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LOS ANGELES
SUPERIOR COURT

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8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES (CENTRAL DISTRICT)**
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11 **PEOPLE OF THE STATE OF CALIFORNIA,**)
12 *ex rel.* **Rockard J. Delgadillo as the**)
13 **City Attorney for the City of Los Angeles,**)

13 Plaintiff,

14 vs.

15 **42ND STREET GANGSTER CRIPS**)
16 **aka 4-DEUCE, an unincorporated association,**)
17 **43RD STREET GANGSTER CRIPS aka 4-**)
18 **TREY, an unincorporated association, AND**)
19 **48TH STREET GANGSTER CRIPS aka 4-8,**)
20 **an unincorporated association; DOES 1**)
21 **through 500, inclusive,**)

21 Defendants.

Case No. BC326016
~~[PROPOSED]~~
**JUDGMENT GRANTING
PERMANENT INJUNCTION**
Assigned for all purposes to the
Honorable Lee Edmon
DATE: N/A
TIME: N/A
PLACE: Dept 68
111 North Hill Street
Los Angeles, CA 90012
TRIAL DATE: Not Set
CASE FILED: December 16, 2004

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24 Plaintiff, the People of the State of California, *ex rel.* Rockard J. Delgadillo as the City
25 Attorney for the City of Los Angeles, filed a complaint on December 16, 2004 seeking to abate a
26 public nuisance through the use of what is commonly known as a “gang injunction,” against
27 Defendants 42nd Street Gangster Crips aka 4-Deuce, an unincorporated association alleged to be a
28 criminal street gang, 43nd Street Gangster Crips aka 4-Trey, an unincorporated association alleged to

1 be a criminal street gang, and 48th Street Gangster Crips aka 4-8, an unincorporated association
2 alleged to be a criminal street gang in a "Safety Zone" (as depicted in the map included as page 8
3 and incorporated herein) within the City of Los Angeles which is defined by the area bounded by the
4 route starting at the intersection of Washington Boulevard and Alameda Street, continuing south
5 along Alameda Street to Slauson Avenue, continuing west along Slauson Avenue to Central Avenue,
6 continuing south along Central Avenue to Florence Avenue, continuing west along Florence Avenue
7 to the Harbor (I-110) Freeway, continuing north along the Harbor (I-110) Freeway to Washington
8 Boulevard, continuing east along Washington Boulevard to the starting point at Alameda Street, and
9 including both sides of the boundary streets, but not including the roadbed or portion thereof of the
10 Harbor (I-110) Freeway; plaintiff subsequently voluntarily dismissed without prejudice all fictitious
11 "Doe" defendants; default was duly entered against defendants 42nd Street Gangster Crips aka 4-
12 Deuce, 43rd Street Gangster Crips aka 4-Trey, and 48th Street Gangster Crips aka 4-8; after due
13 consideration of all papers filed in this action, including the declarations, requests for judicial notice,
14 and other evidence submitted, plaintiff's memorandum of points and authorities including *People v.*
15 *ex rel. Gallo v. Acuna*, 14 Cal. 4th 1090, *cert. denied*, 521 U.S. 1121 (1997); *People v. Englebrecht*,
16 88 Cal. App. 4th 1236 (2001); *In re Englebrecht*, 67 Cal. App. 4th 486 (1998), this Court finds by
17 clear and convincing evidence that service is proper under the circumstances and that (1) 42nd Street
18 Gangster Crips aka 4-Deuce, 43rd Street Gangster Crips aka 4-Trey, and 48th Street Gangster Crips
19 aka 4-8 are criminal street gangs as defined in Penal Code section 186.22 (Street Terrorism
20 Prevention and Enforcement ("STEP") Act) and are gangs as defined for the purpose of a gang
21 abatement injunction in *People v. Englebrecht*, 88 Cal. App. 4th 1236, 1258 (2001); and (2) the
22 conduct and activities of defendants 42nd Street Gangster Crips aka 4-Deuce, 43rd Street Gangster
23 Crips aka 4-Trey, and 48th Street Gangster Crips aka 4-8 and their members constitute a public
24 nuisance in the Safety Zone; and good cause appearing for entry of judgment,

25 **GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED** that:

26 1. Defendants 42nd Street Gangster Crips aka 4-Deuce, 43rd Street Gangster Crips aka 4-
27 Trey, and 48th Street Gangster Crips aka 4-8, their members, agents, servants, employees, and all
28 persons acting under, in concert with, for the benefit of, at the direction of, or in association with

1 them or any of them, from engaging in or performing directly or indirectly, any of the following
2 activities in the Safety Zone:

3 a. **Do Not Associate:** Driving, standing, sitting, walking, gathering or
4 appearing, anywhere in public view or anyplace accessible to the public, with any known member of
5 the 42nd Street Gangster Crips aka 4-Deuce, 43rd Street Gangster Crips aka 4-Trey, 48th Street
6 Gangster Crips aka 4-8, and/or East Coast Crips but not including: (1) when all individuals are
7 inside a school attending class or on school business, (2) when all individuals are inside a church;
8 provided however that this prohibition against associating shall apply to all claims of travel to or
9 from any of those locations, and (3) when all individuals are inside A Place Called Home (“APCH”)
10 located at 2830 South Central Avenue, Los Angeles, California, and are enrolling in or are enrolled
11 in and attending a youth development, workforce development, or gang intervention program
12 established by APCH; provided however that this prohibition against associating shall apply to all
13 claims of travel to or from any of those locations;

