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LOS ANGELES SUPERIOR COURT

APR 10 2008

JOHN A. CLARKE, CLERK
BY MARIA FAUNE, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

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

Plaintiff,

vs.

ROLLING 40 CRIPS, 46 TOP DOLLAR
HUSTLER CRIPS, 46 NEIGHBORHOOD
CRIPS, criminal street gangs sued as
unincorporated associations,

Defendants.

Case No. BC380229
(Unlimited civil case)

[Proposed] [AMENDED]
**JUDGMENT GRANTING
PERMANENT INJUNCTION AGAINST THE
ROLLING 40 CRIPS, 46 TOP DOLLAR
HUSTLER CRIPS, AND
46 NEIGHBORHOOD CRIPS
AND THEIR MEMBERS**

Assigned for all purposes to the
Honorable Charles Lee,

Date: No date required

Place: Dept 33
Stanley Mosk Courthouse
111 North Hill Street
Los Angeles, CA 90012

Trial Date: Not set
Case Filed: 11/5/07

Plaintiff, the People of the State of California, *ex rel.* Rockard J. Delgadillo as the City Attorney for the City of Los Angeles, had filed a complaint seeking to abate a public nuisance through the use of "gang injunction" against defendants ROLLING 40 CRIPS, 46 TOP DOLLAR HUSTLER CRIPS, and 46 NEIGHBORHOOD CRIPS, alleged to be criminal street gangs sued as unincorporated associations, and against all of their members, including, but not limited to RAUL ALVAREZ (Lil

1 Chino), BOBBY BACON, KRISTOPHER BANKS (Lil Kaos), QUINTIN BRAZIER (Lil Teraco),
2 JARED BROWN (Pop Squaly), KENNETH CHATMAN (Lucci), PHILLIP CHATMAN (Chat),
3 RAYMOUNT COTTON (Big Ray Loc), DEANDRE DAVIS (Dre), VIRGIL DAVIS (Charlie Brown),
4 DANTE FOLEY (Rick Rock), KENNETH FRAZIER (K Mac), JOVANIE GREEN (Cisco),
5 MATTHEW HARRIS (Way Out), LEANDRE HEBRARD (Too Shay), GEORGE HERD (Low Down),
6 DAQUAN HOUSTON (D Baby/D Shady/Lil Shoog), JOHNNY JACKSON (Pooney), VINCENT
7 JACKSON (Cherokee), LAMONT JONES (Baby Killa Snoov), MARKELL JONES (Handgun),
8 CHRISTOPHER LUNDON [LONDON] (Lil Insane), CHRISTOPHER MASON (Baby Billy Bob),
9 RYAN McMURRAY (Big Dark Crip), LAVELLE MOSLEY (Tiny Hoodsta Foot), RENE PENA
10 (Froggy), MARK PETERS (Baby J Capone), JOSEPH PRADO (Baby Insane), DERRICK RICE (Baby
11 Day Day), ANTHONY SAWYER (Gucci), CHRISTOPHER SELICO (Lil Gaffle D), ROBERT
12 SPELLS (Scarface), TODD STEWART (Tiny K Rock), BENNIE STORY (Baby H Murder), FELTON
13 TAYLOR (Dody), MITCHELL TAYLOR (Lil Hitman), JABBAR THOMAS (Lil No Good),
14 CHRISTOPHER THOMPSON (Big C Loc), DAVID TONEY (Stranger/Baby D), CLIVE USHER (Lil
15 Man), ROBERT WHITE (Lil Mac), TERRY WILLIAMS (T Loc), MARCELLUS WRIGHT (Shorty),
16 and QUINCY WYATT (Baby Crip Daze) (all of whose photographs are appended hereto), and all those
17 through whom defendants may act, in the Vernon Corridor Safety Zone (hereinafter "Safety Zone," a
18 map of which is attached hereto and incorporated herein) located in South Los Angeles, whose
19 boundaries are as follows: Crenshaw Boulevard in the West, the Harbor Freeway (SR110) in the East,
20 Martin Luther King Boulevard in the North, 52nd Street in the South, and extending 100 yards beyond
21 each of these boundary streets.

