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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA

PEOPLE OF THE STATE OF CALIFORNIA,)	Case No.: 1148758
Plaintiff,)	Judgment for Permanent Injunction
vs.)	(Southside)
VARRIO LAMPARAS PRIMERA, aka)	
WESTSIDE, a criminal street gang as an)	
unincorporated association; SOUTHSIDE, a)	
criminal street gang as an unincorporated)	
association,)	
Defendants.)	
_____)	
RICHARD ALVAREZ, DAMION BLACK;)	
and CRYSTAL GARCIA,)	
Intervenors.)	
_____)	

On the basis of the pleadings and evidence filed in this proceeding and evidence presented at the hearing on September 16, 2005, and for the reasons set forth in the Statement of Decision on Motion for Preliminary Injunctions entered on September 30, 2005, the Court entered a preliminary injunction in this case. On February 24, 2006, the People of the State of 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 **Southside** and its current **Members** are enjoined and restrained from engaging in any of
9 the activity described in Section 2 below in the Safety Zone as further described in the attached
10 Exhibit 1.

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

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

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

19 **2. Prohibited Activity**

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

22 **a. No Association with Other Known Gang Members: SOUTHSIDE**

23 Members are prohibited from gathering or appearing anywhere in public view or
24 anywhere accessible to the public, including standing, sitting, walking, driving, or
25 bicycling with any person known to the individual to be a SOUTHSIDE or Varrio
26 Lamparas Primera gang member under circumstances that would warrant a
27 reasonable person to believe that the purpose or effect of that behavior is to enable
28

1 SOUTHSIDE and/or its Members to engage in the nuisance conduct prohibited in
2 this Order (other than this paragraph “a”). No person shall be deemed to be in
3 violation of this paragraph “a” if they are on a school campus attending class or
4 on school business, engaging in religious activities; or actively engaged in some
5 lawful business, trade, profession or occupation, though these exceptions do not
6 define all activity that is not in furtherance of the nuisance.

7 **b. NO WITNESS INTIMIDATION:** SOUTHSIDE Members are prohibited
8 from 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
11 SOUTHSIDE.

12 **c. No Dangerous Weapons, Guns, Firearms or Imitation Guns or Firearms:**
13 While anywhere in public view or anyplace accessible to the public,
14 SOUTHSIDE Members are prohibited from (1) possessing any dangerous
15 weapons, guns or firearms including BB guns, pellet guns or any instrument that
16 expels a projectile such as a BB or a pellet, through the force of air pressure, CO2
17 pressure, or spring action, or any spot marker gun, and any replica or imitation
18 guns or firearms, ammunition, knives, sharpened screwdrivers, or any other
19 instrument prohibited by Penal Code section 12020; (2) possessing a baseball bat,
20 a miniature bat, a golf club, rocks, bottles, hammers, sticks, chains or pipes,
21 without a legitimate purpose; (3) knowingly remaining in the presence of anyone
22 who is in possession of such dangerous weapons, guns or firearms; or (4)
23 knowingly remaining in the presence of such dangerous weapons, guns or
24 firearms.
25

26 **d. No Fighting:** SOUTHSIDE Members are prohibited from engaging in
27 fighting anywhere in public view or any place accessible to the public, including
28 on public streets, alleys, and/or public and private property.

1 **e. No Use or Display of Gang Symbols:** SOUTHSIDE Members are prohibited
2 from using or displaying letters, words or phrases, or physical gestures,
3 commonly known as hand signs, which describe or refer to the gang known as
4 SOUTHSIDE, including, but not limited to: the letters SSG, SS, SSL, 13.

5 **f. No Wearing Gang Clothing:** SOUTHSIDE Members are prohibited from
6 wearing clothing, hats or accessories, including necklaces, which bear the name,
7 initials, letters, numbers or other symbols of the gang known as SOUTHSIDE,
8 including, but not limited to: 13, SSG, Southside, SS, SSL, X3, Sureno, SS Locos.