14 b. **No Intimidation:** Confronting, intimidating, annoying, harassing,
15 threatening, challenging, provoking, assaulting or battering any person known to be a witness,
16 victim, or complainant to any activity of the 42nd Street Gangster Crips aka 4-Deuce, 43rd Street
17 Gangster Crips aka 4-Trey, 48th Street Gangster Crips aka 4-8, and/or East Coast Crips;

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

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

1 possessing, or using any controlled substance or such related paraphernalia, or (3) knowingly
2 remaining in the presence of any controlled substance or such related paraphernalia;

3 e. **No Open Containers of Alcohol:** Anywhere in public view or anyplace
4 accessible to the public, except on properly licensed premises, (1) possessing an open container of an
5 alcoholic beverage, (2) knowingly remaining in the presence of anyone possessing an open container
6 of an alcoholic beverage, or (3) knowingly remaining in the presence of an open container of an
7 alcoholic beverage;

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

12 g. **Stay Away From Gilbert Lindsay Park -** Being present on or in Gilbert
13 Lindsay Park. For purposes of this provision, Gilbert Lindsay Park includes the properties,
14 sidewalks, and adjacent parking lots at the address of 429 E. 42nd Place.

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

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

22 j. **No Identity Theft:** Do not possess any credit card or other financial
23 applications, credit cards, negotiable instruments, checks, and/or any identificatory documents of any
24 other person or business, real or fictitious, but not including: (1) non-fraudulent checks and/or
25 negotiable instruments used for payment of goods or services to yourself, and (2) non-fraudulent
26 financial documents of a business of which you are an employee or owner.

27 k. **No Reckless Driving:** Driving a vehicle in willful or wanton disregard for
28 the safety of persons or property, including to but not limited to while evading a peace officer as

1 defined in Vehicle Code sections 2800.1 through 2800.3. and

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

8 2. **Renunciation Provision:** Any 42nd Street Gangster Crips aka 4-Deuce, 43rd
9 Gangster Crips aka 4-Trey, and/or 48th Street Gangster Crips aka 4-8 gang member or any person
10 who has been served with this injunction (hereinafter "applicant") may move this court under this
11 provision for an order that this judgement is not enforceable against him/her.

12 a. **Requirements:** Plaintiff agrees not to object to an applicant's motion to be
13 excluded from this judgement, so long as the exclusion is to be without prejudice and with each side
14 to bear its own costs and fees, and so long as the motion satisfies the following requirements:

15 I. **Proper Notice:** A motion under this provision shall be made on proper
16 notice properly served on plaintiff's counsel, and shall not be made on shortened time;

17 ii. **Public Renunciation:** Applicant must declare that he/she is not or is no
18 longer a gang member, and that he/she has renounced the gang life. Renunciation is an essential part
19 of this provision.

20 iii. **Proof of Renunciation:** The applicant must truthfully declare under
21 penalty of perjury that, for the continuous period of three (3) years preceding the date of the
22 renunciation, with the starting date being no earlier than the date of this judgment, and not including
23 any time spent incarcerated, any time on supervised release (parole or probation), and/or any time
24 spent outside the country after having been deported, all of the following are and have been true:

25 A. Applicant has not claimed membership in any gang;

26 B. Applicant has not associated with any gang members, other
27 than immediate family members;

28 C. Applicant has not obtained any new gang-related tattoos and/or

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used, owned, or possessed any gang related paraphernalia;

D. Applicant has not been arrested for, committed or assisted in the commission of any felony or misdemeanor crime.

E. Applicant has in the 18 months prior to his/her renunciation consistently (1) been gainfully employed and/or (2) attended an educational institution and made consistent progress toward an educational goal that qualifies him/her for a job, career, or a higher level of education. Applicant must provide sufficient documentation showing his employment and/or educational attendance.

iv. No Third-Party Beneficiaries: It shall not be a defense to any civil or criminal contempt charge that the applicant was eligible to apply for this Renunciation provision.

b. No Effect in Other Proceedings: This provision and any orders from it shall not be admissible in any civil or criminal action, and cannot be used for or against an applicant for any purpose whatsoever, other than in a civil or criminal contempt proceeding brought for violation of this judgment.

c. Renounced Applicant Committing New Violation: If anyone who has successfully received an order under this provision violates any of subsections A through D of (2)(a)(iii) above (by claiming membership in a gang, associating with known gang members other than immediate family, obtaining any gang-related tattoos, possessing any gang paraphernalia, or being arrested for, committing, or assisting in the commission of any felony or misdemeanor crime), then the applicant may be re-served with the injunction Order and the same terms and conditions will apply.

3. ~~No Costs~~ Plaintiff waived costs. Each party shall bear its own costs in this action.

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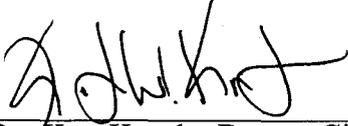
LEE SMALLEY EDMON

DATED: _____

Judge of the Superior Court

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1 Submitted on March 1, 2005 by
2 ROCKARD J. DELGADILLO, Los Angeles City Attorney
Martin Vranicar, Ass't City Atty, Supervisor, Gang Unit
3 Kurt Knecht, Deputy City Attorney
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By: Kurt Knecht, Deputy City Attorney
7 Attorneys for Plaintiff,
People of the State of California
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