

In re: The Precious Metals and Gem Dealer License of:

John's Jewelry, Inc.  
Agent: Chon Sung J. LEE  
1119 W. Historic Mitchell St.  
Milwaukee, Wisconsin 53204

CITY OF MILWAUKEE  
09 DEC 22 PM 3:46  
RONALD D. LEONHARDT  
CITY CLERK

SWORN CHARGES BY CHIEF OF POLICE FOR REVOCATION OF LICENSE

Pursuant to Wis. Stat. § 134.71(10), and § 92-10-6, Milwaukee Code of Ordinances, Chief of Police Edward FLYNN, by Captain Donald J. GAGLIONE, Commander of Police District Two, being first duly sworn and upon his oath, respectfully charges the following based upon review of official Milwaukee Police Department investigative reports and communication with police and city officials:

1. That Chon Sung J. LEE (DOB 06-06-1959), [herein after referred to as "Licensee" or "LEE"], is the holder of a Precious Metals and Gem License, herein after referred to as PM & G, for the premises known as John's Jewelry located at 1119 W. Historic Mitchell St. in the City and County of Milwaukee, WI. That LEE's PM & G license number for the 2009 year is #295, and for the 2010 year is #317;
2. Your affiant states that for the past three months, P.O. Jeffrey THIELE and his partner, P.O. Glenn PODLESNIK, who are police officers under your affiants command, have been assigned to a special burglary detail at District 2. During this period, P.O.'s THIELE and PODLESNIK learned through their investigations that jewelry taken from these numerous burglaries had been sold to jewelry shops throughout District 2 in violation of the requirements of Wisconsin Statute section 134.71 and City of Milwaukee Ordinance 92-10;
3. That your affiant knows through everyday dealings that the price of gold has substantially increased in recent months;
4. That your affiant knows that P.O.'s THIELE and PODLESNIK have arrested several burglars over this three month period and several of those burglars have confessed to their crimes. That these burglars told P.O.'s THIELE and PODLESNIK during Mirandized interviews that they sold the gold and jewelry they stole to jewelry shops in District 2;
5. That your affiant knows that according to City of Milwaukee ordinance 92-10-6 and it's subsections, that PM & G dealers are required to obtain a picture identification card from a member of the general public who wishes to sell gold or jewelry and other precious metals to a PM & G dealer. That in lieu of a picture identification card, the PM & G dealer may take another form of identification and then obtain a fingerprint. That PM & G dealers located within the City of Milwaukee are required by ordinance to properly

complete a Milwaukee Police Department provided form, labeled a PP-16A, every time they purchase gold and jewelry or other precious metals from the general public. That PM & G dealers are required by ordinance to obtain a written declaration of ownership from the general public seller. That PM & G dealers are required by law to maintain a book or ledger and are to record legibly and in the English language every purchase of gold and jewelry and precious metals in said book, and that the book or ledger shall be kept for a period of one year. PM & G dealers are required by law to keep the jewelry purchased from the general public seller for a period of 15 days;

6. That your affiant knows through reports and records kept in the everyday normal business of the City of Milwaukee and the Milwaukee Police Department, that LEE was cited at least twice in 2008 for violations of 92-10-6. (City of Milwaukee Municipal Court case #08105220 and #08105219) That LEE was found guilty of the violation of PM & G License Required and was fined \$250.00 on November 5, 2008. (Case #08105219) That Milwaukee Municipal Court found LEE guilty for case #08105220, and suspended sentence;
7. That LEE has applied to the City of Milwaukee for a pawn-broker's license also;
8. That on November 11, 2009, at approximately 3:07 p.m., an undercover police officer entered John's Jewelry located at 1119 W. Historic Mitchell St., and was able to sell jewelry to the owner of John's Jewelry, Chon Sung J. LEE (DOB 06-06-1959), without the use of a picture identification card of any kind. LEE purchased a ring of gold for \$20.00. LEE and his employee both asked for an ID card, but when the undercover officer stated he did not have an ID, LEE authorized the purchase. This transaction was captured on audio and video recordings. The money received by the under cover police officer was placed on MPD Inventory #496841, and the video placed on MPD Inventory #496840;
9. That based upon information obtained through the investigations of P.O.'s THIELE and PODLESNIK, and the undercover operation, P.O. THIELE authored a search warrant for Star Jewelry. The Honorable Barry C. SLAGLE, Milwaukee County Court Commissioner, signed the warrant. The warrant was for illegally obtained jewelry, the recovery of Milwaukee Police Department jewelry that had been purchased by SANDINO JR., and documents, utility bills and other papers that showed who was in control of the business;
10. That on Wednesday, November 25, 2009, at approximately 10:05am, P.O.'s THIELE and PODLESNIK, along with P.O. Jill GUTIEREZ, assisted by Sgt. Sean HANLEY, executed that search warrant on John's Jewelry. That P.O. THIELE read the warrant to LEE and provided him with a copy of said warrant. It should be noted that November 25, 2009, is a date that falls within the 15 day holding period from the sale of jewelry to the Licensee by the undercover officer in which licensed PM & G dealers are to hold onto gold and jewelry purchased from the general public as required by law;
11. That P.O.'s THIELE and PODLESNIK demanded to see all the gold that LEE had purchased within the last 15 days and demanded to see his books or ledgers. That LEE


did claim to provide all the gold and jewelry that he had purchased in the last 15 days and that he had packaged this gold in individual clear plastic baggies and dated the baggies. That LEE kept books/ledgers and also completed the PP-16A's, as well as taking a photocopy of the seller's ID and the gold and jewelry that was being sold;

12. That LEE stated to police that he follows the laws and does nothing wrong. That LEE stated that he does not purchase gold and jewelry illegally. That LEE denied any wrongdoing until P.O. THIELE showed LEE a photograph of the jewelry that our undercover officer sold to him. Upon seeing this photograph of the gold, LEE stated to P.O. THIELE that he purchased the gold from that individual because that subject owed him money. LEE was then showed a photograph of LEE himself at the window of his business conducting gold and jewelry transactions with the undercover officer while not following the law. LEE was also told that the subject he purchased the ring from was an undercover police officer and he didn't owe LEE any money. LEE immediately became upset and stated he was very sorry for buying the ring and sorry for lying;
13. That P.O.'s THIELE and PODLESNIK took the time to go through each individual plastic bag full of gold and compared that to what LEE placed in his ledgers. LEE was present for this. That while doing this, we demanded the ring from LEE that was sold to LEE in the undercover operation. LEE did provide us with that ring;
14. That while P.O.'s THIELE and PODLESNIK sorted through the gold and jewelry, P.O. PODLESNIK found 4 pieces of jewelry that did not have a PP-16A, did not have a written declaration of ownership, had been taken without an ID, and had not been recorded in LEE's ledger. When asked about these pieces, LEE could only say that he was sorry. It should be noted that LEE does speak and understand the English language and provided P.O.'s THIELE and PODLESNIK with whatever they asked for and answered questions when asked. LEE was also able to ask P.O.'s THIELE and PODLESNIK questions about what was going on in English that was understandable;
15. That all of the gold that was removed from John's Jewelry was placed on Milwaukee Police Department inventory numbers #496959, along with 1 book/ledger. That the gold confiscated weighed 28 grams and was weighed in the presence of LEE.
16. That P.O.'s THIELE and PODLESNIK know through investigation that suspects regularly commit crime in other jurisdictions outside the City of Milwaukee, and that those suspects regularly bring the stolen gold and jewelry into the City of Milwaukee to sell. That on Thursday, December 3, 2009, P.O. THIELE called every police jurisdiction in the County of Milwaukee and informed them of the jewelry investigation. That P.O. THIELE invited every police jurisdiction in the County of Milwaukee to send a representative to District 2 to view the gold and jewelry before the public could view it in an attempt to possibly clear outside jurisdiction burglaries or crimes in which gold and jewelry were taken. That on Thursday, December 3, 2009, at approximately 11:30am, your affiant held a media/press conference at the District 2 police station. That your affiant informed the media/press of the operation that had been conducted and that P.O.'s

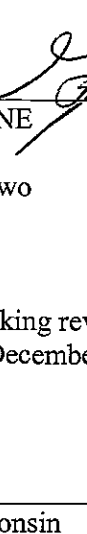
THIELE and PODLESNIK would hold a public viewing of the gold starting on Tuesday, December 7, 2009. That your affiant made it very clear to the public that in order to view the gold and jewelry, the citizen would have to have reported a valid crime prior to the operation and have that corresponding police report on hand, along with picture identification;

17. That starting on Tuesday, December 7, 2009, P.O.'s THIELE and PODLESNIK displayed the jewelry at the District 2 police station for the public to view. That over the next 3 days, (Tuesday, December 7, 2009 through Thursday, December 9, 2009), P.O.'s THIELE and PODLESNIK had over 150 citizens come into District 2 and view the gold and jewelry. Citizens came from as far away as Green Bay, Sheboygan, Fond Du Lac, and Madison;
18. That over these 3 days, P.O.'s THIELE and PODLESNIK were able to partially clear 7 burglaries or thefts in the City of Milwaukee, and 8 burglaries or thefts from outside jurisdictions;
19. That after the jewelry display to the public was over and this operation was coming to an end, P.O.'s THIELE and PODLESNIK went to all 4 jewelry stores involved in this operation and did spot check all 4 businesses. P.O.'s THIELE and PODLESNIK noted that it took an undercover operation, 85 citations with fines over \$40,000, and over 50 PA-33's, along with the confiscation of approximately \$75,000 worth of illegally purchased gold, for these businesses to start complying with the laws of the State of Wisconsin and the ordinances of the City of Milwaukee;
20. That the above-described conduct by the Licensee on the licensed premises amounts to the purposeful frustration of burglary and theft investigations, and other crimes that involve stolen jewelry in connection to the licensed premises. That the Licensee failed to abide by the laws of the State of Wisconsin and the ordinances of the City of Milwaukee by failing to obtain a picture identification card, failing to complete a PP-16A, failing to record some transactions in his ledger, failing to obtain a written declaration of ownership;
21. That the premise is operated in such a manner that it constitutes a public nuisance. That the conduct of the Licensee had a substantial adverse effect upon the well being of the citizens and neighbors. That the continued operation of the Licensee on this licensed premise is not in the best interests and good order of the city as set forth in the Milwaukee Code of Ordinances. Therefore, the Chief of Police, by his designee, respectfully requests that the PM & G License of Chon Sung J. LEE for the premises known as John's Jewelry, located at 1119 W. Historic Mitchell St., City and County of Milwaukee, Wisconsin, be immediately revoked.

Respectfully submitted,

  
\_\_\_\_\_  
Captain Donald J. GAGLIONE  
Commander  
Milwaukee Police District Two

The foregoing complaint seeking revocation of the PM & G Dealers License was subscribed and sworn to before me this 22<sup>nd</sup> day of December, 2009.

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission is permanent/expires: 1-1-2012

Approved as to form and content:  
Jarely Ruiz, Assistant City Attorney  
Adam Stephens, Assistant City Attorney

