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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 FOR THE COUNTY OF SANTA BARBARA  
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12 PEOPLE OF THE STATE OF CALIFORNIA,) Case No.: 1148758  
13 Plaintiff,) Judgment for Permanent Injunction (Varrio  
14 vs.) Lamparas Primera)  
15 VARRIO LAMPARAS PRIMERA, aka )  
16 WESTSIDE, a criminal street gang as an )  
17 unincorporated association; SOUTHSIDE, a )  
18 criminal street gang as an unincorporated )  
19 association, )  
20 Defendants. )  
21 \_\_\_\_\_ )  
22 RICHARD ALVAREZ, DAMION BLACK; )  
23 and CRYSTAL GARCIA, )  
Intervenors. )

24 On the basis of the pleadings and evidence filed in this proceeding and evidence  
25 presented at the hearing on September 16, 2005, and for the reasons set forth in the Statement of  
26 Decision on Motion for Preliminary Injunctions entered on September 30, 2005, the Court  
27 entered a preliminary injunction in this case. On February 24, 2006, the People of the State of  
28 California, by counsel, Gene Martinez, Senior Deputy District Attorney, and Intervenors Richard

1 Alvarez, Damion Black and Crystal Garcia, by counsel Neil B. Quinn, representing the Office of  
2 the Public Defender, stipulated to submit all remaining issues and the matter of the permanent  
3 injunction to the court on the basis of the evidence, objections, authority and argument  
4 previously submitted to the court in this action. No party other than the People and Interveners  
5 have participated in this action and no defendant has answered or otherwise responded to the  
6 complaint herein. The Court, therefore, enters a JUDGMENT FOR PERMANENT  
7 INJUNCTION as follows:

8       **Varrio Lamparas Primera, aka Westside (“VLP”)** and its current **Members** are  
9 enjoined and restrained from engaging in any of the activity described in Section 2 below in the  
10 Safety Zone as further described in the attached Exhibit 1.

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12       **1. Persons Covered by Injunction:**

13       For purposes of this judgment for permanent injunction, a person is a Member of VLP if  
14 that person actively participates in or acts in concert with or has, within the last five years,  
15 actively participated in or acted in concert with VLP and/or its other members in the commission  
16 of acts constituting the public nuisance enjoined herein, which participation or acting in concert  
17 is more than nominal, passive, inactive or purely technical.

18       No person shall be subject to the terms of this permanent injunction unless that person  
19 has been served with a copy of this judgment for permanent injunction.

20       **2. Prohibited Activity**

21       VLP and its Members are enjoined and restrained from engaging in any of the following  
22 activity:

23       **a. No Association with Other Known Gang Members:** VLP Members are  
24 prohibited from gathering or appearing anywhere in public view or anywhere  
25 accessible to the public, including standing, sitting, walking, driving, or bicycling  
26 with any person known to the individual to be a VLP or Southside gang member  
27 under circumstances that would warrant a reasonable person to believe that the  
28 purpose or effect of that behavior is to enable VLP and/or its Members to engage

1 in the nuisance conduct prohibited in this Order (other than this paragraph “a”).

2 No person shall be deemed to be in violation of this paragraph “a” if they are on a  
3 school campus attending class or on school business, engaging in religious  
4 activities; or actively engaged in some lawful business, trade, profession or  
5 occupation, though these exceptions do not define all activity that is not in  
6 furtherance of the nuisance.

7 **b. NO WITNESS INTIMIDATION:** VLP Members are prohibited from  
8 confronting, intimidating, annoying, harassing, threatening, challenging,  
9 provoking, assaulting or battering any person known to be a witness to or a victim  
10 of a crime, or any person known to have complained of the activities of VLP.

11 **c. No Dangerous Weapons, Guns, Firearms or Imitation Guns or Firearms:**  
12 While anywhere in public view or anyplace accessible to the public, VLP  
13 Members are prohibited from (1) possessing any dangerous weapons, guns or  
14 firearms including BB guns, pellet guns or any instrument that expels a projectile  
15 such as a BB or a pellet, through the force of air pressure, CO2 pressure, or spring  
16 action, or any spot marker gun, and any replica or imitation guns or firearms,  
17 ammunition, knives, sharpened screwdrivers, or any other instrument prohibited  
18 by Penal Code section 12020; (2) possessing a baseball bat, a miniature bat, a golf  
19 club, rocks, bottles, hammers, sticks, chains or pipes, without a legitimate  
20 purpose; (3) knowingly remaining in the presence of anyone who is in possession  
21 of such dangerous weapons, guns or firearms; or (4) knowingly remaining in the  
22 presence of such dangerous weapons, guns or firearms.

23 **d. No Fighting:** VLP Members are prohibited from engaging in fighting  
24 anywhere in public view or any place accessible to the public, including on public  
25 streets, alleys, and/or public and private property.

26 **e. No Use or Display of Gang Symbols:** VLP Members are prohibited from  
27 using or displaying letters, words or phrases, or physical gestures, commonly  
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known as hand signs, which describe or refer to the gang known as VLP, including, but not limited to: the letters VLP, W, S, WS and G.

**f. No Wearing Gang Clothing:** VLP Members are prohibited from wearing clothing, hats or accessories, including necklaces, which bear the name, initials, letters, numbers or other symbols of the gang known as VLP, including, but not limited to: 13, X3, Sureno, Lamparas, VLP, LP, WSG, WS, Westside Varrio, Primera, Bow Down, XIII, WSL, LP13, LPX3.