22 The Clerk of the Court has entered the defaults of the following defendants in this
23 action, namely: the ROLLING 40 CRIPS, an unincorporated association, 46 TOP DOLLAR HUSTLER
24 CRIPS, an unincorporated association, and 46 NEIGHBORHOOD CRIPS, an unincorporated
25 association.

26 AND FURTHER, this court having reviewed the evidence heretofore submitted by plaintiff in
27 support of its Application for Default Judgment and having been filed in this action, including all
28

1 declarations, evidence, and points and authorities, and in light of the precedent of *People v. ex rel. Gallo*
2 *v. Acuna* (1997) 14 Cal. 4th 1090, *cert. den.* 521 U.S. 1121 and its progeny,

3 NOW THEN the court makes the following additional findings by clear and convincing
4 evidence: the ROLLING 40 CRIPS, 46 TOP DOLLAR HUSTLER CRIPS, and 46 NEIGHBORHOOD
5 CRIPS are unincorporated associations capable of being sued; the ROLLING 40 CRIPS is a criminal
6 street gang within the meaning of Penal Code section 186.22 subdivision (f); the 46 TOP DOLLAR
7 HUSTLER CRIPS is a criminal street gang within the meaning of Penal Code section 186.22
8 subdivision (f); and the 46 NEIGHBORHOOD CRIPS is a criminal street gang within the meaning of
9 Penal Code section 186.22 subdivision (f); that gang activity has caused to exist a public nuisance in the
10 aforementioned "Safety Zone;" that by their individual and associated conduct and activities, the three
11 defendant gangs have created and maintain that public nuisance in the "Safety Zone" through the acts of
12 their members and all those with whom the members act; there is no adequate remedy at law to protect
13 the community in the Vernon Corridor Safety Zone from the nuisance activities of these defendants.
14 Plaintiff has met its burden of proof as to each and every element of the cause of action for abatement of
15 a public nuisance as alleged in the Complaint as against each and every defaulting defendant by clear
16 and convincing proof. Service was proper as to each defaulting defendant.

17 NOW THEREFORE, GOOD CAUSE HAVING BEEN SHOWN,
18

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

20 1. Defendants ROLLING 40 CRIPS, 46 TOP DOLLAR HUSTLER CRIPS, and 46
21 NEIGHBORHOOD CRIPS, all of their members, and all persons acting under, in concert with, for the
22 benefit of, at the direction of, or in association with said defendants and their members, are hereby
23 **ENJOINED, RESTRICTED, AND RESTRAINED** from engaging in or performing, directly or
24 indirectly, any of the following activities in the "Safety Zone":

25 a. **Do Not Associate:** Standing, sitting, running, walking, talking, riding, driving, gathering,
26 being in the presence of, or appearing anywhere in public or in public view, or anyplace accessible to the
27 public, including but not limited to those places identified in Health and Safety Code section 11530
28 subdivision (b), with any known gang member(s) and/or gang associate(s) of ROLLING 40 CRIPS, 46

1 TOP DOLLAR HUSTLER CRIPS, and/or 46 NEIGHBORHOOD CRIPS, but not including: (1) when
2 all persons are inside the premises of a licensed school and attending class or conducting lawful school
3 business, or (2) when all persons are inside the premises of a church and attending services. This
4 prohibition against associating applies to all travel to or from any of the aforementioned permissible
5 locations;

6 **b. Stay Away from Drugs:** Selling, possessing, or using, without a legal prescription, or
7 knowingly remaining in the presence of anyone possessing, selling, or using, without a legal
8 prescription, any narcotics, marijuana, or other controlled substance or related paraphernalia, including,
9 but not limited to, hypodermic needles, hype kits, hypodermic injection devices, narcotics smoking
10 devices, roach clips, small scales, and rolling papers and pipes suitable for any illegal drug use. Proof of
11 the existence of a prescription shall be an affirmative defense to a charge of a violation of this section.
12 The burden of producing evidence of the existence of such a prescription shall be on the defendant;

13 **c. Do Not Block Access:** By any act, blocking the passage of any person or vehicle from any
14 area of pedestrian or vehicular access, including blocking any street, walkway, sidewalk, driveway, or
15 alleyway;

16 **d. Do Not Trespass:** Being present on or in the private property of any other person, which is
17 not open to the general public, except: (1) with the prior written consent of the person in lawful
18 possession of the property, or (2) in the presence and with the voluntary consent of the person in lawful
19 possession of the property;

20 **e. Obey Curfew:** (1) If under the age of eighteen (18), being out of your residence in any public
21 place or any place accessible to the public between 8:00 p.m. on any day and 5:00 a.m. of the
22 immediately following day, unless (a) going to or from a lawful, non gang-related entertainment activity
23 with prior parental or legal guardian written permission, or (b) engaged in a legal occupation that
24 requires being out of your residence, or (c) responding reasonably to an emergency situation that
25 requires your immediate attention. For purposes of this Judgment, you must have proof of parental
26 permission or occupation and proof of any valid reason for being out of your residence on your person
27 when stopped by any peace officer;

1 (2) If eighteen (18) years of age or older, being out of your residence in any public place
2 or any place accessible to the public between 10:00 p.m. on any day and 5:00 a.m. of the immediately
3 following day, unless (a) going to or from a lawful, non gang-related entertainment activity, (b) engaged
4 in a legal occupation that requires being out of your residence, or (c) responding reasonably to an
5 emergency situation that requires your immediate attention. For purposes of this Judgment, you must
6 have written proof of any valid reason for being out of your residence on your person at the time that
7 you are stopped by any law enforcement officer;

8 (3) For purposes of this Judgment, "accessible to the public" means any place to which
9 the public or a substantial group of the public has access, including but not limited to any streets,
10 highways, sidewalks, driveways, walkways, doorways of commercial establishments, front porches and
11 yards, hallways of apartment buildings, and vacant lots;

12 (4) For purposes of this Judgment, "entertainment activity" means any activity occurring
13 at places of entertainment open to the public and includes only events for which admission is charged,
14 such as theaters, movies, or sporting events. Proof of payment for such entertainment activity (e.g.
15 ticket stub) must be in your possession when confronted by a peace officer. Parties and other private,
16 associational gatherings do not qualify as entertainment activities;

17 (5) Proof of permission, occupation, entertainment, or emergency as an exception to this
18 subsection shall be an affirmative defense to a charge of a violation of this section. The burden of
19 producing evidence of the existence of such permission, occupation, entertainment, or emergency shall
20 be on the defendant;

21 f. **Do Not Warn Of Police:** Acting as a "lookout" by whistling, yelling, or otherwise signaling
22 by any means and any equipment, including, but not limited to, hand signals, flashlights, walkie-talkies,
23 cellular telephones, or whistles, to warn another person of an approaching law enforcement officer, or
24 soliciting, encouraging, coercing, or employing another person to act as such lookout;

25 g. **No Reckless Driving:** Driving a vehicle in willful or wanton disregard for the safety of
26 persons or property, including, but not limited to, while evading a peace officer as defined in Vehicle
27 Code sections 2800.1 through 2800.3;

1 h. **Do Not Give False Information:** Knowingly giving false information to any law
2 enforcement officer acting within the scope of his or her duties;

3 i. **Do Not Give False Identification Information:** Giving to any law enforcement officer false
4 identifying information about oneself, including, but not limited to, name, date of birth, moniker,
5 identification number (such as driver's license number or social security number), and identification
6 card or document;