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

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

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

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

24 **j. No Blocking Free Passage:** SOUTHSIDE Members are prohibited from
25 blocking the free passage of any person or vehicle on any street, walkway,
26 sidewalk, driveway, alleyway, parking lot, or other area of public passage, or on
27 the grounds of a school.
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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 SOUTHSIDE and a statement that he/she does not want to be subject to the terms
9 of the Injunction. The motion shall set a hearing on a Friday at 8:30 a.m. The motion shall be
10 filed and served no less than 30 calendar days before the hearing date. The People shall file and
11 serve, by fax if possible, any opposition and declarations no less than 10 days before the hearing
12 date and any reply shall be filed and served, by fax, no less than 3 days before the hearing date.
13 The court may reschedule the hearing. Rescheduling will not affect the due dates for opposition
14 and reply.
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16 **a. Person Not Previously Adjudicated:** If the Movant has never been
17 adjudicated a gang member in a prior judicial proceeding, the declaration will
18 shift the burden to the People to prove, by clear and convincing evidence, that the
19 Movant is a Member of SOUTHSIDE.

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

26 **4. Enforcement of the Injunction**

27 This judgment for permanent injunction can be enforced solely by prosecution under
28 Penal Code § 166 and not by summary contempt proceedings. In any prosecution for violation

1 of the injunction, the People must prove SOUTHSIDE membership and service of the judgment
2 for permanent injunction on the defendant as elements of the crime of violating the injunction.

3 **5. No Affect on Other Orders or Laws**

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

6 **6. Reservation of Jurisdiction**

7 The court reserves jurisdiction to modify, interpret or dissolve this judgment for
8 permanent injunction. Any party, including an intervener, may move the court for modification,
9 interpretation or dissolution of this judgment for permanent injunction.
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11 DATED: February 27, 2006

12 /James F. Iwasko/
13 JAMES F. IWASKO
14 Judge of the Superior Court
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1 DESCRIPTION
2 OF
3 VLP/SS SAFETY ZONE
4 IN
5
6 CITY OF LOMPOC

7 THE VLP/SS SAFETY ZONE IS LOCATED IN THE CITY OF LOMPOC AND DESCRIBED
8 AS BEGINNING AT THE INTERSECTION OF “L” STREET AND WEST OCEAN AVENUE
9 AND PROCEEDING EAST ON OCEAN AVENUE TO “H” STREET; “H” STREET NORTH
10 TO CHESTNUT AVENUE; CHESTNUT AVENUE EAST TO “A” STREET; “A” STREET
11 NORTH TO COLLEGE AVENUE; COLLEGE AVENUE EAST TO FOURTH STREET;
12 FOURTH STREET NORTH TO PINE AVENUE; PINE AVENUE WEST TO “D” STREET;
13 “D” STREET NORTH TO NORTH AVENUE; NORTH AVENUE WEST TO “L” STREET;
14 “L” STREET SOUTH TO OAK AVENUE; OAK AVENUE WEST TO “O” STREET; “O”
15 STREET SOUTH TO PINE AVENUE; PINE AVENUE WEST TO “T” STREET; “T” STREET
16 SOUTH TO COLLEGE AVENUE; COLLEGE AVENUE WEST TO “Y” STREET; “Y”
17 STREET SOUTH TO LAUREL AVENUE NORTH OF RAILROAD TRACKS; LAUREL
18 AVENUE NORTH OF RAILROAD TRACKS EAST TO “R” STREET; “R” STREET SOUTH
19 TO CYPRESS AVENUE; CYPRESS AVENUE EAST INCLUDING ALL OF RYON PARK
20 TO “O” STREET; “O” STREET SOUTH TO OLIVE AVENUE; OLIVE AVENUE EAST TO
21 “L” STREET; “L” STREET NORTH TO OCEAN AVENUE.
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26 EXHIBIT 1
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