**g. No Sale of Illegal Drugs, Controlled Substances and Related**

**Paraphernalia:** VLP Members are prohibited from (1) participating in the sale of any controlled substances or illegal drugs, including but not limited to, heroin, methamphetamine, cocaine, hashish or marijuana; or (2) knowingly remaining in the presence of anyone selling any illegal drug or controlled substance, or related paraphernalia.

**h. No Graffiti/Vandalism:** VLP Members are prohibited from applying graffiti by any means, including spray painting, marking with marker pens, scratching, applying stickers or otherwise on any public or private property, including but not limited to the street, alley, residences, block walls, vehicles and/or any other real or personal property.

**i. No Graffiti/Vandalism Tools:** VLP Members are prohibited from possessing, without a legitimate purpose, marker pens, spray paint cans, spray can accessories, nails, razor blades, other sharp objects capable of defacing private or public property.

**j. No Blocking Free Passage:** VLP Members are prohibited from blocking the free passage of any person or vehicle on any street, walkway, sidewalk, driveway, alleyway, parking lot, or other area of public passage, or on the grounds of a school.

1                   **3. Procedure for Exclusion from Judgment for Permanent Injunction:**

2                   Any person wishing to be excluded from the coverage of this judgment for permanent  
3 injunction (“Movant”) shall file, in this proceeding, a Motion to be Excluded From Judgment for  
4 Permanent Injunction, and serve it on the District Attorney. The motion shall be governed by the  
5 Code of Civil Procedure and Rules of Court. No points and authorities, however, will be  
6 necessary and the timing of the motion, opposition and reply shall be governed by this order.  
7 The motion shall include a declaration, under penalty of perjury, by the Movant that he/she is not  
8 a Member of VLP and a statement that he/she does not want to be subject to the terms of the  
9 Injunction. The motion shall set a hearing on a Friday at 8:30 a.m. The motion shall be filed and  
10 served no less than 30 calendar days before the hearing date. The People shall file and serve, by  
11 fax if possible, any opposition and declarations no less than 10 days before the hearing date and  
12 any reply shall be filed and served, by fax, no less than 3 days before the hearing date. The court  
13 may reschedule the hearing. Rescheduling will not affect the due dates for opposition and reply.  
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15                   **a. Person Not Previously Adjudicated:** If the Movant has never been  
16 adjudicated a gang member in a prior judicial proceeding, the declaration will  
17 shift the burden to the People to prove, by clear and convincing evidence, that the  
18 Movant is a Member of VLP.

19                   **b. Person Previously Adjudicated:** If the Movant has been adjudicated a  
20 gang member in a prior judicial proceeding, Movant shall have the burden of  
21 proving, by clear and convincing evidence, that he/she is not now a Member of  
22 VLP. The court may condition the exclusion from the injunction on terms that  
23 will insure that the Movant remains disassociated from VLP, including enrollment  
24 in appropriate social programs and services.

25                   **4. Enforcement of the Injunction**

26                   This judgment for permanent injunction can be enforced solely by prosecution under  
27 Penal Code § 166 and not by summary contempt proceedings. In any prosecution for violation  
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of the injunction, the People must prove VLP membership and service of the judgment for permanent injunction on the defendant as elements of the crime of violating the injunction.

## 5. No Affect on Other Orders or Laws

Nothing in this order will have the effect of superseding or altering any law, ordinance, regulation, terms and conditions of probation or parole, or other lawful court order.

## 6. Reservation of Jurisdiction

The court reserves jurisdiction to modify, interpret or dissolve this judgment for permanent injunction. Any party, including an intervener, may move the court for modification, interpretation or dissolution of this judgment for permanent injunction.

DATED: February 27, 2006

/James F. Iwasko/  
JAMES F. IWASKO  
Judge of the Superior Court

DESCRIPTION  
OF  
VLP/SS SAFETY ZONE  
IN  
CITY OF LOMPOC

THE VLP/SS SAFETY ZONE IS LOCATED IN THE CITY OF LOMPOC AND DESCRIBED AS BEGINNING AT THE INTERSECTION OF “L” STREET AND WEST OCEAN AVENUE AND PROCEEDING EAST ON OCEAN AVENUE TO “H” STREET; “H” STREET NORTH TO CHESTNUT AVENUE; CHESTNUT AVENUE EAST TO “A” STREET; “A” STREET NORTH TO COLLEGE AVENUE; COLLEGE AVENUE EAST TO FOURTH STREET; FOURTH STREET NORTH TO PINE AVENUE; PINE AVENUE WEST TO “D” STREET; “D” STREET NORTH TO NORTH AVENUE; NORTH AVENUE WEST TO “L” STREET; “L” STREET SOUTH TO OAK AVENUE; OAK AVENUE WEST TO “O” STREET; “O” STREET SOUTH TO PINE AVENUE; PINE AVENUE WEST TO “T” STREET; “T” STREET SOUTH TO COLLEGE AVENUE; COLLEGE AVENUE WEST TO “Y” STREET; “Y” STREET SOUTH TO LAUREL AVENUE NORTH OF RAILROAD TRACKS; LAUREL AVENUE NORTH OF RAILROAD TRACKS EAST TO “R” STREET; “R” STREET SOUTH TO CYPRESS AVENUE; CYPRESS AVENUE EAST INCLUDING ALL OF RYON PARK TO “O” STREET; “O” STREET SOUTH TO OLIVE AVENUE; OLIVE AVENUE EAST TO “L” STREET; “L” STREET NORTH TO OCEAN AVENUE.

EXHIBIT 1