7 j. **Do Not Intimidate:** (1) Confronting, intimidating, harassing, challenging to fight, provoking,
8 assaulting, or threatening any person; (2) displaying any logo or tattoo of the ROLLING 40 CRIPS, 46
9 TOP DOLLAR HUSTLER CRIPS, or 46 NEIGHBORHOOD CRIPS anywhere in public or public view
10 or anyplace accessible to the public, which tattoo or logo is known or intended to be a reference to the
11 ROLLING 40 CRIPS, 46 TOP DOLLAR HUSTLER CRIPS, or 46 NEIGHBORHOOD CRIPS, or any
12 of their sets or cliques, for the purpose of intimidating anyone;

13 k. **Stay Away From Alcohol:** Anywhere in public or public view or anyplace accessible to the
14 public, except on properly licensed premises, (1) possessing or drinking from an open container of an
15 alcoholic beverage, (2) knowingly remaining in the presence of or being within 10 feet of anyone
16 possessing an open container of an alcoholic beverage, or (3) knowingly remaining in the presence of or
17 being within 10 feet of an open container of an alcoholic beverage;

18 l. **No Guns or Dangerous Weapons:** Anywhere in public or public view or anyplace accessible
19 to the public, including while in a vehicle on any street, (1) possessing any firearm, ammunition, or any
20 Dangerous Weapon (defined as any fixed blade knife, locking-blade knife, modified baseball bat (except
21 one used to play the game of baseball), altered screwdriver, or any weapon the possession of which is
22 prohibited by any provision of the California Penal Code or is defined in California Penal Code section
23 12020), (2) knowingly remaining in the presence of anyone who is in possession of such firearm,
24 ammunition, or Dangerous Weapon, or (3) knowingly remaining in the presence of such firearm,
25 ammunition, or Dangerous Weapon;

26 m. **No Other Weapons:** Anywhere in public or public view or anyplace accessible to the
27 public, including while in a vehicle on any street, (1) possessing any imitation firearm, BB gun, or pellet
28 gun, (2) knowingly remaining in the presence of anyone who is in possession of any imitation firearm,

1 BB gun, or pellet gun, or (3) knowingly remaining in the presence of any imitation firearm, BB gun, or
2 pellet gun. For purposes of this provision, an imitation firearm means a replica of a firearm that is so
3 substantially similar in physical properties to an actual firearm as to lead a reasonable person to
4 conclude that the replica is an actual firearm;

5 n. **No Graffiti or Possessing Graffiti Tools:** Damaging, defacing, or marking any public
6 property or private property of another, or possessing any aerosol paint container, felt tip marker,
7 adhesive stickers (commonly known as "slap tags"), or any other marking or caustic substance,
8 including those identified or defined in Penal Code sections 594.1 and 594.2;

9 o. **No Cell Phones:** Possessing or using any cellular or digital phone, walkie-talkie, two-way
10 radio, or communication scanner; except (1) as required for a legal business or occupation and possessed
11 during business hours, or (2) as reasonably required by an actual emergency. Proof of the need for
12 possession or use in a business or occupation or by an emergency as an exception to this provision shall
13 be an affirmative defense to a charge of violation of this provision. The burden of producing evidence
14 of the existence of such need or emergency shall be on the defendant.

15 p. **No Gang Apparel:** Anywhere in public or public view or anyplace accessible to the public,
16 knowingly possessing any item or wearing any clothing, jewelry, or other article which refers in any
17 way, including by color, name, letter, number, symbol or any combination thereof, to ROLLING 40
18 CRIPS, 46 TOP DOLLAR HUSTLER CRIPS, or 46 NEIGHBORHOOD CRIPS, or to any of their
19 subgroups known as "cliques" or "sets," or to their members. Examples of the aforementioned
20 prohibited symbols include, but are not limited to, the following: 40, 46, XL, RFC, TDH, CRIPS, NHC,
21 DARCSIDE (sic), AVE(S), VSP, OWS, NY, NC, or 4-leaf clover, as well as clothing or paraphernalia
22 of professional or college sports teams that are known to be used as symbols for the aforementioned
23 gangs, such as Milwaukee Brewers baseball glove;

