her hands, require Victim 2 to stand next to a wall with her arms over her head for between 4-8 hours without break and chastise her if she lowered her arms, and withhold food from Victim 2 for several days.

Officers located a 2 x 4 plank of wood, a cut piece of electrical cord, and a wooden closet rod from inside the church which were the items reportedly used in the assaults on Victim 1. D. KIM showed officers the electrical cord, which was inside the desk drawer in his office, and the wooden rod which was located in his office supply closet which had been used to assault Victim 1. J. KIM showed officers the 2x4 plank that he used to assault Victim 1 in the basement of the church.

S. KIM's whereabouts are currently unknown.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, 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 declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

William Palmer
Sergeant
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 5429

Electronically Signed:
01/10/2017 10:58 AM
Hennepin County, MINNESOTA

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

Prosecuting Attorney

Tara C. Ferguson Lopez
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
01/10/2017 10:38 AM

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(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 300 S Sixth Street, Minneapolis, MN 55487 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 order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the 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 Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$50,000.00

Conditions of Release: No Contact with Victim; No Contact with Co-Defendant(s); No Contact with Minors/Males/Females under age of: no contact with minors; No Possession of Weapons; Make All Appearances; Remain Law Abiding; Surrender Passport

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: January 10, 2017.

Judicial Officer Ivy S. Bernhardson Electronically Signed: 01/10/2017 11:43 AM
District Court Judge

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff
vs.

Seung Joo Choi Kim

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Warrant
upon the Defendant herein named.*

Signature of Authorized Service Agent: