

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

F.O.

FILED
LOS ANGELES SUPERIOR COURT
SEP 09 2005
JUNIOR CLERK
M. Ferrara
BY M. FERRARA, DEPUTY

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES (CENTRAL DISTRICT)**

PEOPLE OF THE STATE OF CALIFORNIA,
ex rel. Rockard J. Delgadillo as the
City Attorney for the City of Los Angeles,

Plaintiff,

vs.

BIG HAZARD AKA HAZARD GRANDE,
an unincorporated association;
DOES 1 through 500, inclusive,

Defendants.

) Case No. BC 335749
) ~~PROPOSED~~
) **JUDGMENT GRANTING**
) **PERMANENT INJUNCTION**
)
) Assigned for all purposes to the
) Honorable James T. Chalfant (Dept. 13)
)
) DATE: [No Hearing Required]
) TIME: 9:30 a.m.
) PLACE: Dept 85
) 111 North Hill Street
) Los Angeles, CA 90012
)
) TRIAL DATE: Not Set
) CASE FILED: June 28, 2005

Plaintiff, the People of the State of California, *ex rel.* Rockard J. Delgadillo as the City Attorney for the City of Los Angeles, filed a complaint seeking to abate a public nuisance through the use of what is commonly known as a "gang injunction," against defendant Big Hazard aka Hazard Grande ("Hazard"), an unincorporated association alleged to be a criminal street gang, in a "Safety Zone" (as depicted in the map included as page 5), located in the City of Los Angeles, bounded by Cornwell Street and San Pablo Street to the west, Valley Boulevard to the north, N. Indiana Street to east, Marengo Street to the south, and extending 100 yards to the outside of each of those boundary streets; plaintiff subsequently voluntarily dismissed without prejudice all fictitious

1 "Doe" defendants; default was duly entered against defendant Hazard; after due consideration of all
2 papers filed in this action, including the declarations, request for judicial notice of fifty-four (54)
3 criminal convictions, and other evidence submitted, plaintiff's memorandum of points and
4 authorities including *People v. ex rel. Gallo v. Acuna*, 14 Cal. 4th 1090, cert. denied, 521 U.S. 1121
5 (1997); *People v. Englebrecht*, 88 Cal. App. 4th 1236 (2001); *In re Englebrecht*, 67 Cal. App. 4th
6 486 (1998), and other argument of counsel, this Court finds by clear and convincing evidence that
7 service is proper under the circumstances and that (1) Big Hazard is also known as Hazard Grande;
8 (2) Hazard is a criminal street gang as defined in Penal Code section 186.22 (Street Terrorism
9 Prevention and Enforcement ("STEP") Act) and is a gang as defined for the purpose of a gang
10 abatement injunction in *People v. Englebrecht*, 88 Cal. App. 4th 1236, 1258 (2001); and (3) the
11 conduct and activities of defendant Hazard, its members, and those person through whom the
12 defendant acts constitute a public nuisance in the Safety Zone; good cause appearing for entry of
13 judgement.

14 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that:

15 1. Defendant Hazard, its members, agents, servants, employees, and all persons acting under,
16 in concert with, for the benefit of, at the direction of, or in association with them or any of them, are
17 enjoined and restrained from engaging in or performing directly or indirectly, any of the following
18 activities in the Safety Zone:

19 a. **Do Not Associate:** Driving, standing, sitting, walking, gathering or
20 appearing, anywhere in public view or anyplace accessible to the public, with any known member of
21 Hazard, but not including: (1) when all individuals are inside a school attending class or on school
22 business, (2) when all individuals are inside a church, and (3) when all individuals are inside a
23 vehicle in transit on the 10 Freeway; provided however that this prohibition against associating shall
24 apply to all claims of travel to or from any of those locations;

25 b. **No Intimidation:** Confronting, intimidating, annoying, harassing,
26 threatening, challenging, provoking, assaulting or battering any person known to be a witness to any
27 activity of Hazard, known to be a victim of any activity of Hazard, or known to be a person who has
28 complained about any activity of Hazard;

1 c. **No Firearms, Imitation Firearms, or Dangerous Weapons:** Anywhere in
2 public view or anyplace accessible to the public, (1) possessing any firearm, imitation firearm,
3 ammunition, or illegal weapon as defined in Penal Code section 12020, (2) knowingly remaining in
4 the presence of anyone who is in possession of such firearm, imitation firearm, ammunition or
5 dangerous weapon, or (3) knowingly remaining in the presence of such firearm, imitation firearm,
6 ammunition or dangerous weapon. For purposes of this provision, an imitation firearm means a
7 replica of a firearm that is so substantially similar in physical properties to an existing firearm as to
8 lead a reasonable person to conclude that the replica is a firearm;