24 q. **No Use of Gang Signs:** Anywhere in public or public view or anyplace accessible to the
25 public, uttering or using any words, phrases, physical gestures, or exhibiting ("throwing") gang or hand
26 signs which refer to the gangs known as ROLLING 40 CRIPS, 46 TOP DOLLAR HUSTLER CRIPS, or
27 46 NEIGHBORHOOD CRIPS, or to any of their subgroups known as "cliques" or "sets";

1 r. **No Unlawful Noise:** Making, causing, or encouraging others to make noise of any kind that
2 violates noise restrictions as defined in Los Angeles Municipal Code sections 41.57 and 111.00-116.01
3 and California Vehicle Code section 27007, including, but not limited to, playing loud music and
4 participating in loud parties;

5 s. **No Fighting:** While anywhere in public or public view or anyplace accessible to the public,
6 fighting with any person or being in the presence of or attending a gang initiation;

7 t. **Stay Out of Vermont Square Park:** Entering and/or remaining in VERMONT SQUARE
8 PARK, located at 47th Street and Budlong Avenue, at any time;

9 u. **Stay Out of the Vernon Corridor Safety Zone:** As to any member of ROLLING 40 CRIPS,
10 46 TOP DOLLAR HUSTLER CRIPS, or 46 NEIGHBORHOOD CRIPS, entering or remaining in the
11 Safety Zone at any time, unless (1) a health emergency requires the member's presence there, or (2) the
12 member is a resident, defined as either (i) a juvenile who lives within the Safety Zone with a parent or
13 legal guardian, or (ii) an adult who owns property in or is a signatory to a lease or rental agreement on a
14 property within the Safety Zone, or (3) the member is attending services at a church, or (4) the member
15 is attending a school for the purposes of instruction. Proof that the member is attending church services,
16 attending instruction at school, or is a resident as described herein shall be an affirmative defense to a
17 charge of a violation of this section. The burden of producing evidence of such exception shall be on the
18 defendant;

19 v. **Obey All Laws:** Failing to obey all laws (1) which prohibit violence and threatened violence,
20 including but not limited to, murder, rape, robbery by force or fear, assault and battery, (2) which
21 prohibit interference with the property rights of others, including but not limited to, trespass, theft,
22 driving or taking a vehicle without the owner's consent, and vandalism, or (3) which prohibit the
23 commission of acts which create a nuisance, including but not limited to, the illegal sale of controlled
24 substances and blocking the sidewalk;

25 2. Personal service required: No person will be required to comply with the provisions of
26 this Judgment, unless that person will have been personally served with a copy of this Judgment.

27 3. This injunction includes the following limitation (entitled "Opt-Out Provision"):
28

1 **OPT-OUT PROVISION:** Any individual member of the ROLLING 40 CRIPS, 46 TOP
2 DOLLAR HUSTLER CRIPS, or 46 NEIGHBORHOOD CRIPS, as well as all persons who participate
3 with or act in concert with the ROLLING 40, 46 TOP DOLLAR HUSTLER, OR 46
4 NEIGHBORHOOD CRIPS gangs in more than a nominal, passive, inactive, or purely technical way,
5 who has/have been served with the Judgment Granting Permanent Injunction (referred to hereinafter as
6 “Served Person”), may move this Court under this provision for an order that this injunction is not
7 enforceable against him/her. The terms of the current opt-out provision are as follows:

8 1. **Requirements:** Plaintiff agrees not to object to a “Served Person’s” motion to be
9 dismissed under this provision, so long as the dismissal is to be without prejudice, and
10 with each side to bear its own costs and fees, and so long as the motion satisfies the
11 following requirements:

12 a. **Proper Notice:** A motion under this provision shall be made on proper notice
13 properly served on plaintiff’s counsel, and shall not be made on shortened time;

14 b. **Served Person No Longer a Gang Member:** “Served Person” must file with
15 the court a declaration under penalty of perjury stating that he/she is a reformed,
16 former gang member with the ROLLING 40, 46 TOP DOLLAR HUSTLER, OR
17 46 NEIGHBORHOOD CRIPS gangs, that he/she is not active with any of the
18 three (3) gangs, and that he/she has renounced gang life. Renunciation of the
19 three (3) street gangs (ROLLING 40, 46 TOP DOLLAR HUSTLER, AND 46
20 NEIGHBORHOOD CRIPS) is an essential part of this provision.

21 c. **Proof Required:**

22 i. “Served Person” must file with the court a declaration under
23 penalty of perjury stating that he/she has not been arrested for the
24 past five years, not including any time spent incarcerated, which
25 must be true;

26 ii. “Served Person” must declare that he/she has not been documented
27 by law enforcement for the past five years to have been in the
28 company or association of any other known active Rolling 40, 46

1 Top Dollar Hustler, or 46 Neighborhood Crips gang member, other
2 than an immediate family member, which must be true;

3 iii. "Served Person" must declare that he/she has not obtained any new
4 Rolling 40, 46 Top Dollar Hustler, or 46 Neighborhood Crips
5 gang- related tattoos for the past five years, which must be true;
6 and

7 iv. "Served Person" must declare that he/she is gainfully employed
8 and has so been employed consistently for a period of one year,
9 which must be true.

10 2. **No Third-Party Beneficiaries:** It shall not be a defense to any civil or criminal
11 contempt charge or civil or criminal charge of any nature whatsoever, that
12 "Served Person" was eligible to apply for dismissal under this provision.

13 3. **No Effect in Other Proceedings:** Plaintiff shall not be bound by the criteria of
14 this special provision (a public, sworn renunciation and five arrest-free years), in
15 any action, civil or criminal, other than a motion brought under this provision in
16 this action. Moreover, a dismissal under this provision shall be without prejudice
17 and shall not operate as a retraxit in any other action.

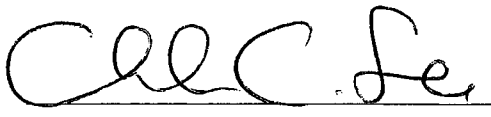
18 4. **Judgment Not Admissible:** This judgment shall not be admissible in any civil
19 action, and Saved Person's opt-out declaration cannot be used against him/her for
20 any purpose whatsoever, other than in a civil or criminal contempt proceeding
21 brought for violation of this judgment.

22 5. **Dismissed Gang Member Committing New Violation:** If a "Served Person"
23 who has successfully been dismissed from this Judgment pursuant to the
24 provisions set forth above fails to abide by all of the above "opt-out" provisions,
25 by violating any term of this Judgment, or by being arrested for any crime that is
26 determined to be a gang-related crime, then such "Served Person" may be re-
27 served with this Injunction order and will be required to comply with all of its
28 terms.

1 4. This Judgment may be modified as to any of its terms, but only upon a properly noticed
2 and served motion of any party.

3 5. Plaintiff shall not be required to post an undertaking pursuant to Code of Civil Procedure
4 section 529 subdivision (b)(3).