9 d. **Stay Away From Drugs:** Without a prescription, (1) selling, possessing, or
10 using any controlled substance or related paraphernalia, including but not limited to rolling papers
11 and pipes used for illegal drug use, (2) knowingly remaining in the presence of anyone selling,
12 possessing, or using any controlled substance or such related paraphernalia, or (3) knowingly
13 remaining in the presence of any controlled substance or such related paraphernalia;

14 e. **Stay Away From Alcohol:** Anywhere in public view or anyplace accessible
15 to the public, except on properly licensed premises, (1) possessing an open container of an alcoholic
16 beverage, (2) knowingly remaining in the presence of anyone possessing an open container of an
17 alcoholic beverage, or (3) knowingly remaining in the presence of an open container of an alcoholic
18 beverage;

19 f. **No Trespassing:** Being present on or in any property not open to the general
20 public, except (1) with the prior written consent of the owner, owner's agent, or the person in lawful
21 possession of the property, or (2) in the presence of and with the voluntary consent of the owner,
22 owner's agent, or the person in lawful possession of the property;

23 g. **No Trespassing in Ramona Gardens:** Being present on or in the Ramona
24 Gardens Housing Development (the "Development") and Adjacent Property, except (1) with the
25 prior voluntary written consent of a person who is listed on a lease for the Development, which
26 written consent shall be presented to any peace officer or Housing Authority official upon request, or
27 (2) in the presence of and with the voluntary consent of a person who is listed on a lease for the
28 Development. For purposes of this provision, the Development includes all residential units and all

1 common areas to which tenants are authorized to have access in connection with their tenancies,
2 including lawns, sidewalks, walkways, driveways, and parking lots. For purposes of this provision
3 Adjacent Property includes all Los Angeles Parks and Recreation buildings, areas and playgrounds
4 within or immediately adjacent to the Development, sidewalks and streets (to the center line of such
5 streets) which are immediately adjacent to the Development, and entire streets where such streets are
6 bordered on both sides by the Development. To be valid, written consent must identify the
7 authorizing party and unit number and be specific as to the date and time for each entry into the
8 Development. Such written consent shall be valid only in the following areas: the authorizing
9 party's unit, access to parking for the unit, and a direct route to and from the building where the unit
10 is located. When the authorizing party is a parent, sibling, child, spouse, or a parent of a child of the
11 person authorized, all of the above restrictions apply with the exception that the written consent need
12 not be specific as to the date and time for each entry into the Development;

13 h. **Obey Curfew:** Being outside between the hours of 10:00 p.m. on any day
14 and sunrise of the following day, unless (1) going to or from a legitimate meeting or entertainment
15 activity, (2) actively engaged in some business, trade, profession or occupation which requires such
16 presence, or (3) involved in a legitimate emergency situation that requires immediate attention;

17 i. **No Graffiti or Graffiti Tools:** Damaging, defacing, or marking any public
18 property or private property of another, or possessing any spray paint container or felt tip marker;
19 and

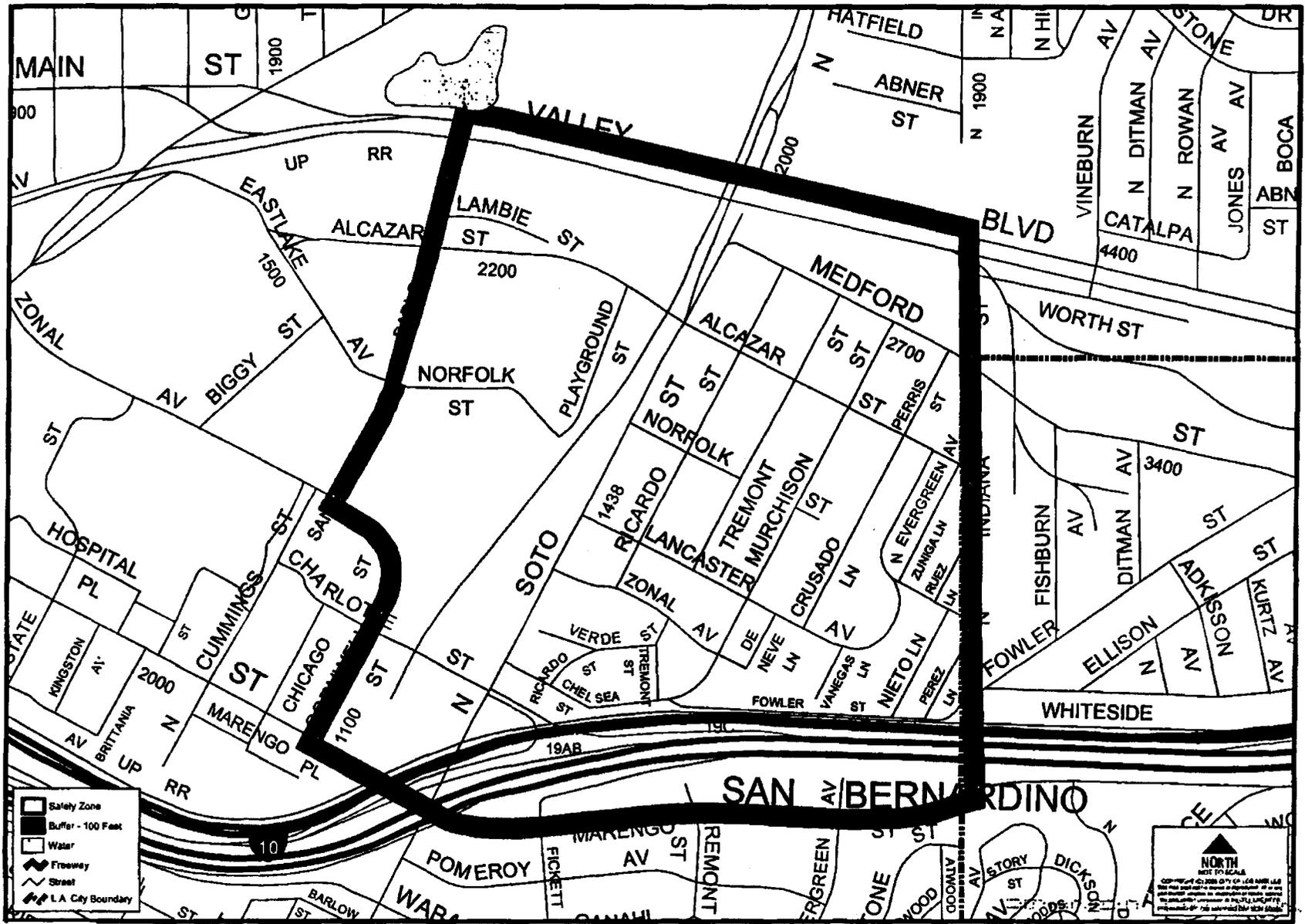
20 j. **Obey All Laws:** Failing to obey all laws (1) which prohibit violence and
21 threatened violence including murder, rape, robbery by force or fear, assault and battery, (2) which
22 prohibit interference with the property rights of others including trespass, theft, driving or taking a
23 vehicle without the owner's consent, and vandalism, or (3) which prohibit the commission of acts
24 which create a nuisance including the illegal sale of controlled substances and blocking the sidewalk;

25 [text continued on page 6 after map]

26 /

27 /

28



- Safety Zone
- Buffer - 100 Feet
- Water
- Freeway
- Street
- L.A. City Boundary

NORTH
NOT TO SCALE

Copyright © 2008 by G. Lee Moore, P.E. All rights reserved. This map is the property of G. Lee Moore, P.E. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of G. Lee Moore, P.E.

Hazard Park Safety Zone

Office of the City Attorney
City of Los Angeles

ENGINEERING
GARY LEE MOORE, P.E.
CITY ENGINEER



5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. No Costs Plaintiffs waived costs. Each party shall bear its own costs in this action.

DATED: 9/1/05

7- [Signature]
Judge of the Superior Court

Submitted on August 15, 2005 by
ROCKARD J. DELGADILLO, Los Angeles City Attorney
Martin Vranicar, Ass't City Atty, Supervisor, Gang Unit
L. Shiner, Deputy City Attorney
200 North Main Street, 800 City Hall East
Los Angeles, California (213) 978-4090

[Signature]
By: L. Shiner
Deputy City Attorney, Gang Unit

Attorneys for Plaintiff,
People of the State of California