5
6 DATED: 4/10/08



CHARLES C. LEE
Judge of the Superior Court

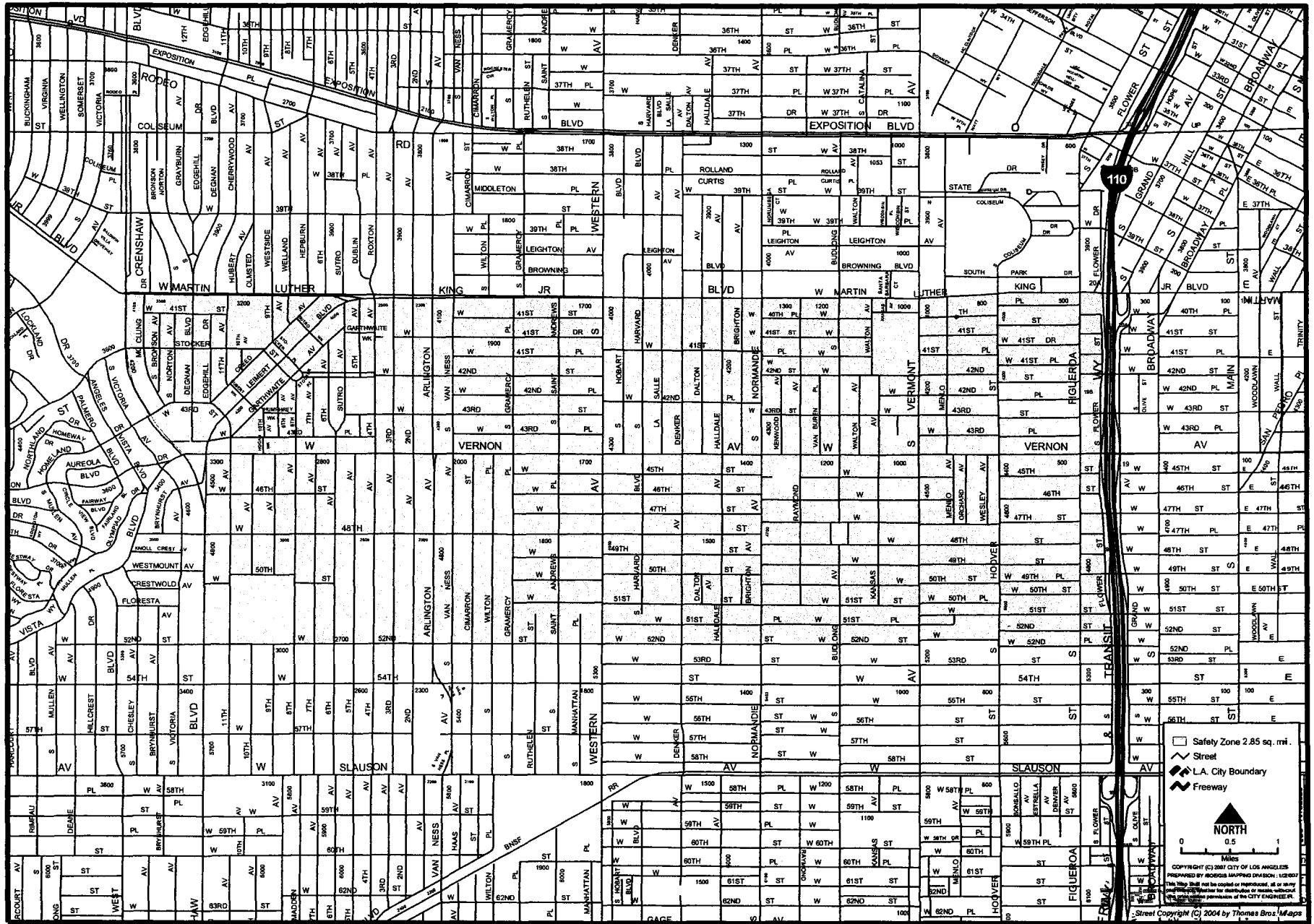
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9 Submitted on _____ by

10 ROCKARD J. DELGADILLO, Los Angeles City Attorney
11 BRUCE RIORDAN, Gang Division Supervisor
12 ALLAN A. NADIR, Deputy City Attorney
200 North Main St, 900 City Hall East
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13 By: _____

14 ALLAN A. NADIR
15 Deputy City Attorney, Gang Division
16 Attorneys for plaintiff

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FILED



Vernon Corridor Safety Zone

Office of the City Attorney
City of Los Angeles

LA DPW
ENGINEERING
Planning, Designing, the Future
GARY LEE MOORE, P.E.
CITY ENGINEER

